



**AGENDA REVIEW MEETING  
CHESTERFIELD CITY COUNCIL  
VIRTUAL MEETING VIA ZOOM  
MONDAY, JULY 20, 2020  
6:00PM**

**Due to the recommendations of the President, the Governor, and the CDC, we will be conducting the meeting virtually. We invite you to join the virtual meeting <https://zoom.us/j/96940952318> or call (312) 626-6799 and enter Webinar ID: 969 4095 2318**

**I. Appointments – Mayor Bob Nation**

**A. Statutory Committee Member Reappointment**

- **Jessica Stoll – Architectural Review Board**

**II. Planning and Public Works Committee – Chairperson Dan Hurt, Ward III**

**A. Bill No. 3296 – P.Z. 18-2019 Clarkson Centre (2264 Clarkson Road)**

An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of an existing “R-2” Residence District and “C-8” Planned Commercial District to an “R-4” Residence District for 0.99 acres located on the southern corner of the intersection of Clarkson Road and Clarkson Woods Drive. (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road] 20T610716). **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

**B. Bill No. 3297 – P.Z. 19-2019 Briarcliffe Villas (13987 & 14001 Olive Blvd.)**

An ordinance repealing City of Chesterfield Ordinance Number 2213 creating a Planned Environment Unit Procedure within an “R-3” Residence District for two (2) tracts of land totaling 29.4 acres located on Olive Boulevard (P.Z. 19-2019 Briarcliffe Villas {13987 & 14001 Olive Blvd} 16R340207 & 16R340151). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Petitioner has again requested to hold Bill No. 3297 and Bill No. 3298 indefinitely until the City resumes in-person, physical meetings.**

**C. Bill No. 3298 – P.Z. 20-2019 Briarcliffe Villas (14001 Olive Blvd.)**

An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of an “R-3” Residence District to a “PUD” Planned Unit Development for a 29.4 acre tract of land located on the north side of Olive Boulevard. (P.Z. 20-2019 Briarcliffe

Villas {14001 Olive Blvd} 16R340151). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends denial. Petitioner has again requested to hold Bill No. 3297 and Bill No. 3298 indefinitely until the City resumes in-person, physical meetings.**

**D. Bill No. 3300 – Adoption of St. Louis County Technical Codes** An ordinance adopting and enacting the Building, Existing Building, Mechanical, Residential, Existing Building, Electrical, Plumbing, Property Maintenance, Swimming Pool and Spa, and Explosives Codes of the City of Chesterfield, Missouri. **First Reading held May 4, 2020. No action required until August 3, 2020, which follows a 90-day period allowing public review of the codes.**

**E. Next Meeting – July 23, 2020 (5:30pm)**

**III. Finance and Administration Committee** – Chairperson Barb McGuinness, Ward I

**IV. Parks, Recreation and Arts Committee** – Chairperson Michelle Ohley, Ward IV

**V. Public Health and Safety Committee** – Chairperson Ben Keathley, Ward II

**VI. Report from the City Administrator & Other Items Requiring Action by City Council** – Mike Geisel

**A. Liquor License Request – Wentes** The Wentes location at 18000 Chesterfield Airport Road (SW corner of Chesterfield Airport Road and Goddard Avenue) is under new ownership and has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police and Planning Department and found to meet all of the City's requirements. **(Voice Vote)**

**VII. Other Legislation**

**A. Bill No. 3309 – Conflict of Interest** An ordinance re-adopting the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials. **(First Reading)**

**B. Bill No. 3310 – Oak Creek Meadows, Plat 2 – Record Plat** An ordinance providing for the approval of a Record Plat for Oak Creek Meadows Plat 2, a 1.00 acre tract of land zoned "R-2" Residence District on the south side of Olive Boulevard east of its intersection with Monterra Drive. **(First & Second Readings) Planning Commission recommends approval.**

**C. Proposed Resolution – Parks Grant** As previously directed by City Council subject to successful execution of the Logan Lease agreement, Staff has prepared the resolution authorizing submission of the 2020-

2021 grant application to the Municipal Parks Grant Commission, for the purpose of constructing park amenities at 1851 Schoettler Road in partnership with Logan University. The grant application includes funding for a playground, pavilion, restroom, facility parking, and two pickle ball courts for phase one of the park development. The attached resolution authorizes the City Administrator, to sign the grant application and is a requirement of the Commission for grant application acceptance. **(Roll Call vote)**

**VIII. Unfinished Business** – Mayor Bob Nation

**IX. New Business** – Mayor Bob Nation

**X. Adjournment**

**NOTE:** *City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

**Notice** is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3)1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.



**AGENDA  
CITY COUNCIL MEETING  
VIRTUAL MEETING VIA ZOOM  
MONDAY, JULY 20, 2020  
7:00PM**

**Due to the recommendations of the President, the Governor, and the CDC, we will be conducting the meeting virtually. We invite you to join the virtual meeting at <https://zoom.us/j/96450796821> or call (312) 626-6799 and enter Webinar ID: 964 5079 6821.**

- I. CALL TO ORDER** – Mayor Bob Nation
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
  - A. City Council Meeting Minutes** – June 17, 2020
  - B. Executive Session Meeting Minutes** – June 17, 2020
- VI. INTRODUCTORY REMARKS** – Mayor Bob Nation
  - A. Thursday, July 23, 2020 – Planning & Public Works (5:30pm)**
  - B. Monday, July 27, 2020 – Planning Commission (7pm)**
  - C. Monday, August 3, 2020 – City Council (7pm)**
- VII. COMMUNICATIONS AND PETITIONS** – Mayor Bob Nation
  - A. Proclamation - National Parks & Recreation Month**



## **VIII. APPOINTMENTS – Mayor Bob Nation**

### **A. Statutory Committee Member Reappointment**

- **Jessica Stoll – Architectural Review Board**

## **IX. COUNCIL COMMITTEE REPORTS**

### **A. Planning and Public Works Committee – Chairperson Dan Hurt, Ward III**

- 1. Bill No. 3296 – P.Z. 18-2019 Clarkson Centre (2264 Clarkson Road)** An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of an existing “R-2” Residence District and “C-8” Planned Commercial District to an “R-4” Residence District for 0.99 acres located on the southern corner of the intersection of Clarkson Road and Clarkson Woods Drive. (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road] 20T610716). **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**
- 2. Bill No. 3297 – P.Z. 19-2019 Briarcliffe Villas (13987 & 14001 Olive Blvd.)** An ordinance repealing City of Chesterfield Ordinance Number 2213 creating a Planned Environment Unit Procedure within an “R-3” Residence District for two (2) tracts of land totaling 29.4 acres located on Olive Boulevard (P.Z. 19-2019 Briarcliffe Villas {13987 & 14001 Olive Blvd} 16R340207 & 16R340151). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Petitioner has again requested to hold Bill No. 3297 and Bill No. 3298 indefinitely until the City resumes in-person, physical meetings.**
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- 4. Bill No. 3300 – Adoption of St. Louis County Technical Codes** An ordinance adopting and enacting the Building, Existing Building, Mechanical, Residential, Existing Building, Electrical, Plumbing, Property Maintenance, Swimming Pool and Spa, and Explosives Codes of the City of Chesterfield, Missouri. **First Reading held May 4, 2020. No action required until August 3, 2020, which follows a 90-day period allowing public review of the codes.**
- 5. Next Meeting – July 23, 2020 (5:30pm)**

**B. Finance and Administration Committee** – Chairperson Barb McGuinness, Ward I

**C. Parks, Recreation and Arts Committee** – Chairperson Michelle Ohley, Ward IV

**D. Public Health and Safety Committee** – Chairperson Ben Keathley, Ward

**X. REPORT FROM THE CITY ADMINISTRATOR** – Mike Geisel

**A. Liquor License Request – Wentes** The Wentes location at 18000 Chesterfield Airport Road (SW corner of Chesterfield Airport Road and Goddard Avenue) is under new ownership and has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police and Planning Department and found to meet all of the City's requirements. **(Voice Vote)**

**XI. OTHER LEGISLATION**

**A. Bill No. 3309 – Conflict of Interest** An ordinance re-adopting the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials. **(First Reading)**

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**C. Proposed Resolution – Parks Grant** As previously directed by City Council subject to successful execution of the Logan Lease agreement, Staff has prepared the resolution authorizing submission of the 2020-2021 grant application to the Municipal Parks Grant Commission, for the purpose of constructing park amenities at 1851 Schoettler Road in partnership with Logan University. The grant application includes funding for a playground, pavilion, restroom, facility parking, and two pickle ball courts for phase one of the park development. The attached resolution authorizes the City Administrator, to sign the grant application and is a requirement of the Commission for grant application acceptance. **(Roll Call vote)**

**XII. UNFINISHED BUSINESS** – Mayor Bob Nation

**XIII. NEW BUSINESS** – Mayor Bob Nation

**XIV. ADJOURNMENT**

*Public comment will be available to users logging in online. Public comment will also be available to users calling in to the meeting; however, you must call (636) 537-6716 no later than 5:00 p.m. on the day of the meeting to inform the City Clerk of the telephone number you will be calling in from.*

***Members of the public may also submit comments for this meeting by calling (636) 537-6716 and leaving a message or by emailing vmcgownd@chesterfield.mo.us no later than 5:00 p.m. on the day of the meeting. Comments left over voicemail and emailed in will be read at the meeting.***

## **AGENDA REVIEW – MONDAY 07/20/2020 – 6:00 PM**

An AGENDA REVIEW meeting has been scheduled to start at **6:00 PM, on Monday, July 20th, 2020.**

**Please note:**

As we have for recent meetings, the Monday July 20th meeting(s) will be conducted virtually. **There are three separate meetings, each of which will require a separate login and each will have distinct, different login invitations.** This is necessary in order to provide full and complete transparency for both meetings.

We will have to initially log in to our Work Session meeting at 6:00 p.m. After conducting the routine work session per our normal processes, we will close that meeting and vote to enter into an Executive Closed Session.

After a short Executive Closed session, we'll close and then log into our regular meeting prior to 7 PM. These meetings generally allow users to log in up to 15 minutes prior to the actual meeting.

Please let me know, ASAP, if you will be unable to attend this meeting.



## **RECORD OF PROCEEDING**

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### **MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 690 CHESTERFIELD PARKWAY WEST**

**JUNE 17, 2020**

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The meeting was called to order at 7 p.m.

Mayor Bob Nation led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

A roll call was taken with the following results:

#### **PRESENT**

#### **ABSENT**

Mayor Bob Nation  
Councilmember Mary Monachella  
Councilmember Barbara McGuinness  
Councilmember Ben Keathley  
Councilmember Mary Ann Mastorakos  
Councilmember Dan Hurt  
Councilmember Michael Moore  
Councilmember Tom DeCampi  
Councilmember Michelle Ohley

#### **APPROVAL OF MINUTES**

The minutes of the May 18, 2020 City Council meeting were submitted for approval. Councilmember McGuinness made a motion, seconded by Councilmember Moore, to approve the May 18, 2020 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the May 18, 2020 Executive Session were submitted for approval. Councilmember Keathley made a motion, seconded by Councilmember Ohley, to approve the May 18, 2020 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the May 27, 2020 Executive Session were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember DeCampi, to approve the May 27, 2020 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Nation announced that the next meeting of City Council is scheduled for Monday, July 20, at 7 p.m.

## **COMMUNICATIONS AND PETITIONS**

Mr. Jordon Aron, 150 Skokie Highway, Lake Bluff, Illinois, stated that he was available to answer questions pertaining to TSG Chesterfield Airport Road, Lot A (Jaguar Land Rover).

Mr. Robert Flubacker, architect for Jaguar Land Rover dealership, stated that he was available to answer questions pertaining to TSG Chesterfield Airport Road, Lot A (Jaguar Land Rover).

Mr. George Stock, 257 Chesterfield Business Parkway, stated that he was available to answer questions pertaining to TSG Chesterfield Airport Road, Lot A (Jaguar Land Rover), Bill No. 3297 (P.Z. 19-2019 Briarcliffe Villas [13987 & 14001 Olive Blvd.]) and Bill No. 3298 (P.Z. 20-2019 Briarcliffe Villas [14001 Olive Blvd.]).

Mr. Sam Adler, 2127 Innerbelt Business Center Drive, St. Louis, stated that he was available to answer questions pertaining to TSG Chesterfield Airport Road, Lot A (Jaguar Land Rover).

Mr. Greg Otto, Jenkins and Kling, PC, 150 N. Meramec, St. Louis, attorney representing the owner of Clarkson Wilson Shopping Center, adjacent to the property at 2264 Clarkson Road stated that he was available to answer questions pertaining to discussions about ingress, egress, easements and parking concerns.

The following individuals spoke in support of Bill No. 3296 (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road]):

- Mr. Steven Brown and Ms. Jean Millner, 133 Brighthurst Drive
- Mr. Craig Coldiron and Ms. Kathy Coldiron, 16036 Clarkson Woods Drive
- Mr. Scott Schatzman, 8000 Bonhomme Avenue, St. Louis
- Rabbi Avi Rubinfeld, 137 Brighthurst Drive

- Mr. Todd Blumoff, business owner at 119 Long Road
- Mr. Paul Dixon, 16067 Clarkson Woods Drive

The following individuals spoke in opposition to Bill No. 3296 (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road]):

- Mr. Dennis Ganahl, 15979 Woodlet Way Court
- Ms. Sarah Hoffman, 15929 Heather Glen Drive
- Ms. Cindy Barmeier, 16049 Hunters Way Drive

### **SWEARING-IN CEREMONY**

Each Councilmember was given their oath of office physically at City Hall prior to the meeting. Mayor Nation recognized the Honorable Rick Brunk, Municipal Judge. Judge Brunk then conducted a ceremonial Swearing-In Ceremony for: Councilmember Mary Monachella-Ward I; Councilmember Mary Ann Mastorakos-Ward II; Councilmember Michael Moore-Ward III; and Councilmember Tom DeCampi-Ward IV.

### **ROLL CALL**

A roll call was then re-taken, with the following results:

#### **PRESENT**

#### **ABSENT**

Mayor Bob Nation  
 Councilmember Mary Monachella  
 Councilmember Barbara McGuinness  
 Councilmember Ben Keathley  
 Councilmember Mary Ann Mastorakos  
 Councilmember Dan Hurt  
 Councilmember Michael Moore  
 Councilmember Tom DeCampi  
 Councilmember Michelle Ohley

### **APPOINTMENTS**

There were no appointments.

### **COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION**

#### **Planning/Public Works Committee**

|               |                                                                                                                                                                                                                                                              |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bill No. 3296 | Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of an existing “R-2” Residence District and “C-8” Planned Commercial District to an “R-4” Residence District for 0.99 acres located on the southern corner of the |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

intersection of Clarkson Road and Clarkson Woods Drive (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road] 20T610716) **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Postponed from May 4, 2020 meeting at Petitioner's request**

During the agenda review meeting, Councilmember Ohley requested a compilation of public comments pertaining to Bill No. 3296 (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road]) be made available on the public website for review by residents.

Councilmember Mary Ann Mastorakos, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Moore, for the first reading of Bill No. 3296. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3296 was read for the first time.

Bill No. 3297      Repeals City of Chesterfield Ordinance Number 2213 creating a Planned Environment Unit Procedure within an “R-3” Residence District for two (2) tracts of land totaling 29.4 acres located on Olive Boulevard (P.Z. 19-2019 Briarcliffe Villas {13987 & 14001 Olive Blvd} 16R340207 & 16R340151) **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Postponed from May 4, 2020 meeting at Petitioner's request**

Councilmember Mastorakos made a motion, seconded by Councilmember Hurt, to postpone consideration of Bill No. 3297 until July 20, 2020, at the request of the petitioner. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Bill No. 3298      Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of an “R-3” Residence District to a “PUD” Planned Unit Development for a 29.4 acre tract of land located on the north side of Olive Boulevard. (P.Z. 20-2019 Briarcliffe Villas {14001 Olive Blvd} 16R340151) **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends denial. Postponed from May 4, 2020 meeting at the Petitioner's request**

Councilmember Mastorakos made a motion, seconded by Councilmember Monachella, to postpone consideration of Bill No. 3298 until July 20, 2020, at the request of the petitioner. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Bill No. 3300      Adopts and enacts the Building, Existing Building, Mechanical, Residential, Existing Building, Electrical, Plumbing, Property Maintenance, Swimming Pool and Spa, and Explosives Codes of the



City of Chesterfield, Missouri **First Reading held May 4, 2020.**  
**No action required until August 3, 2020, which follows a 90-day**  
**period allowing public review of the codes**

Councilmember Mastorakos announced that the first reading of Bill No. 3300 occurred on May 4, 2020 and no action will be required until August 3, 2020, which follows a 90-day period allowing for public review of the codes.

Bill No. 3304      Authorizes the City Administrator to execute Supplemental License Agreements with the Missouri Highways and Transportation Commission to extend existing License Agreements regarding the Monarch Chesterfield Levee Trail within the right of way of Interstate 64 (State Route 40) **(Second Reading) Planning & Public Works Committee recommends approval**

Councilmember Mastorakos made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3304. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3304 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3304 with the following results: Ayes – Mastorakos, Hurt, DeCampi, Monachella, Moore, Keathley, Ohley and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3304 approved, passed it and it became **ORDINANCE NO. 3108.**

Bill No. 3305      Adopts a Street Classification Map and amends Chapter 300 Article VII and Schedule V of the Model Traffic Ordinance of the City of Chesterfield **(Second Reading) Planning & Public Works Committee recommends approval**

Councilmember Mastorakos made a motion, seconded by Councilmember Moore, for the second reading of Bill No. 3305. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3305 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3305 with the following results: Ayes – Monachella, DeCampi, Ohley, Hurt, Moore, Keathley, McGuinness and Mastorakos. Nays – None. Whereupon Mayor Nation declared Bill No. 3305 approved, passed it and it became **ORDINANCE NO. 3109.**

Councilmember Mastorakos made a motion, seconded by Councilmember Hurt, to approve TSG Chesterfield Airport Road, Lot A (Jaguar Land Rover) Site Development Section Plan, Landscape Plan, Mitigation Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design with the addition of six shade trees as recommended by the Planning Commission and the amendments to the service door on the west elevation as recommended by the Planning and Public Works Committee.

Councilmember Hurt made a motion, seconded by Councilmember Monachella, to amend the motion to specify the service door on the western elevation be replaced with a door consisting of glass panels to match the customer door on the western side. A voice

vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

A roll call vote was taken on the original motion as amended, with the following results: Ayes – Moore, Ohley, Hurt, McGuinness, Monachella, DeCampi, Keathley and Mastorakos. Nays – None. The motion, as amended, was declared passed.

Councilmember Mastorakos made a motion, seconded by Councilmember Monachella, to approve City Policy PW-36 – Streetlighting Policy regarding Subdivision Streetlights, Commercial Streetlights, and Requests for City funded Streetlights as recommended by the Planning and Public Works Committee. A roll call vote was taken with the following results: Ayes – Hurt, Monachella, Moore, McGuinness, DeCampi, Keathley, Mastorakos and Ohley. Nays – None. Mayor Nation declared the motion passed.

Councilmember Mastorakos announced that the next meeting of this Committee is scheduled for Thursday, July 23, at 5:30 p.m.

### **Finance and Administration Committee**

Councilmember Michael Moore, Chairperson of the Finance and Administration Committee, indicated that he had no report this evening.

### **Parks, Recreation & Arts Committee**

Councilmember Tom DeCampi, Chairperson of the Parks, Recreation & Arts Committee, indicated that he had no report this evening.

### **Public Health & Safety Committee**

Councilmember Mary Monachella, Chairperson of the Public Health & Safety Committee, indicated that she had no report this evening.

### **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Geisel reported that Daylight Donuts, located at 155 Hilltown Village Center (formerly Sheridan's) has requested a new liquor license, for retail sale of all kinds of liquor by the drink, to be consumed on premise, and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Ohley made a motion, seconded by Councilmember Keathley, to approve issuance of a new liquor license to Daylight Donuts. A roll call vote was taken with the following results: Ayes – Mastorakos, McGuinness, DeCampi, Ohley, Moore, Hurt, Keathley and Monachella. Nays – None. Whereupon Mayor Nation declared the motion passed.

City Administrator Geisel reported that Stackhouse Pub & Grill, located at 13419 Olive Blvd. (formerly Matane Restaurant) has requested a new liquor license for retail sale of all kinds of liquor by the drink, to be consumed on premise, and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Ohley made a motion, seconded by Councilmember Keathley, to approve issuance of a new liquor license to Stackhouse Pub & Grill. A roll call vote was taken with the following results: Ayes – Mastorakos, McGuinness, DeCampi, Ohley, Moore, Hurt, Keathley and Monachella. Nays – None. Whereupon Mayor Nation declared the motion passed.

City Administrator Geisel reported that Staff is recommending award of a contract for 2020 Salt and Salt Delivery. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending authorization to accept the low bid from Compass Minerals for the purchase of deicing salt at a rate of \$46.39 per ton (fall)/\$51.39 per ton (winter), and to accept the low bid from Beelman Logistics, LLC for the unloading and delivery of deicing salt on behalf of the St. Louis Metro APWA Salt Cooperative, at a rate of \$10.39 per ton to the City of Chesterfield. Councilmember Moore made a motion, seconded by Councilmember Ohley, to approve this recommendation. A roll call vote was taken with the following results: Ayes – DeCampi, Keathley, Mastorakos, Monachella, Moore, McGuinness, Hurt and Ohley. Nays – None. Whereupon Mayor Nation declared the motion passed.

### **OTHER LEGISLATION**

|               |                                                                                                                                                                                                                                                                                               |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bill No. 3308 | Provides for the approval of a Record Plat for TSG Chesterfield Airport Road, a 13.02 acre tract of land zoned “PC” Planned Commercial District on the north side of Chesterfield Airport Road east of Long Road <b>(First &amp; Second Readings) Planning Commission recommends approval</b> |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Councilmember Moore made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 3308. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3308 was read for the first time.

Councilmember Moore made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3308. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3308 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3308 with the following results: Ayes – Hurt, Moore, DeCampi, Mastorakos, Ohley, Monachella, Keathley and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3308 approved, passed it and it became **ORDINANCE NO. 3110**.

### **UNFINISHED BUSINESS**

There was no unfinished business.

## **NEW BUSINESS**

Mayor Nation opened the floor to receive nominations for President Pro-Tem for June 2020-April 2021. Councilmember Monachella made a motion, seconded by Councilmember McGuinness, to nominate Councilmember Moore to serve as President Pro-Tem for the term June 2020-April 2021, and Councilmember Moore accepted the nomination.

Councilmember Keathley made a motion, seconded by Councilmember DeCampi, to nominate Councilmember Ohley to serve as President Pro-Tem for the term June 2020-April 2021, and Councilmember Ohley accepted the nomination.

With no further nominations offered, City Council voted 5-3 in support of Councilmember Moore as President Pro-Tem. Votes for Councilmember Moore included Councilmembers McGuinness, Monachella, Mastorakos, Moore and Hurt. Votes for Councilmember Ohley included Councilmembers Keathley, Ohley and DeCampi.

Councilmember Moore, in his capacity as the newly elected President Pro-Tem, announced the following proposed slate for the City Council Standing Committee assignments:

### **PLANNING AND PUBLIC WORKS COMMITTEE**

Councilmember Dan Hurt, Ward III – **CHAIRPERSON**

Councilmember Mary Monachella, Ward I

Councilmember Mary Ann Mastorakos, Ward II

Councilmember Michelle Ohley, Ward IV

### **FINANCE AND ADMINISTRATION COMMITTEE**

Councilmember Barbara McGuinness, Ward I – **CHAIRPERSON**

Councilmember Mary Ann Mastorakos, Ward II

Councilmember Michael Moore, Ward III

Councilmember Tom DeCampi, Ward IV

### **PARKS, RECREATION AND ARTS COMMITTEE**

Councilmember Michelle Ohley, Ward IV – **CHAIRPERSON**

Councilmember Barbara McGuinness, Ward I

Councilmember Ben Keathley, Ward II

Councilmember Michael Moore, Ward III

### **PUBLIC HEALTH AND SAFETY COMMITTEE**

Councilmember Ben Keathley, Ward II – **CHAIRPERSON**

Councilmember Mary Monachella, Ward I

Councilmember Dan Hurt, Ward III

Councilmember Tom DeCampi, Ward IV

A voice vote was taken, with a unanimous affirmative result, to approve the committee assignments for June 2020-April 2021.

**ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:29 p.m.

\_\_\_\_\_  
Mayor Bob Nation

ATTEST:

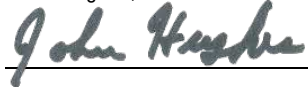
\_\_\_\_\_  
Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: \_\_\_\_\_

City of Chesterfield  
Excess Checks (=> \$5,000)  
June 2020

| DATE      | CHECK # | VENDOR                                        | DESCRIPTION                                                                                                                   | CHECK AMT             | FUND    |
|-----------|---------|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------|
| 6/4/2020  | 45803   | G. R. ROBINSON SEED                           | ECO-GREEN, GLYPHOSATE, DIQUAT & INLET, ECO-GREEN AND CONTRACTORS MIX                                                          | \$ 7,910.00           | 119     |
| 6/11/2020 | 45816   | CUSTOM PROPERTY SOLUTIONS LLC                 | CANTILEVER SHADE STRUCTURE, EAVE, MOUNT                                                                                       | 14,572.00             | 119     |
| 6/11/2020 | 45820   | JOHN DEERE CO.                                | ZERO TURN MOWER                                                                                                               | 21,856.56             | 119     |
| 6/25/2020 | 45878   | JOHN DEERE CO.                                | 571NM GATOR TX/CARGO BOX/TAIL LIGHT PROTECTOR/BUMBER GUARD/POWER                                                              | 6,899.46              | 119     |
| 6/2/2020  | 60894   | HARMONY SEVEN LLC                             | TREE PROTECTION SURETY RELEASE-HARMONY SEVEN                                                                                  | 8,000.00              | 808     |
| 6/4/2020  | 60899   | AMCON MUNICIPAL CONCRETE, LLC                 | 2020 SELECTIVE SLAB REPLACEMENT PROJECT A                                                                                     | 166,233.62            | 120     |
| 6/4/2020  | 60906   | CLEARWORLD LLC                                | AUGUST HILL DRIVE STREET LIGHTS                                                                                               | 15,881.00             | 120     |
| 6/4/2020  | 60915   | GEOTECHNOLOGY INC.                            | 2020 CONSTRUCTION AND INSPECTION TESTING SERVICES                                                                             | 7,343.42              | 120     |
| 6/4/2020  | 60924   | J. M. MARSCHUETZ                              | 2020 SELECTIVE SLAB REPLACEMENT PROJECT B                                                                                     | 391,058.54            | 120     |
| 6/4/2020  | 60944   | TREASURER-ST. LOUIS COUNTY                    | POLICE COMMUNICATIONS                                                                                                         | 16,260.38             | 121     |
| 6/11/2020 | 60966   | LOU FUSZ FORD, INC.                           | 2020 Ford Transit Van                                                                                                         | 24,999.00             | 001     |
| 6/18/2020 | 60988   | ARROWHEAD ESTATES HOMEOWNERS' ASSOC.          | 2019-2020 SNOW REMOVAL REIMBURSEMENT                                                                                          | 6,120.00              | 001     |
| 6/18/2020 | 60991   | BAXTER RIDGE CONDOMINIUM ASSOCIATION          | 2019-2020 SNOW REMOVAL REIMBURSEMENT                                                                                          | 7,155.00              | 001     |
| 6/18/2020 | 60992   | BRANDYWINE CONDOMINIUMS                       | 2019-2020 SNOW REMOVAL REIMBURSEMENT                                                                                          | 5,497.50              | 001     |
| 6/18/2020 | 60997   | Chesterfield Village Townhomes                | 2019-2020 SNOW REMOVAL REIMBURSEMENT                                                                                          | 7,720.00              | 001     |
| 6/18/2020 | 60999   | COMMONS OF BROADMOOR,                         | 2019-2020 SNOW REMOVAL REIMBURSEMENT                                                                                          | 8,640.00              | 001     |
| 6/18/2020 | 61000   | COMPASS MINERALS AMERICA INC                  | SALT CO-OP                                                                                                                    | 190,900.20            | 001     |
| 6/18/2020 | 61005   | DAIKIN TAYCON LLC                             | CONDENSOR FAN BLADE, UPGRADE & EXPANSION OF BLDG AUTOMATION SYSTEM, 1 HP MOTOR                                                | 6,555.06              | 001/120 |
| 6/18/2020 | 61006   | DELTA DENTAL OF MISSOURI                      | JUNE 2020 DENTAL INSURANCE                                                                                                    | 12,831.14             | 001     |
| 6/18/2020 | 61047   | PRESORT, INC.                                 | CITIZEN NEWSLETTER-SUMMER 2020                                                                                                | 5,093.40              | 001     |
| 6/18/2020 | 61050   | ST. LOUIS AREA HEALTH INSURANCE TRUST-MEDICAL | JUNE 2020 HEALTH INSURANCE                                                                                                    | 194,508.76            | 001     |
| 6/18/2020 | 61056   | THE HARTFORD-PRIORITY ACCOUNTS                | JUNE 2020 LIFE INSURANCE                                                                                                      | 10,771.02             | 001     |
| 6/18/2020 | 61058   | TOPE PLUMBING                                 | 16081 HUNTERS WAY SEWER REPAIR, 2080 SILVERWOOD SEWER REPAIR                                                                  | 8,068.00              | 110     |
| 6/25/2020 | 61085   | AMEREN MISSOURI                               | 690 CHESTERFIELD PKWY W-0627147004                                                                                            | 14,823.99             | 001     |
| 6/25/2020 | 61096   | ENERGY PETROLEUM CO.                          | #2 ULTRA LS DIESEL, NO LEAD 87 OCT RFG - PARKS, NO LEAD 87 OCT RFG                                                            | 29,985.50             | 001     |
| 6/25/2020 | 61099   | GAMMA TREE EXPERTS                            | 2020 STREET TREE REMOVAL                                                                                                      | 7,177.25              | 001     |
| 6/25/2020 | 61101   | GERSHENSON CONSTRUCTION                       | SCHOETTLER ROAD IMPROVEMENT PROJECT                                                                                           | 166,320.29            | 120     |
| 6/25/2020 | 61115   | PNC BANK                                      | JUNE 2020 MONTHLY PNC STATEMENT                                                                                               | 5,478.10              | 001     |
| 6/25/2020 | 61116   | RAINERI CONSTRUCTION, LLC                     | SIDEWALK REPLACEMENT PROJECT A                                                                                                | 56,128.00             | 120     |
| 6/25/2020 | 61127   | THE GRAVILLE LAW FIRM, LLC                    | MARCH 2020 PROFESSIONAL SERVICES                                                                                              | 14,386.00             | 001     |
| 6/25/2020 | 61131   | TYLER TECHNOLOGIES, INC                       | DOCUMENT MANATEMENT SYSTEM, TIME KEEPING/SCHEDULING SOFTWARE, DOCUMENT<br>MANATEMENT SYSTEM, TIME KEEPING/SCHEDULING SOFTWARE | 7,870.00              | 001     |
|           |         |                                               |                                                                                                                               | <u>\$1,447,043.19</u> |         |

Respectfully submitted by,  
John Hughes, Assistant Finance Director



## **UPCOMING MEETINGS/EVENTS**

**A. Thursday, July 23, 2020 – Planning & Public Works (5:30pm)**

**B. Monday, July 27, 2020 – Planning Commission (7pm)**

**C. Monday, August 3, 2020 – City Council (7pm)**

# Proclamation

## City of Chesterfield, Missouri

### Whereas:

- our Parks, Recreation and Arts Department is nationally accredited by the National Recreation and Parks Commission of Accreditation for Parks and Recreation agencies; and*
- WHEREAS,** *the parks, recreation and arts are an integral part of a healthy and vibrant community throughout this country, including and most importantly the City of Chesterfield Missouri; and*
- WHEREAS,** *the parks maintain and operates over 600 acres of parkland and trails along with an additional 32 acres of medians, highway and road side beautification areas; and*
- WHEREAS,** *our parks, recreation and arts are most important to establishing and maintaining the quality of life in our communities, ensuring the health and wellness of all citizens, and contributing to the economic and environmental well-being of a community and region; and*
- WHEREAS,** *parks, recreation and arts programs build healthy, evolved, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally, physically and socially disabled and also improve the mental and emotional health of all our citizens; and*
- WHEREAS,** *parks, recreation and arts programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, and the attraction of businesses; and*
- WHEREAS,** *parks, recreation and arts are fundamental to the environmental well-being of our community; and*
- WHEREAS,** *our parks, trails and green spaces help to ensure the ecological beauty of our community and provides a place for children, youth and adults to experience nature and recreate outdoors; and*
- WHEREAS,** *the City of Chesterfield recognizes the endless benefits derived from parks, recreation and arts resources;*

**NOW, THEREFORE, I, BOB NATION, MAYOR OF THE CITY OF CHESTERFIELD, DO HEREBY PROCLAIM JULY 2020 AS**

### **NATIONAL PARKS & RECREATION MONTH IN THE CITY OF CHESTERFIELD**

**IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND CAUSED THE OFFICIAL SEAL OF THE CITY OF CHESTERFIELD TO BE AFFIXED THIS 1<sup>st</sup> DAY OF JULY 2020.**



*Bob Nation*  
\_\_\_\_\_  
Bob Nation, Mayor  
ATTEST:

*Vickie McGownd*  
\_\_\_\_\_  
Vickie McGownd, City Clerk



## **APPOINTMENTS**

### **Statutory Committee Member Re-appointment**

- **Architectural Review Board - Jessica Stoll**
- **Ward II**
- **New term expires 8/6/21**

Mayor Nation intends to nominate the following individual for re-appointment at the July 20, 2020 City Council meeting:

**If you have any questions or require additional information, please contact me prior to Monday's meeting.**



**DATE:** June 29, 2020  
**TO:** Michael O. Geisel, City Administrator  
**FROM:** Vickie McGownd, City Clerk *mgownd*  
**SUBJECT:** Statutory Committee Member Re-Appointment

---

Mayor Nation intends to nominate the following individual for re-appointment at the July 20, 2020 City Council meeting:

**Architectural Review Board**

Jessica Stoll  
Mitchell Wall Architecture & Design  
2 The Pines Court  
St. Louis, MO 63141  
636-812-2799 – h  
314-637-7738 – c  
[jessmstoll@gmail.com](mailto:jessmstoll@gmail.com)  
Ward II  
New term expires 8/6/21\*

\*This re-appointment is for a one-year term, rather than a two-year term.

Please add this re-appointment to the July 20 City Council agenda.

## **PLANNING AND PUBLIC WORKS COMMITTEE**

Chair: Councilmember Hurt

Vice-Chair:

**The Planning and Public Works Committee has the following action items for the July 20th, 2020 City Council Meeting.**

**Planning and Public Works Committee – Chairperson Dan Hurt, Ward III**

**1. Bill No. 3296 – P.Z. 18-2019 Clarkson Centre (2264 Clarkson Road)** An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of an existing “R-2” Residence District and “C-8” Planned Commercial District to an “R-4” Residence District for 0.99 acres located on the southern corner of the intersection of Clarkson Road and Clarkson Woods Drive. (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road] 20T610716). **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

**2. Bill No. 3297 – P.Z. 19-2019 Briarcliffe Villas (13987 & 14001 Olive Blvd.)** An ordinance repealing City of Chesterfield Ordinance Number 2213 creating a Planned Environment Unit Procedure within an “R-3” Residence District for two (2) tracts of land totaling 29.4 acres located on Olive Boulevard (P.Z. 19-2019 Briarcliffe Villas {13987 & 14001 Olive Blvd} 16R340207 & 16R340151). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Held at Jun 17, 2020 meeting at Petitioner’s request.**

**3. Bill No. 3298 – P.Z. 20-2019 Briarcliffe Villas (14001 Olive Blvd.)** An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of an “R-3” Residence District to a “PUD” Planned Unit Development for a 29.4 acre tract of land located on the north side of Olive Boulevard. (P.Z. 20-2019 Briarcliffe Villas {14001 Olive Blvd} 16R340151). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends denial. Held at Jun 17, 2020 meeting at Petitioner’s request.**

**4. Bill No. 3300 – Adoption of St. Louis County Technical Codes** An ordinance adopting and enacting the Building, Existing Building, Mechanical, Residential, Existing Building, Electrical, Plumbing, Property Maintenance, Swimming Pool and Spa, and Explosives Codes of the City of Chesterfield, Missouri. **First Reading held May 4, 2020. First Reading held May 4, 2020. No action required until August 3, 2020, which follows a 90-day period allowing public review of the codes.**

**5. Next Meeting – July 23, 2020 (5:30pm)**

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN EXISTING “R-2” RESIDENCE DISTRICT AND “C-8” PLANNED COMMERCIAL DISTRICT TO AN “R-4” RESIDENCE DISTRICT FOR 0.99 ACRES LOCATED ON THE SOUTHERN CORNER OF THE INTERSECTION OF CLARKSON ROAD AND CLARKSON WOODS DRIVE. (P.Z. 18-2019 Clarkson Centre [2264 Clarkson Road] 20T610716).**

**WHEREAS**, the petitioner, Chabad of Chesterfield, has requested a change in zoning from an “R-2” Residence District and “C-8” Planned Commercial District to an “R-4” Residence District for 0.99 acres of land at 2264 Clarkson Road; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on January 13, 2020; and,

**WHEREAS**, the Planning Commission having considered said request, recommended approval of the change of zoning by a vote of 7-0; and

**WHEREAS**, the Planning and Public Works Committee, having considered said request on April 23, 2020 recommended approval of the change of zoning by a vote of 3-1; and,

**WHEREAS**, the City Council, having considered said request, voted to approve the change of zoning request.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing an “R-4” Residence District designation for 0.99 acres south of Clarkson Wood Drive and east of Clarkson Road and as described as follows:

A TRACT OF LAND IN NORTH 1/2 OF SECTION 21, TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT IN THE EAST AND WEST CENTERLINE OF SAID SECTION 21, TOWNSHIP 45 NORTH, RANGE 4 EAST; SAID POINT BEING DISTANT EASTWARDLY ALONG SAID EAST AND WEST CENTERLINE NORTH 89 DEGREES 48 MINUTES 58 SECONDS EAST 420.80 FEET FROM THE INTERSECTION OF SAID EAST AND WEST CENTERLINE WITH THE EAST LINE OF CLARKSON ROAD, 60 FEET WIDE; THENCE NORTH 27 DEGREES 44 MINUTES 50 SECONDS EAST 42.45 TO A REBAR BEING THE POINT OF BEGINNING; THENCE NORTH 50 DEGREES 01 MINUTES 12 SECONDS WEST A DISTANCE OF 368.01 FEET TO A CUT CROSS ON THE SOUTHERN RIGHT OF WAY LINE OF CLARKSON AVENUE (60 FEET WIDE); THENCE ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 1402.69 FEET AND A LENGTH OF 50.40 FEET WITH A CHORD BEARING NORTH 44 DEGREES 09

MINUTES 53 SECONDS EAST AND A CHORD DISTANCE OF 50.40 FEET TO A CUT CROSS; THENCE SOUTH 86 DEGREES 08 MINUTES 26 SECONDS EAST A DISTANCE OF 104.31 FEET TO A REBAR BEING ON THE SOUTHERN LINE OF CLARKSON WOODS DRIVE (60' W); THENCE SOUTH 59 DEGREES 53 MINUTES 27 SECONDS EAST A DISTANCE OF 137.00 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 475.00 FEET AND A LENGTH OF 151.44 FEET WITH A CHORD BEARING SOUTH 69 DEGREES 01 MINUTES 27 SECONDS EAST AND A CHORD LENGTH OF 150.79 FEET TO A CUT CROSS; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AND A LENGTH OF 29.60 FEET WITH A CHORD BEARING SOUTH 60 DEGREES 21 MINUTES 38 SECONDS WEST AND A CHORD LENGTH OF 26.95 FEET TO A REBAR; THENCE SOUTH 16 DEGREES 52 MINUTES 42 SECONDS WEST A DISTANCE OF 149.62 FEET TO AN IRON PIPE; THENCE SOUTH 27 DEGREES 44 MINUTES 50 SECONDS WEST A DISTANCE OF 12.44 FEET TO THE POINT OF BEGINNING AND CONTAINING 41,231.5 SQUARE FEET OR 0.9 ACRES MORE OR LESS.

**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations.

**Section 3.** The City Council, pursuant to the petition filed by Chabad of Chesterfield in P.Z. 18-2019, requesting the rezoning embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 13<sup>th</sup> day of January 2020, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

**Section 4.** This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 8 of the City of Chesterfield Unified Development Code.

**Section 5.** This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

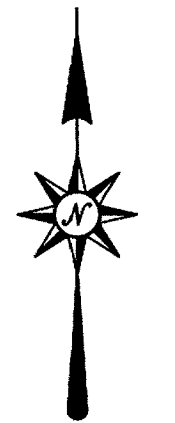
ATTEST:

\_\_\_\_\_  
Vickie McGownd, CITY CLERK

FIRST READING HELD: 6/17/2020



## ST LOUIS COUNTY, MISSOURI


$$1'' = 20'$$

1. BASIS OF BEARING ADOPTED FROM THE RECORD PLAT OF CLARKSON CENTRE SUBDIVISION AS RECORDED IN PLAT BOOK 267 PAGE 70 OF THE ST LOUIS COUNTY RECORDS.

2. TITLE COMMITMENT PROVIDED BY CLEAR TITLE GROUP ON AUGUST 9, 2017 COMMITMENT NO CTG-2017-08-5673-CML. PROPERTY SUBJECT TO FOLLOWING EXCEPTIONS PER TITLE COMMITMENT SCHEDULE B-II AS FOLLOWS:

ITEM 1 - 8 - NOT OF A SURVEY NATURE

ITEM 9 - EASEMENT GRANTED TO RFS, INC., A MISSOURI CORPORATION, AS SET FORTH IN INSTRUMENT RECORDED IN BOOK 6804 AT PAGE 2314, IN THE LAND RECORDS OF ST LOUIS COU, MISSOURI (EASEMENT FOR ENTRANCE MONUMENT, EXHIBIT IN DEED IS NOT LEGIBLE, APPROXIMATE LOCATION SHOWN ON DRAWING PER SCALED MEASUREMENTS)

ITEM 10 - AGREEMENT AND SUBORDINATION OF EASEMENT RIGHTS GRANTED TO ST LOUIS COUNTY, AS SET FORTH IN INSTRUMENT RECORDED IN BOOK 6861 AT PAGE 2033, IN THE LAND RECORDS OF ST LOUIS COUNTY, MISSOURI. (DOES NOT APPEAR TO AFFECT)

ITEM 11 - EASEMENT GRANTED TO CLARKSON CENTRE ASSOCIATION, AS SET FORTH IN INSTRUMENT RECORDED IN BOOK 7980 AT PAGE 44, IN THE LAND RECORDS OF ST LOUIS COUNTY, MISSOURI (AS SHOWN ON DRAWING)

ITEM 12 - EASEMENT GRANTED TO WILLIAM H ERKER, AS SET FORTH IN INSTRUMENT RECORDED IN BOOK 7980 AT PAGE 46, IN THE LAND RECORDS OF ST. LOUIS COUNTY, MISSOURI (AS SHOWN ON DRAWING)

ITEM 13 - PERMANENT SIDEWALK EASEMENT GRANTED TO CITY OF CHESTERFIELD, AS SET FORTH IN INSTRUMENT RECORDED IN BOOK 13779 AT PAGE 390, IN THE LAND RECORDS OF ST LOUIS COUNTY, MISSOURI. (AS SHOWN ON DRAWING)

3. UTILITY LINES AS SHOWN ON THIS DRAWING ARE THOSE LINES THAT WERE VISIBLY IDENTIFIED AT THE TIME OF FIELD WORK AND LOCATED PER MISSOURI ONE CALL TICKET #172400887. ADDITIONAL LINES AND UTILITIES MAY BE LOCATED ON THE SUBJECT PROPERTY.

4. OWNERSHIP OF THE IMPROVEMENTS AS SHOWN ON THIS DRAWING ARE THE OPINION OF THE SURVEYOR AT THE TIME THE SURVEY WAS EXECUTED AND HAS NOT BEEN VERIFIED TO ANY EXTENT, NOR IMPLIES ANY EXCLUSIVE OWNERSHIP.

5. APPROXIMATE PROPERTY LINE/RIGHT OF WAY CALCULATED BY CARDINAL SURVEYING FROM MODOT PLANS (JOB #6-U-340-692) AND EASEMENT EXHIBIT RECORDED IN BOOK 13779 PAGE 390. ACCURATE LOCATION NOT ABLE TO BE DETERMINED FROM THE INFORMATION PROVIDED AND OBTAINED.

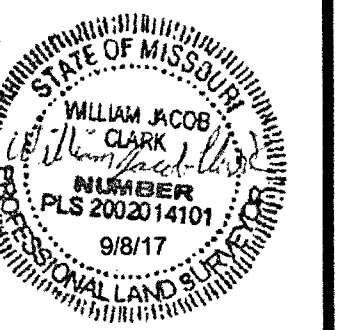
TO: CLEAR TITLE GROUP, BTR PC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR PLATS/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 7, 8, 9, 11 AND 13 OF TABLE A THEREOF. FIELDWORK WAS PERFORMED ON AUGUST 30, 2017. THIS SURVEY WAS EXECUTED IN COMPLIANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS (20 CSR 2030-16.040) OF THE MISSOURI DEPARTMENT OF NATURAL RESOURCES. THIS SURVEY MEETS THE ACCURACY STANDARDS SET FORTH FOR AN URBAN PROPERTY.

WILLIAM JACOB CLARK PLS 2002014101  
STATE OF MISSOURI

CARDINAL SURVEYING AND MAPPING INCORPORATED  
CORPORATE #2005000229

PO BOX 278 COTTLEVILLE, MO 63338  
636.922.1001 OFFICE 636.922.1002 FAX  
DRAWN BY: JLK CHECKED BY: WJC  
JOB #1709053 FB 444:32





**DAVID A. WRIGHT**  
**Attorney at Law, L.L.C.**

2124 N. Geyer Road  
St. Louis, MO 63131

314-422-1689

[david@lawyersrealtyco.com](mailto:david@lawyersrealtyco.com)

June 10, 2020

RE: Chabad proposed development at 2264 Clarkson Rd. (the "Property")

Dear Honorable Mayor  
and Esteemed City Council Members,  
[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)

Annisa Kumerow [AKumerow@chesterfield.mo.us](mailto:AKumerow@chesterfield.mo.us) **VIA EMAIL ONLY**

I want to express my support for Chabad developing the property at 2264 Clarkson Rd.

I have enjoyed many classes offered by Chabad and am a current supporter of Chabad and would love to see the subject property become the Chabad Center of Chesterfield. Chabad has had a positive impact on so many people in Chesterfield. All of the Chesterfield community can benefit from the programs offered by Chabad and by having Chabad as a fixture of the Chesterfield community - especially in such a convenient and central location as the Property!

As a commercial real estate attorney and broker / developer in the St. Louis region including Chesterfield, I believe the Chabad use is an ideal use and the best fit for the Property, the Chabad center and the Chesterfield community. Chabad is a vital organization in Chesterfield and I thank you in advance for your support and positive vote which will allow them build the Chabad Center of Chesterfield at the Property, and further the good work they do in being a light and building a bridge for us all! Feel free to contact me if you have any questions.

Sincerely,



David A. Wright, Esq.  
Managing Member,  
David A. Wright  
Attorney at Law, L.L.C.

## **Annisa Kumerow**

---

**From:** Randye Rosser <rosserrandye@gmail.com>  
**Sent:** Thursday, June 11, 2020 10:46 AM  
**To:** Annisa Kumerow  
**Subject:** Chabad of Chesterfield and 2264 Clarkson Rd.

Dear Annisa

I am a former resident of Chesterfield, MO. I was an Assistant Prosecuting Attorney for St. Louis County before I retired and moved to North Carolina. I have known Rabbi Avi and Chanala Rubinfeld for 13 ½ years, and have been good friends as well as involved in Chabad activities. Throughout the years, they have always been conscious of and respectful of their neighbors when having Chabad activities at their home. One could not ask for more considerate neighbors.

Having Chabad of Chesterfield on the corner lot, at 2264 Clarkson Road, would be a boost to the area, and I know that they will be extremely respectful of their neighbors. I can't imagine anyone wanting to build a house on that corner, so having Chabad of Chesterfield occupy that space is a win-win, for both the City of Chesterfield and for Chabad of Chesterfield.

If the next Council Meeting where this issue is addressed is virtual, please speak on my behalf. Thank you for your strong support.

Randye Rosser



## **Annisa Kumerow**

---

**From:** Randye Rosser <rosserrandye@gmail.com>  
**Sent:** Thursday, June 11, 2020 10:46 AM  
**To:** Annisa Kumerow  
**Subject:** Chabad of Chesterfield and 2264 Clarkson Rd.

Dear Annisa

I am a former resident of Chesterfield, MO. I was an Assistant Prosecuting Attorney for St. Louis County before I retired and moved to North Carolina. I have known Rabbi Avi and Chanala Rubinfeld for 13 ½ years, and have been good friends as well as involved in Chabad activities. Throughout the years, they have always been conscious of and respectful of their neighbors when having Chabad activities at their home. One could not ask for more considerate neighbors.

Having Chabad of Chesterfield on the corner lot, at 2264 Clarkson Road, would be a boost to the area, and I know that they will be extremely respectful of their neighbors. I can't imagine anyone wanting to build a house on that corner, so having Chabad of Chesterfield occupy that space is a win-win, for both the City of Chesterfield and for Chabad of Chesterfield.

If the next Council Meeting where this issue is addressed is virtual, please speak on my behalf. Thank you for your strong support.

Randye Rosser

**Annisa Kumerow**

---

**From:** Andrew Zweig <amzweig@gmail.com>  
**Sent:** Thursday, June 11, 2020 8:51 PM  
**To:** cityofficials; Annisa Kumerow  
**Subject:** Support for 2264 Clarkson Rd efforts

Dear Honorable Mayor and Esteemed City Council Members,

My family and I wish to express our support for Chabad development of the property at 2264 Clarkson Rd. This is in our development, and is just a few blocks from where we live. It would add greatly to our lives here in Chesterfield.

We have been supporters of Chabad for decades, and would love to see this property developed into the Chabad Center. Chabad has had a positive impact on us personally, and also for many, many families. All of our community can and will benefit from their many programs in such a convenient and central location.

They are a vital organization in Chesterfield, bolstering the diversity and tolerance of the community, and we all need to help them build a center to further the good work they do for all of us.

Very sincerely,

Andrew and Claudia Zweig  
16027 Park Forest Ct, Chesterfield, MO 63017

**Ladies and Gentlemen:**

**I am very much against the requested rezoning of the small lot at the south entrance to my subdivision, Clarkson Woods. Many of my neighbors have expressed this same opinion.**

- The original R2 lot zoning was appropriately assigned by the City to match the small lot size with desirable construction requests. Recently a requested change to this zoning was, for good reason, unanimously rejected by the City.**
- I understand lot rezoning to R4 has again been requested by a new owner, and that the City is scheduled to decide upon this request prior to receiving and evaluating lot development plans. It makes no sense to consider lot rezoning without a clear picture of development and usage plans!**
- Clarkson Woods is now a fully developed, mature subdivision. Inappropriate construction at our south entrance will negatively affect home values for 283 homeowners; approximately twice that many resident voters will remember your decision on their next trip to the polls.**
- Increased traffic to and from Clarkson Woods must also be considered. Currently the traffic light at Clarkson Road and Clarkson Woods Drive stays green barely 3 seconds for those exiting our subdivision. Those making left turns from Clarkson Road into our subdivision must contend with heavy traffic. Accidents are not unusual. Traffic light adjustments that will slow heavy Clarkson Road traffic will be needed if use of the lot increases traffic into our subdivision.**
- In addition, I feel strongly that opinions from non-Chesterfield residents regarding use of this land at our subdivision entrance should have little bearing on the City's re-zoning decision.**

**Thank you for your consideration.**

**Charles D. Young  
16017 Hunters Way Dr. 63017  
(a 30+ year Clarkson Woods resident)**

**June 12, 2020**

**Ladies and Gentlemen:**

**I am very much against the requested rezoning of the small lot at the south entrance to my subdivision, Clarkson Woods. Many of my neighbors have expressed this same opinion.**

- The original R2 lot zoning was appropriately assigned by the City to match the small lot size with desirable construction requests. Recently a requested change to this zoning was, for good reason, unanimously rejected by the City.**
- I understand lot rezoning to R4 has again been requested by a new owner, and that the City is scheduled to decide upon this request prior to receiving and evaluating lot development plans. It makes no sense to consider lot rezoning without a clear picture of development and usage plans!**
- Clarkson Woods is now a fully developed, mature subdivision. Inappropriate construction at our south entrance will negatively affect home values for 283 homeowners; approximately twice that many resident voters will remember your decision on their next trip to the polls.**
- Increased traffic to and from Clarkson Woods must also be considered. Currently the traffic light at Clarkson Road and Clarkson Woods Drive stays green barely 3 seconds for those exiting our subdivision. Those making left turns from Clarkson Road into our subdivision must contend with heavy traffic. Accidents are not unusual. Traffic light adjustments that will slow heavy Clarkson Road traffic will be needed if use of the lot increases traffic into our subdivision.**
- In addition, I feel strongly that opinions from non-Chesterfield residents regarding use of this land at our subdivision entrance should have little bearing on the City's re-zoning decision.**

**Thank you for your consideration.**

**Charles D. Young  
16017 Hunters Way Dr. 63017  
(a 30+ year Clarkson Woods resident)**

**June 12, 2020**

**Ladies and Gentlemen:**

**I am very much against the requested rezoning of the small lot at the south entrance to my subdivision, Clarkson Woods. Many of my neighbors have expressed this same opinion.**

- The original R2 lot zoning was appropriately assigned by the City to match the small lot size with desirable construction requests. Recently a requested change to this zoning was, for good reason, unanimously rejected by the City.**
- I understand lot rezoning to R4 has again been requested by a new owner, and that the City is scheduled to decide upon this request prior to receiving and evaluating lot development plans. It makes no sense to consider lot rezoning without a clear picture of development and usage plans!**
- Clarkson Woods is now a fully developed, mature subdivision. Inappropriate construction at our south entrance will negatively affect home values for 283 homeowners; approximately twice that many resident voters will remember your decision on their next trip to the polls.**
- Increased traffic to and from Clarkson Woods must also be considered. Currently the traffic light at Clarkson Road and Clarkson Woods Drive stays green barely 3 seconds for those exiting our subdivision. Those making left turns from Clarkson Road into our subdivision must contend with heavy traffic. Accidents are not unusual. Traffic light adjustments that will slow heavy Clarkson Road traffic will be needed if use of the lot increases traffic into our subdivision.**
- In addition, I feel strongly that opinions from non-Chesterfield residents regarding use of this land at our subdivision entrance should have little bearing on the City's re-zoning decision.**

**Thank you for your consideration.**

**Charles D. Young  
16017 Hunters Way Dr. 63017  
(a 30+ year Clarkson Woods resident)**

City of Chesterfield

RE: Rezoning of 2264 Clarkson

Dear Council Members:

I have lived in the Clarkson Woods subdivision for over 35 years. I am very concerned about the rezoning request for this piece of property at the entrance to my subdivision. At this time I am opposed to the rezoning due to lack of very important information on what size and what exactly is to be built there.

A couple of years ago a request was made to rezone the tract from C8/R2 to all commercial and that was not approved. The current request is to rezone to all R4.

1. This change allows for a larger building to be built on this lot which is totally out of character for the neighborhood entrance. This lot is just under an acre at .99.
2. The Trustees for the subdivision have requested several times from the Rabbi for information on the proposed synagogue footprint and uses and have received zero responses.
3. This is a VERY busy intersection with more near-miss accidents than the City is aware of since they are not actual accidents.
4. The Rabbi said that his congregation will be walking to service. This is not a walking-friendly road due to the ton of traffic on Clarkson Road. There is no sidewalk on the Clarkson Woods Drive bordering this lot. There is also a limited sight issue for this lot turning left off the access road out of the shopping center onto Clarkson Woods Drive.
5. I am concerned about the maintenance of the property based on the maintenance of the home that is owned by the applicant within this subdivision.
6. What types of events will be held at this facility?
7. Food delivery service? Salads2YourDoor.com is operated by Mrs. Rubenfeld.
8. Will there be a group home?
9. Sleeping areas for the homeless?
10. What about parking on non-sabbath days? I have spoken with Hutkin Management who is the Management company that handles the shopping center and they said they will refuse to allow parking at the shopping center. Hutkin was shocked that they had not been informed about the request for rezoning since it may affect them.
11. I believe the Council, as well as, the neighborhoods in this area do not have enough information to make an educated decision on this rezoning.

I am concerned about what may be allowed and that it is just not appropriate for this size lot. In the City's master plan it should have rezoned this lot to all R2 since only a very small portion of the .99 of an acre is zoned commercial. There is no need to have R4 zoning for a large building on this small lot at the entrance to our subdivision.

The approval process by the City is very flawed. At the point of a request for rezoning, the plans should have to be presented so an informed decision can be made as to what the applicant has in mind. Not after it has passed one round and passed forward to the next committee. This causes major confusion, as well as, concerns about what will ultimately be approved when it may be stopped from proceeding immediately instead of wasting the committee's time and the time of the residents of Chesterfield.

Sincerely,  
Debra Rowan

Annisa Kumerow

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From: Justin Wyse  
Sent: Monday, June 15, 2020 9:39 AM  
To: Annisa Kumerow  
Subject: FW: Opposed to Rezoning Entrance of Clarkson Woods Subdivision

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From: Mike Geisel  
Sent: Friday, June 12, 2020 10:02 PM  
To: Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
Subject: Fw: Opposed to Rezoning Entrance of Clarkson Woods Subdivision

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From: [tonihodges@sbcglobal.net](mailto:tonihodges@sbcglobal.net) <[tonihodges@sbcglobal.net](mailto:tonihodges@sbcglobal.net)>  
Sent: Friday, June 12, 2020 12:55 PM  
To: cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>; Bob Nation <[BNation@chesterfield.mo.us](mailto:BNation@chesterfield.mo.us)>  
Cc: Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>; Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>; Barbara McGuinness <[BMcGuinness@chesterfield.mo.us](mailto:BMcGuinness@chesterfield.mo.us)>; Mary Monachella <[MMonachella@chesterfield.mo.us](mailto:MMonachella@chesterfield.mo.us)>; Ben Keathley <[BKeathley@chesterfield.mo.us](mailto:BKeathley@chesterfield.mo.us)>; Mary Ann Mastorakos <[MMastorakos@chesterfield.mo.us](mailto:MMastorakos@chesterfield.mo.us)>; Dan Hurt <[DHurt@chesterfield.mo.us](mailto:DHurt@chesterfield.mo.us)>; Michael Moore <[MMoore@chesterfield.mo.us](mailto:MMoore@chesterfield.mo.us)>  
Subject: Opposed to Rezoning Entrance of Clarkson Woods Subdivision

To Mayor Nation and Council Members for the City of Chesterfield.

I cannot stress enough how devastating rezoning the entrance of Clarkson Woods would be to the property owners in the subdivision. It has come to the point of harassment, that every couple of years, and recently, every several months the residents of Clarkson Wood have to plead with the City Officials to save our subdivision and preserve our home values.

The fact that it is a different development being proposed does not change the sentiment of the residents who overwhelmingly oppose this. We simply do not deserve to have the entrance to our beautiful subdivision destroyed. I have come before the City Council in the past regarding this and pointed out to all of you that this is not characteristic of any other subdivision in Chesterfield.

I ask you to put yourselves in our position and I am certain you would not want this at the entrance of your subdivision. I know that the current office holders are not responsible for this, but we were assured when John Nation was Mayor that there would be no further development on Clarkson Road from Kehrs Mill to Baxter.

Quite frankly, I think the area of Chesterfield Mall is more suitable for this development or any other vacant storefront in the Chesterfield Valley. As I heard Rabbi Avi say at a prior meeting, there are 12,000 under-served Jewish people in the area. When I asked how many members would be attending this Chabad House, we did not get a straight answer. There is not ample parking to accommodate all these members. Rabbi Avi said it is not a problem because they don't drive, however all of the people that spoke at a previous meeting were from outside the Chesterfield area. So, they must park



somewhere. Furthermore, when Chabad House was at Rabbi Avi's home on Park Forest Drive, there were groups of members/students spending the nights/weekends, etc. Is this development going to be housing people as well?

I wish the City of Chesterfield would help us with this. Several million dollars was just spent for property near Chesterfield Parkway. Couldn't the city cough up an extra \$100,000 or so and acquire this property, which I think Clarkson Woods would be willing to maintain.

I hope you will help the residents of Clarkson Woods and reject this development.

Respectfully,

Antoinette Hodges

16072 Meadow Oak Drive

Chesterfield, Missouri 63017

**From:** Justin Wyse  
**Sent:** Monday, June 15, 2020 11:28 AM  
**To:** Annisa Kumerow  
**Subject:** Fwd: Chabad Rezoning

Begin forwarded message:

**From:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Date:** June 15, 2020 at 11:17:42 AM CDT  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Subject:** Fwd: Chabad Rezoning

Begin forwarded message:

**From:** Aaron Rosen <[rosen.aaron@gmail.com](mailto:rosen.aaron@gmail.com)>  
**Date:** June 15, 2020 at 9:44:38 AM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Cc:** Ricki Rosen <[ricki.rosen@tlcvision.com](mailto:ricki.rosen@tlcvision.com)>  
**Subject:** Chabad Rezoning

Dear Chesterfield Mayor and honorable City Council members,

I am writing because I want to express my support for the Chabad organization purchasing and developing the property at 2264 Clarkson Rd.

I've known Rabbi Rubinfeld for over 10 years, and he is also my neighbor in Chesterfield Farms. He is an outstanding person and a valued member of the community. His organization provides a much needed service for the people of Chesterfield, and they deserve a center to further the positive work they do on a daily basis. They have built a large following in the area, whom are dedicated to our community.

I am an owner at Rosen Scarfino which is based in Chesterfield, and I also volunteer a lot of my time in youth sports. My wife and I hope the city will pass this rezoning request for the good of the broader community.

Thank you for the consideration.

Aaron and Ricki Rosen

**From:** Bruce Weingart <bdweingart@sbcglobal.net>  
**Sent:** Monday, June 15, 2020 11:46 AM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Chabad of Chesterfield/Chabad House

Dear Honorable Mayor and Esteemed City Council Members,

We want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Bruce, Dana and Celia Weingart  
314-440-8164

**From:** Carla Feuer <mcfeuer@gmail.com>  
**Sent:** Monday, June 15, 2020 11:55 AM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Chabad

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there, it's such a convenient and central location.

Chabad has had a positive impact on so many people in Chesterfield and nearby areas, like me. I believe that all of our community -- of all religions-- will benefit from the good works they do.

Sincerely,  
Carla Feuer

--  
**Carla [Freiman] Feuer**  
314/494-2320 (c)  
Skype contact: carla.feuer  
[linkedin.com/in/carlafeuer](https://www.linkedin.com/in/carlafeuer)

**From:** Jonathan <jonathanlevit@comcast.net>  
**Sent:** Monday, June 15, 2020 12:36 PM  
**To:** Rabbi Avi Rubinfeld; Annisa Kumerow; Vickie McGownd; cityofficials  
**Subject:** Chabad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

On a more personal note I would like to share a story with you.

About 12 years ago (maybe a bit longer) I was in St Louis on business. For several months I had been experiencing a sense of and a real struggle with feeling disconnected to life. For almost 20 years up until this point I had been on a journey of, lets say, seeking connection to the universe and striving to spiritually, emotionally and physically be a better me. I knew that the tools I had been using were for whatever reason no longer helping me grow. The first morning of this business trip, as I was preparing for my day, in my morning prayers, I just simply asked what I needed to do to move out of this funk and grow...Just show me what I need to do! That was it!

Not more than an hour later, I met Avi. It was very random. A really friendly guy with a big hat and jokes! We talked for almost an hour that day and he share something with me at that time that changed my life forever! Since that time, I have had the privilage to become friends with and learn from my Rabbi friend that has profoundly changed me and effected so many others in my life! Chabad is such a great movement and base for personal and community learning, fellowship and growth. Rabbi Avi Rubinfeld is the real deal. His motives to share who he is and to help others has been such an incredible benefit to me and so many, the Chesterfield community is and will continue to be better for it!

Sincerely,

Jonathan Levit

832-549-4770

Houston, Texas

**From:** margo tzadok <tmargo@sbcglobal.net>  
**Sent:** Monday, June 15, 2020 1:07 PM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Support for building of Chabad House

Good afternoon,

This is a letter of support for the building of a structure at 2264 Clarkson Rd. that will hopefully become "Chabad House" As a 30 year resident of Chesterfield, I am extremely excited about the prospect of this new building. Chabad offers amazing community activities and is dedicated to serving the people living in the area as well as the entire St. Louis community and beyond. I have taken some of their cooking classes as well as their many course offerings on a variety of subjects. They would be a big asset to the Chesterfield community not only due to their many activities and offerings but their care of the community at large and therefore would be very positive and active community partners.

Thank you for your consideration in this matter.

Sincerely, Margo and Reuven Tzadok  
14561 Marmont Dr  
Chesterfield, Mo. 63017

**From:** Shmuel Naparstek <rabbinaparstek@gmail.com>  
**Sent:** Monday, June 15, 2020 3:45 PM  
**To:** Annisa Kumerow  
**Subject:** 2264 Clarkson Rd

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Jackson, NJ with a center at 645 Cross Street, Lakewood, NJ 08701 I can personally attest to the added value that our chabad center has had on our neighborhood in general and home values in particular! There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with \*your vote\*.

Sincerely,  
\*Rabbi Shmuel Naparstek  
\*Chabad of Jackson  
\*Cell 732-668-7702

--  
Rabbi Shmuel Naparstek  
Chabad of Jackson  
732-523-5112  
[www.ChabadofJackson.com](http://www.ChabadofJackson.com)

**From:** Shmuel Naparstek <rabbinaparstek@gmail.com>  
**Sent:** Monday, June 15, 2020 3:45 PM  
**To:** Annisa Kumerow  
**Subject:** 2264 Clarkson Rd

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Jackson, NJ with a center at 645 Cross Street, Lakewood, NJ 08701 I can personally attest to the added value that our chabad center has had on our neighborhood in general and home values in particular! There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with \*your vote\*.

Sincerely,  
\*Rabbi Shmuel Naparstek  
\*Chabad of Jackson  
\*Cell 732-668-7702

--  
Rabbi Shmuel Naparstek  
Chabad of Jackson  
732-523-5112  
[www.ChabadofJackson.com](http://www.ChabadofJackson.com)



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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:45 PM  
**To:** Justin Wyse  
**Subject:** Fw: 2264 Clarkson Road

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**From:** Meryl Halpern <mhalpern77@gmail.com>  
**Sent:** Monday, June 15, 2020 3:28 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Cc:** Vickie McGownd <vmcgownd@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>  
**Subject:** 2264 Clarkson Road

TO: The Honorable Mayor & Esteemed City Council Members of Chesterfield  
FROM: Meryl & Melvin Halpern

We cannot express LOUDLY enough how important it is for The Chabad to build their very own home in Chesterfield.

These are men and women who devote their lives to GIVING of themselves to each other as well as to strangers. Actually,

The Chabad knows no strangers. They spread love and caring, teaching and sharing whenever and wherever there is

a need. They do so much vital work in their community every day and to have their own home at 2264 Clarkson Rd.

will be a blessing and, as we say, a mitzvah, which is so well deserved.

We met Rabbi Avi on the sad occasion of the passing of my beloved father. He came to our home and chanted

prayers; he called regularly; he talked to us about my dad; and he inserted himself into our lives. As a

member of Bnai Amoona Congregation since childhood, we are not members of The Chabad. But they are in our

hearts and our heads forever and have become a vital part of our own lives. We pray for you to let them build and

spread their love and teachings from the warmth of their own home. They have prayed and saved for this opportunity for years...now is the time for The Chabad of Chesterfield.

Thank you.

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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:45 PM  
**To:** Justin Wyse  
**Subject:** Fw: 2264 Clarkson Road

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**From:** Rabbi Mordechai Baumgarten <rabbib@onetorahway.org>  
**Sent:** Monday, June 15, 2020 3:23 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>; Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Re: 2264 Clarkson Road

Dear Chesterfield Mayor and City Council Members,

I hope this letter finds you well. I am writing to you in regard to the upcoming vote on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Rockaway, NJ with a center at One Torah Way, Rockaway, NJ 07866, I can personally attest to the added value that our Chabad Center has had on our neighborhood in general and home values in particular!

There are so many good reasons for every city to want a Chabad House, primarily the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services and resources that sometimes overwhelm local government. There is no doubt about the contributions of Chabad toward the betterment of their local community, and there should be no reason to block such an important project.

I would be happy to furnish the names and numbers of our local mayor and police chief with whom we enjoy a beautiful relationship, and they would be more than happy to share with you firsthand experience of the positive impact of Chabad in the neighborhood.

Additionally, I would like to share with you that when Rabbi Rubinfeld was completing his rabbinical ordination, he volunteered at our center as a teacher and youth leader. I can personally attest to the tremendous impact his center would have on the youth and families in your area.

I want to add my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.

Best wishes, and may G-d bless you in all your endeavors.

Sincerely,  
Rabbi Mordechai Baumgarten

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Rabbi Mordechai Baumgarten  
Program Director  
Chabad Center of Northwest New Jersey  
One Torah Way | Rockaway, NJ 07866  
Tel: 973-625-1525 Ext. 202

Email: [rabbib@onetorahway.org](mailto:rabbib@onetorahway.org)

Visit us online: [www.onetorahway.org](http://www.onetorahway.org)

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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:41 PM  
**To:** Justin Wyse  
**Subject:** Fw: A letter of support for the new Chabad House

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**From:** Julie V <julievielbaum@gmail.com>  
**Sent:** Monday, June 15, 2020 6:39 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Cc:** Vickie McGownd <vmcgownd@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>  
**Subject:** A letter of support for the new Chabad House

Dear Chesterfield City Council and Honorable Mayor,

My family would like to express our complete support for Chabad developing the property at 2264 Clarkson Rd. With great excitement we would love to see them build the Chabad House in this central location. My family eagerly awaits this building, because for us, it's another place to call home within the Chesterfield community.

All of our community will immensely benefit from their unique programs with such a perfect place to build this opportunity. The amazing impact they have on so many in Chesterfield is no secret because the positivity they share is refreshing to all!

They are an irreplaceable organization in Chesterfield that we feel grateful to be a part of. We need to help them and in order to do so we depend on each of the council members and Mayor to see this dream become a reality. My entire family is excited to hear the good news on our communities building and we sincerely thank you all for what you will do to see this accomplished!

If we can help by speaking in support of this important matter we would love to do so.

With Warm Regards,

Julie and Adam Vielbaum

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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 7:02 PM  
**To:** Justin Wyse  
**Subject:** Fw: Chabad for your city

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**From:** Matisyahu Friedman <rabbi@jewishvcu.org>  
**Sent:** Monday, June 15, 2020 6:58 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>; Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Chabad for your city

BH

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Richmond Virginia with a center at 212 N Gaskins Road I can personally attest to the added value that our chabad center has had on our neighborhood in general and home values in particular! There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with your vote.

Sincerely,  
Rabbi Matisyahu Friedman  
Chabad of Virginia  
804-869-3033

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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:50 PM  
**To:** Justin Wyse  
**Subject:** Fw: Chabad of Chesterfield

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**From:** Tammy J Sallis <aninviteco@icloud.com>  
**Sent:** Monday, June 15, 2020 1:21 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Subject:** Chabad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at [2264 Clarkson Rd](#) and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield and they do so much to help people in need both within the community and beyond  
All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

There kindness extends to everyone they meet!  
Yours sincerely,  
Milton and Tammy

xoxo  
Tammy  
[www.sdesignstl.com](http://www.sdesignstl.com)

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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:43 PM  
**To:** Justin Wyse  
**Subject:** Fw: Chabad of Chesterfield

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**From:** Alvin Fayman <acfayman@gmail.com>  
**Sent:** Monday, June 15, 2020 4:45 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Cc:** Vickie McGownd <vmcgownd@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>  
**Subject:** Chabad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

I strongly support Chabad in developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

As you probably know, Chabad has had a positive impact on many people in Chesterfield and beyond. They are a vital organization in Chesterfield, and we need to help them build a center to further the good work they do for us all!

I know of many individuals who participate regularly in their many programs in person and remotely. **The entire community will surely benefit from having a Chabad center in such a convenient and central location!**

Sincerely,  
Alvin Fayman



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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:43 PM  
**To:** Justin Wyse  
**Subject:** Fw: Chesterfield Chabad House

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**From:** Sam Goldstein <sam@samgoldsteincpa.com>  
**Sent:** Monday, June 15, 2020 4:45 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Cc:** Vickie McGownd <vmcgownd@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>  
**Subject:** Chesterfield Chabad House

Dear Honorable Mayor and Esteemed City Council Members:

I want to express my support for Chabad developing the property at 2264 Clarkson Road and would love to see them build their Chabad House there.  
Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location.  
They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for all of us.

Sincerely yours,

Sam Goldstein, CPA, CFP  
745 Craig Road, Suite 302  
Creve Coeur, MO 63141

[Sam@SamGoldsteinCPA.com](mailto:Sam@SamGoldsteinCPA.com)  
[www.SamGoldsteinCPA.com](http://www.SamGoldsteinCPA.com)

Phone: (314) 567-7878  
Fax: (314) 432-4878

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CHABAD  
OF NORTHEAST  
QUEENS

212-12 26th Ave.  
Bayside, NY 11360  
718 279 1457

EXECUTIVE  
DIRECTOR

Rabbi Yossi Blesofsky

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Dr. Esther Benenson  
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Mrs. Faye Holand

June 15, 2020

B"H

To the Honorable Chesterfield Mayor and Members of the City Council,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Bayside, NY located at 212-12 26th Avenue Bayside, NY 11360, I can personally attest to the added value that our Chabad center has had on our community in general and home values in particular!

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so.

There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

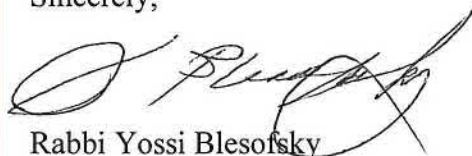
Here in Bayside, property values have risen in the area surrounding the Chabad House specifically due to the Chabad House being there.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.

Having known Rabbi Rubinfeld for many years, I am certain that his incredible work on behalf of the Chesterfield community will continue and grow tenfold with the new center on Clarkson Road.

I hope you will make the right choice with \*your vote\*.

Sincerely,



Rabbi Yossi Blesofsky

---

**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:42 PM  
**To:** Justin Wyse  
**Subject:** Fw: Re Chabad of Chesterfield

---

**From:** Moshe Y. Lieblich <moshe\_lieblich@yahoo.com>  
**Sent:** Monday, June 15, 2020 4:58 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>; Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Re Chabad of Chesterfield

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Wilmington, NC, I can personally attest to the added value that our Chabad center has had on our neighborhood and community. There are so many positive reasons for every city to have a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function for the Jewish community and for the community at large, often stepping in to provide needed social services during difficult times and/or when the local government is unable to do so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad House's local community. This is certainly something that can be appreciated in our current environment.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd. I hope you will make the right choice with your vote.

Sincerely,

Rabbi Moshe Y. Lieblich  
Chabad of Wilmington, NC  
910.763.4770

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Sent from [Mail](#) for Windows 10

---

**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:46 PM  
**To:** Justin Wyse  
**Subject:** Fw: Rezoning of 2264 Clarkson Rd

---

**From:** Rabbi Zalman Fischer <rabbi@chabadaugusta.org>  
**Sent:** Monday, June 15, 2020 2:54 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Cc:** Annisa Kumerow <AKumerow@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>; Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Rezoning of 2264 Clarkson Rd

Dear Chesterfield Mayor and City Council Members,

I am reaching out to you regarding an upcoming vote to rezone a plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Augusta GA, (our center is located at 3924 Old Furrys Ferry Rd, Augusta GA) I can assure you of the added value that our Chabad center brought, and continues to bring, to our own neighborhood!

Among the many good things we bring to our communities is that we are often called upon to provide social services to the greater community, when other agencies are unable or unwilling to. Chabad stands for goodness, kindness and love of our fellow.

I ask that you please support the rezoning effort of Chabad at 2264 Clarkson Rd. If I can be of further assistance please feel free to reach out to me.

Sincerely,

Rabbi Zalman Fischer  
Chabad of Augusta  
706.722.7659

---

**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:45 PM  
**To:** Justin Wyse  
**Subject:** Fw: rezoning vote 2264 Clarkson Rd.

---

**From:** Yossi Abenson <rabbi@chabadcwe.com>  
**Sent:** Monday, June 15, 2020 3:08 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>; Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Cc:** rabbiavi@gmail.com <rabbiavi@gmail.com>  
**Subject:** rezoning vote 2264 Clarkson Rd.

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in the St. Louis City with a center at 4325 Maryland Ave, St Louis MO 63108 I can personally attest to the added value that our Chabad center has had on our neighborhood in general and home values in particular!

As you may be aware the City of St Louis is going through a renaissance in different neighborhoods and local officials, residents, business owners and some of the biggest developers see the fact that there is a Chabad Center that we have recently established as something that adds value to the neighborhood and they have given of their time, money and resources to help establish and grow our Chabad Center.

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members.

Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with \*your vote\*.

Sincerely,

--

Rabbi Yossi Abenson  
Chabad of the Central West End | JGrads  
4325 Maryland Ave, St. Louis, MO  
(314) 448-0927

During this time of uncertainty, I have found the book '[Positivity Bias](#)' to be very helpful for positive perspective.

---

**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:37 PM  
**To:** Justin Wyse  
**Subject:** Fw: Re-Zoning

---

**From:** Rabbi Litvin <chabadofthebluegrass@gmail.com>  
**Sent:** Monday, June 15, 2020 6:07 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>; Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Re-Zoning

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Lexington Kentucky with a center at 568 Columbia Ave I can personally attest to the added value that our chabad center has had on our neighborhood in general and home values in particular! There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with your vote.

Sincerely,  
Rabbi Shlomo Litvin  
Chabad of the Bluegrass  
859 813 0770

ith prayers for the immediate redemption,  
Rabbi Shlomo Litvin



---

**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:36 PM  
**To:** Justin Wyse  
**Subject:** Fw: Support for Chabad

---

**From:** Heather Knight <heather54321@outlook.com>  
**Sent:** Monday, June 15, 2020 6:26 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Cc:** Vickie McGownd <vmcgownd@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>  
**Subject:** Support for Chabad

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on me and so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,  
Heather Knight

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**From:** Mike Geisel  
**Sent:** Monday, June 15, 2020 6:41 PM  
**To:** Justin Wyse  
**Subject:** Fw: Support for Chabad House

---

**From:** Keith Knight <knightwho27@gmail.com>  
**Sent:** Monday, June 15, 2020 6:37 PM  
**To:** cityofficials <cityofficials@chesterfield.mo.us>  
**Cc:** Annisa Kumerow <AKumerow@chesterfield.mo.us>; Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Support for Chabad House

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on me and so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,  
SFC Keith Knight



**Rohr Chabad Jewish Student  
and Community Center**  
*at Texas A&M University®*



June 15, 2020

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in College Station, Texas, Home of Texas A&M University. Our center is located one short block from the University at 201 Live Oak St, I can personally attest to the added value that our Chabad center has had on our neighborhood in general and home values in particular! The value of properties in our neighborhood, since our arrival have surged. Our property alone has more than tripled in value since our establishment in 2007. Our neighbors have been very appreciative of us being here as a bedrock of our community.

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.

I hope you will make the right choice with your vote.

Sincerely,

A handwritten signature in dark ink, appearing to read "Yossi Lazaroff".

Rabbi Yossi Lazaroff  
Texas A&M University – Campus Rabbi  
Chabad at Texas A&M University  
Executive Director

**From:** redbiel@juno.com  
**Sent:** Monday, June 15, 2020 8:13 PM  
**To:** cityofficials  
**Cc:** Annisa Kumerow  
**Subject:** Chabad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

We want to express our support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,  
Drs. Stan Biel and Leila Redlich

**From:** Rabbi Levi Kramer <lkramer@yoec.edu>  
**Sent:** Monday, June 15, 2020 8:32 PM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Rezoning

By the Grace of G-d

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at **2264 Clarkson Rd. for Chabad of Chesterfield**. As a Chabad Rabbi at the West Coast Talmudical Seminary in Los Angeles, CA I can personally attest to the added value that chabad centers have on their neighborhoods in general and home values in particular!

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so, Jews and non-jews alike.

There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad House's local community.

**I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.**  
**I hope you will make the right choice with \*your vote\*.**

Sincerely,  
Rabbi Levi Kramer  
West Coast Talmudical Seminary  
[www.yoec.edu](http://www.yoec.edu)  
3239373763

**From:** Stephen Mandel <stephe36@gmail.com>  
**Sent:** Monday, June 15, 2020 9:06 PM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Chabad

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!  
Sincerely,

Stephen Mandel  
St. Louis, MO 63146

**From:** Fagy Rubenfeld <fagy@usa.com>  
**Sent:** Monday, June 15, 2020 11:25 PM  
**To:** Vickie McGownd  
**Cc:** cityofficials; Annisa Kumerow  
**Subject:** Re: Clarkson Road - City Council meeting

Dear Chesterfield Mayor and City Council Members,

I understand the City Council is meeting this week to decide on rezoning for the property on Clarkson Road.

When looking for neighbors we usually look for positive, friendly, happy and helpful neighbors.

Avi Rubenfeld and Chabad are the embodiment of all that and more.

Chabad is a unifying force and will surely increase the desire for homes in the area.

I might consider relocating to this area when Avi and chabad finalize their building.

I would surely encourage you to vote yes - it will be a win win all around.

Sincerely,

Sylvia mossoff

[sylmoss88@gmail.com](mailto:sylmoss88@gmail.com)

**From:** Rabbi Yisroel Cohen <rabbi@lchaim.org.uk>  
**Sent:** Tuesday, June 16, 2020 1:07 AM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Chabad Zoning

BH

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Manchester UK with a center at Beis Menachem Park Lane Salford M7 4JD I can personally attest to the added value that our chabad center has had on our neighborhood in general and home values in particular!

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so.

There is little dispute that work done by Chabad helps maintain the social fabric of your great nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.

I hope you will make the right choice with \*your vote\*.

Sincerely,  
Rabbi Yisroel Cohen  
Chabad of Manchester  
Phone +44 161 792 6335

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**L'Chaim - Chabad of Manchester**  
Correspondence Office  
42 Singleton Road  
Salford, Manchester M7 4LN  
t/f: 0161.792.6335  
e: [LChaim@LChaim.org.uk](mailto:LChaim@LChaim.org.uk)  
w: [www.LChaim.org.uk](http://www.LChaim.org.uk)

**From:** marianne chervitz <maricherv@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 7:27 AM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Please support Chabad of Chesterfield!

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield, including my family. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

They are wonderful people, running an essential organization for the Jewish community in Chesterfield and beyond. Please allow them this space to further their great work!

Sincerely,  
Marianne and Steve Chervitz

**From:** Chris Kelts <cmkelts@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 8:06 AM  
**To:** Annisa Kumerow  
**Subject:** Chabad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!  
Sincerely,  
C. Kelts



**From:** Chabad Manaus <chabadmanaus@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:47 AM  
**Cc:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Zoning: Chabad of Chesterfield

Dear **Chesterfield Mayor and City Council Members,**

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Manaus with a center at Rio Pauni 9, I can personally attest to the added value that our chabad center has had on our neighborhood in general and home values in particular!

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members.

Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd. I hope you will make the right choice with your distinguished vote.

Sincerely,

Rabbi Arie Raichman  
Chabad of the Amazon  
+55 92 – 3307 6255

**P.S.** My parents became closer to Judaism while learning at Washington University, many years ago. Although I have not been to this specific center, I can tell you that its impact is positive and well received.

**From:** Rabbi Rosenfeld <rabbi@jewishaventura.com>  
**Sent:** Tuesday, June 16, 2020 9:03 AM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Letter of Recommendation



Tuesday June 16 2020

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for a Chabad House by Chabad of Chesterfield.

As a Chabad Rabbi in Aventura Florida with a center at 18449 NE 28<sup>th</sup> Court, I can personally attest to the added value that our Chabad center has brought to our neighborhood in general and home values in particular!

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses and its programs bring to their neighbors and community members.

Chabad fulfills a vital function in all communities, such as stepping in to provide needed social services when others may be incapable of doing so, Chabad's open-door policy creates an open invitation for all in need thus creating a real community environment to all that come.

There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of the local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.

I hope you will make the right choice with \*your vote\*.

I thank you for taking your time in reading this letter.

Sincerely,

**Rabbi Mendel Rosenfeld**  
Lubavitch Aventura South  
18449 NE 28th Court, Aventura FL, 33160  
(305) 974-0065 Office  
(786) 312-0235 Mobile  
[www.jewishaventura.com](http://www.jewishaventura.com)

**From:** Mendel Mangel <Rabbi@thechabadcenter.org>  
**Sent:** Tuesday, June 16, 2020 9:10 AM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Rezoning Vote

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Cherry Hill, NJ with a center at 1925 Kresson Road, Cherry Hill, NJ I can personally attest to the added value that our chabad center has had on our neighborhood in general and home values in particular! There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with \*your vote\*.

Sincerely,  
Rabbi Mendy Mangel  
Chabad of Cherry Hill NJ  
856-874-1500

**From:** Mano, Haim <manoh@umsl.edu>  
**Sent:** Tuesday, June 16, 2020 10:09 AM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Support for Chabad House

Dear Honorable Mayor and Esteemed City Council Members,

We are Chesterfield residents and have been living in our wonderful city the last 20 years. I want to express my continued support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Haim Mano, PhD  
1088 Nooning Tree Drive  
Chesterfield, MO 63017

[manoh@umsl.edu](mailto:manoh@umsl.edu)

**From:** Rabbi Avi Rubinfeld <rabbiavi@gmail.com>  
**Sent:** Tuesday, June 16, 2020 10:39 AM  
**To:** Annisa Kumerow; Terry Rosenstrauch  
**Subject:** Fwd: Chabad House development

Terry fwd this to me and said he got a message back that it's not a valid email address?

----- Forwarded message -----

From: **Terry** <[terryrosenstrauch@gmail.com](mailto:terryrosenstrauch@gmail.com)>  
Date: Tue, Jun 16, 2020, 10:20 AM  
Subject: Chabad House development  
To: [cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us) <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>

Dear Honorable Mayor & esteemed City Council Members,  
I wish to voice my support for the development of the property at 2264 Clarkson Rd. For a new Chabad House. Chabad has been a very strong positive influence on my life, & many others. They have helped a lot of people in Chesterfield & other places. As a resident of Chesterfield for 26 years I know they would be a great addition to the community. It would be nice knowing they are right down the street from me. They would be good neighbors. Please vote to approve this project. Also, please allow me to speak at the meeting June 17th. I would appreciate it if you would call on me to speak. Thank you,  
Terry Rosenstrauch, 8 Clarkson Farm Dr., Chesterfield, Mo., 63017.  
Sent from my iPad

**From:** Justin Wyse  
**Sent:** Tuesday, June 16, 2020 10:41 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabad house

Not sure if you received this one.

-----Original Message-----

From: Mike Geisel  
Sent: Tuesday, June 16, 2020 9:02 AM  
To: Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
Subject: FW: Chabad house

-----Original Message-----

From: diane shenker <[dbkslucky@yahoo.com](mailto:dbkslucky@yahoo.com)>  
Sent: Monday, June 15, 2020 9:24 PM  
To: cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
Subject: Chabad house

I want to express my support for the Chabad developing the property at 2264 Clarkson Rd., & would love to see them being able to build there. They do so much for the community, too much to go into, but as an example : they have put together fabulous Lawn Signs that say: Kindness, patience & Hope are also highly contagious, Don't Wait To Catch It, Be A Carrier. We shd all be carrier of their messages.  
Thanks in advance, Sincerely. Diane Shenker

Sent from my iPad

**From:** Justin Wyse  
**Sent:** Tuesday, June 16, 2020 10:42 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Rezoning

---

**From:** Mike Geisel  
**Sent:** Tuesday, June 16, 2020 9:03 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Subject:** FW: Rezoning

**From:** JUNI Sydney <[junisydney@gmail.com](mailto:junisydney@gmail.com)>  
**Sent:** Monday, June 15, 2020 9:01 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>; Vickie McGownd <[vmcgownd@chesterfield.mo.us](mailto:vmcgownd@chesterfield.mo.us)>  
**Subject:** Rezoning

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Newtown, Australia with a Chabad House in the heart of a community, I can personally attest to the added value that our Chabad center has had on our neighborhood in general and home values in particular!

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members.

Chabad fulfills a vital function in communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. Currently we are providing meals and shopping assistance to our local neighborhood. There is little dispute that work done by Chabad helps maintain the social fabric of every nation, and contributes to the health and vitality of each Chabad House's local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with your vote.

Sincerely,  
Rabbi Eli Feldman  
Young Adult Chabad  
+61 0400 770 613

**From:** Justin Wyse  
**Sent:** Tuesday, June 16, 2020 10:42 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabbad of Chesterfield

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**From:** Mike Geisel  
**Sent:** Tuesday, June 16, 2020 9:03 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Subject:** FW: Chabbad of Chesterfield

**From:** jeff blum <[jeffblum@yahoo.com](mailto:jeffblum@yahoo.com)>  
**Sent:** Monday, June 15, 2020 8:31 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Cc:** Rabbi Avi Rubinfeld <[rabbi@chabadofchesterfield.com](mailto:rabbi@chabadofchesterfield.com)>  
**Subject:** Chabbad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

We have a son studying Hebrew for his Barmitzva through the Chabad of Chesterfield and Rabbi Rubinfeld. We started last winter attending events hosted by Chabad and feel an incredible atmosphere when we are around fellow Chabad people. This center would be a great place for studies and programs for anyone to attend.

Sincerely,

Jeff Blum  
[jeffblum@gmail.com](mailto:jeffblum@gmail.com)

[Sent from Yahoo Mail on Android](#)



**From:** Justin Wyse  
**Sent:** Tuesday, June 16, 2020 11:18 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Re-zoning of the Clarkson Woods neighborhood entrance

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**From:** Mike Geisel  
**Sent:** Tuesday, June 16, 2020 11:16 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Subject:** FW: Re-zoning of the Clarkson Woods neighborhood entrance

**From:** Michelle Smith <[michellellegsmith@gmail.com](mailto:michellellegsmith@gmail.com)>  
**Sent:** Tuesday, June 16, 2020 10:46 AM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Re-zoning of the Clarkson Woods neighborhood entrance

To Whom it May Concern,

I am writing to you today in strong opposition of the proposed rezoning of land at the intersection of Clarkson Road and Clarkson Woods Drive. As a resident of the Clarkson Woods subdivision who lives at 2156 Federal Way, my family and the safety of my children would be directly affected by rezoning the small plot of land at the entrance of the neighborhood.

Day after day, I see the substantial amount of traffic that utilizes Federal Way to cut through from Clarkson to Country Ridge Road when exiting from the Clarkson Wilson Center. Adding another facility beside the Clarkson Wilson Center would only increase traffic, bog down the area, congest our neighborhood and negatively impact the safety of our residents and children. The traffic from the proposed rezoning of the land would also be extremely hard to mitigate and confine to the proposed parking area within the site. Additional cars will park up and down Clarkson Woods Drive and Federal Way creating a safety hazard for moving traffic on those roads, which is already a hazardous intersection and area on most days.

The land at the entrance of our neighborhood does not support such an increase in land space usage and will have HUGE safety ramifications for the residents of Clarkson Woods subdivision. I have 5 young children who play, run, and ride bikes down the sidewalks and streets of Federal Way and Clarkson Woods Drive and the huge increase in traffic will be a nightmare to contend with for our children.

Additionally, I am also a licensed real estate agent and I buy and sell property all over the Chesterfield area. As a resident and licensed realtor in the Clarkson Woods subdivision, I can assure you that each and every resident of this neighborhood will see a severe decrease in property value as a result of a building being constructed at the entrance. It will sorely impact property value to see a large building at the main entrance of the neighborhood and the additional traffic congestion from the building will also negatively impact value. Based on my estimations from data, every resident in the neighborhood could see a 15-20% decrease in property value. That is a huge financial hit both personally and for the city of Chesterfield.

I am vehemently opposed to the proposed rezoning of the land space and I strongly urge you to vote against moving from R2 to R4.

Thank you.

--  
**Michelle Smith**  
Realtor  
Keller Williams Realty Chesterfield  
(314) 504-0562

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**From:** David James <samkim8508@att.net>  
**Sent:** Monday, June 15, 2020 10:48 PM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Bring Chabad here!!

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact with my family personally and with so many other people and families in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Samuel James

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**From:** Reich, Dan <DReich@jfedstl.org>  
**Sent:** Monday, June 15, 2020 10:27 PM  
**To:** cityofficials  
**Cc:** vmcqownd@chesterfield.mo.us; Annisa Kumerow  
**Subject:** a Chabad House in Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

I am writing to express my support for a Chabad House at 2264 Clarkson Road, in Chesterfield. I first encountered a Chabad House in 1975, in College Park, Maryland. I have maintained connections with Chabad Houses in Chicago, Champaign-Urbana and St. Louis (since 1986.) Chabad Houses, their staff, programming and mission have always had a positive, supportive effect on my life. The representatives of Chabad in Chesterfield already contribute significantly to the richness of our community. I can only imagine what they would accomplish with a centrally located, accessible Center on Clarkson Road.

I wholeheartedly support this endeavor.

Sincerely,  
Daniel A. Reich

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**From:** JUNI Sydney <junisydney@gmail.com>  
**Sent:** Monday, June 15, 2020 9:01 PM  
**To:** cityofficials; Vickie McGownd  
**Subject:** Rezoning

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Newtown, Australia with a Chabad House in the heart of a community, I can personally attest to the added value that our Chabad center has had on our neighborhood in general and home values in particular!

There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members.

Chabad fulfills a vital function in communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. Currently we are providing meals and shopping assistance to our local neighborhood. There is little dispute that work done by Chabad helps maintain the social fabric of every nation, and contributes to the health and vitality of each Chabad House's local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with your vote.

Sincerely,  
Rabbi Eli Feldman  
Young Adult Chabad  
+61 0400 770 613

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**From:** Leslie Sabol <mlsabol@charter.net>  
**Sent:** Monday, June 15, 2020 1:10 PM  
**To:** cityofficials  
**Subject:** Chabad of Chesterfield

Dear city officials of Chesterfield Missouri

I want to express my support for the construction of Chabad Chesterfield at 2264 Clarkson Rd. Chabad is a force that has an amazing impact on people wherever or whoever they are. People of every race, creed or color would line up to receive a blessing from The Rebbe, Rabbi Menachem Schneerson o.b.m. in Crown Heights New York. Every single Chabad Rabbi I have ever met make a 100% effort to emulate The Rebbe. Last week Chabad held a solidarity march in Crown Heights in support of BLM. Chabad believes in the inherent equality and value of Mankind.

Sincerely

Leslie Sabol

Sent from my iPad

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**From:** D B <dubib4@yahoo.com>  
**Sent:** Monday, June 15, 2020 12:05 PM  
**To:** cityofficials  
**Subject:** In Regards to Chabad

I speak for me and why Chabad has been a life saver . I am disabled and Chabad got me a Passover seder of food before the holiday during the Corna . Another reason Chabad is so good who else brings together a peaceful parade for a holiday of Hanuka to spread so much joy . We connected with Lawr Enforcement ,the Fire Department all in joy .  
Brent Benson

[Sent from Yahoo Mail on Android](#)

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**From:** Robert Bulthaus <robert\_bulthaus@sbcglobal.net>  
**Sent:** Saturday, June 13, 2020 12:24 PM  
**To:** Tom DeCampi  
**Subject:** Rezoning of 2264 Clarkson Road

I am very much against any rezoning of this property to allow construction or any other activity. We have lived on Clarkson Woods Drive almost 42 years. Almost daily I exit off of Clarkson Road onto Clarkson Woods. Immediately, you are at the exit from the Wilson Center. Most people coming out of the Center approach Clarkson Woods very rapidly. You never know whether they will stop at the last moment or not. This is very dangerous because you can't really see them nor they you until you are both at this exit. There have been a few occasions where I have actually stopped because the other driver was coming out without really looking. My wife actually, had to run onto the grass once to keep from being hit.

So, the number one reason not to let anything develop on the site is safety! Safety! And, there must have been a reason this address was not zoned the same as the rest of the development originally. This is the only "green space" leading into this subdivision. Allowing some kind of development in this space would take away the character and feeling driving into the subdivision and increase the probability of accidents.

Is the City so desperate they must fill this little patch of green with something to generate tax income? If it's to be a house of worship you might even lose the little tax the vacate lot now provides.

Thank you for listening.

Robert & Dianne Bulthaus  
16043 Clarkson Woods Drive  
Chesterfield  
314.703.1224

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**From:** Paul Bostick <paulbostick@gmail.com>  
**Sent:** Friday, June 12, 2020 3:08 PM  
**To:** cityofficials  
**Subject:** Rezoning of Clarkson Road and Clarkson Woods Drive

City Officials

I am opposed to the rezoning of this tract. I have lived in Clarkson Woods for 23 years and love the neighborhood.

I would hate to see the parcel at the entrance to our subdivision be used for anything other than a park or a private residence.

Sincerely

Paul Bostick  
2139 Heather Glen Drive  
Chesterfield MO 63017



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**From:** Steven Brown <stevenbrownmd@gmail.com>  
**Sent:** Saturday, June 6, 2020 7:45 AM  
**To:** Bob Nation; Barbara McGuinness; Mary Monachella; Ben Keathley; Mary Ann Mastorakos; Dan Hurt; Michael Moore; Tom DeCampi; Michelle Ohley  
**Subject:** Chabad of Chesterfield

Dear Mayor Nation and members of the Chesterfield City Council,

I am a physician and homeowner, currently residing in the Chesterfield Farms Subdivision with my wife Jean Millner. We have lived in Chesterfield for several years. I work at Mercy Virtual Care Center in Chesterfield.

My wife and I are next door neighbors and personal friends of Rabbi and Mrs. Avi Rubinfeld, the spiritual leader of Chabad of Chesterfield. These are delightful neighbors, very good people, who are excellent teachers and role models in our community.

We have learned that Chabad, an important positive force in our city, has plans to develop a property at 2264 Clarkson Road. We fully support this plan and ask that the City Council votes favorably regarding any related zoning regulations.

We are all at a pivotal epoch in history. A time that asks us to exercise tolerance to our brothers and sisters, independent of race, national origin, and religion. In our multicultural community of Chesterfield, the presence of Chabad will strengthen that resolve. As noted by Thomas Jefferson, "Perhaps the single thing which may be required to others before toleration to them would be an oath that they would allow toleration to others."

Thank you for your consideration,

Steven M. Brown, MD

Jeannine Millner

133 Brighthurst Drive

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**From:** Steven Brown <stevenbrownmd@gmail.com>  
**Sent:** Saturday, June 6, 2020 7:45 AM  
**To:** Bob Nation; Barbara McGuinness; Mary Monachella; Ben Keathley; Mary Ann Mastorakos; Dan Hurt; Michael Moore; Tom DeCampi; Michelle Ohley  
**Subject:** Chabad of Chesterfield

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We have learned that Chabad, an important positive force in our city, has plans to develop a property at 2264 Clarkson Road. We fully support this plan and ask that the City Council votes favorably regarding any related zoning regulations.

We are all at a pivotal epoch in history. A time that asks us to exercise tolerance to our brothers and sisters, independent of race, national origin, and religion. In our multicultural community of Chesterfield, the presence of Chabad will strengthen that resolve. As noted by Thomas Jefferson, "Perhaps the single thing which may be required to others before toleration to them would be an oath that they would allow toleration to others."

Thank you for your consideration,

Steven M. Brown, MD

Jeannine Millner

133 Brighthurst Drive

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**From:** David Fliesher <david.fliesher@yahoo.com>  
**Sent:** Tuesday, April 28, 2020 10:45 PM  
**To:** Michelle Ohley; Tom DeCampi  
**Subject:** Land Rezoning - 1x Resident's Perspective

Hi Michelle and Tom,

I dialed into the Zoom meeting for the Planning and Public Works Committee last week. Although you both voted differently on the issue, I still feel that our ward was well represented. The character of the neighborhood and the desire of the residents appeared to be front of mind for all those who participated in the debate.

In addition, the current proposal causes me some concern, but not the same aversion and stress as the last attempt at development. Dr. Pernikoff created significant opposition and loathing by the Clarkson Woods board, many of my neighbors and my family for a couple of reasons:

1) Commercial Development - We did not think this fit the character of the neighborhood or the city's master plan. Moreover, the previous proposal did not adequately address several key issues such as distance of setbacks, parking lot visibility and proximity to front entrance as well as resident concerns about traffic/access points.

2) Tactics - Many of the residents felt that Dr. Pernikoff tried to rush the rezoning/project through without proper vetting with our neighborhood. When he discovered there was opposition his stance was to push harder and attempt to discredit objections at the last moment through schemes rather than engaging in an open dialogue.

In regards to rezoning to R-4 and plan to build a Chabad, here are my current thoughts.

- I think the initial vision for our neighborhood was for the land around our front entrance to be zoned R-2. However, the rezoning to R-4 and subsequent development can fit the character of our neighborhood if done right. Yet, it will still expose us to additional risk depending what is built either now or sometime in the future if redeveloped. (Can we request for the HOA to have first rights to purchase if the property is ever sold again?)
- Also, I am Jewish and familiar with Chabad. Yet, some of my same concerns exist even if the zoning remains residential. This is not a religious freedom issue. Will the setbacks be sufficient and can the parking lot be accessed by the utility road and kept away from our front entrance? How much parking will be required and will most traffic occur during non-peak hours (aka 7-9am on weekdays)?
- I think most of us would like to see a win-win scenario where both the developer and our residents are happy. Hypothetically, if a Chabad is built then some of their members may eventually buy homes in our neighborhood and become residents (part of our community). As a result, please encourage the developer and Rabbi to reach out to our board and start an early dialogue. It is really difficult to meet these days with the Corona virus forcing quarantine. However, I think having a couple information sessions (via Zoom, Google Meet...etc) and allowing residents to ask questions and engage would be really beneficial too.

Thank you again for all your time and service! I am hoping my perspective provides some ideas on how we can potentially move forward.

David

Clarkson Woods Resident  
David.Fliesher@yahoo.com  
314-283-5482

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**From:** Dennis Ganahl <dennis.ganahl@me.com>  
**Sent:** Thursday, April 23, 2020 4:05 PM  
**To:** Tom DeCampi; Mary Ann Mastorakos; Dan Hurt; Mary Monachella  
**Subject:** PZ 18 2019 rezoning PLEASE READ BEFORE YOUR MEETING

Greetings Council Members, first I want to thank you for your time and sacrifices on behalf of the City.

I, along with 98% of our subdivision residents, oppose the rezoning of the property located at 2264 Clarkson Road to R4. However, I believe my rezoning recommendation will satisfy almost everyone. I suggest your committee recommend that the commercial portion (30% of the property) be rezoned to R2 instead. This would make the property consistently zoned with the R2 portion of the property that makes up 70% of the property. This recommendation would validate the 8-0 City Council vote that happened last year rejecting the rezoning effort at that time for this property.

It was just over one-year ago when the City Council defeated an effort to rezone this property 8-0. This important vote came after over 150 residents who live in the Clarkson Woods subdivision attended committee meetings and multiple city council meetings to oppose the rezoning. Less than 10 citizens supported the rezoning.

At that time, Dan Hurt spoke eloquently on his rationale to oppose the rezoning. Dan explained that it would be best, as a policy for the City, not to change property zoning at the entrances of the subdivisions. He said he couldn't remember any time in the past where the city had changed that type of zoning. With this policy, subdivisions wouldn't be constantly under attack by developers for rezoning. Think of all of the subdivisions along Olive, Clarkson.

I have spoken with the Annisa Kamerow in the city planning office and she told me that there is precedent for the City to grant a different rezoning than the one requested by the developer. It's been done before. R2 allows the same type of developments as R4 but it does put more strict building limitations which protects the investments made by 285 homeowners/families. The residents can't complain because the property was R2 when they purchased their homes. The developer can't complain because the useable portion of the property has always been R2.

it's a Solomon-like decision and everyone should be happy if the City grants an R2 rezoning instead of a R4.

Thanks for your time and consideration and I will try to attend your virtual meeting tonight. We just found out about this meeting this afternoon. I am happy to accept any phone calls or emails.

Dennis

Dennis Ganahl, PhD  
636-357-8071  
[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)

**From:** Barb L <hotpinkbl@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 11:43 AM  
**To:** cityofficials@chesterfield.mo.com  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Chabad

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!  
Sincerely,

Barbara Levin

mychabadcenter.org  
954.471.8646



11325 W. Atlantic Blvd.  
Coral Springs FL 33071

June 12, 2020

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield under the great leadership of Rabbi Avi Rubinfeld. When I was a young child, the Rabbi spent several Holidays as a Rabbi in training at our home and his natural kindness and goodness made a lifelong impact on me until today.

Today - inspired in part by the example that your community's Rabbi had on me almost two decades ago - I am the Rabbi of our Chabad Center in Coral Springs Florida. I can personally attest to the added value that our community outreach center has had on so many different kinds of people of all backgrounds, and also on the skyrocketing home values in close proximity to the Chabad.

Chabad has become a very well-known organization, fulfilling a vital function in American communities. We don't only inspire our members to be better, more conscientious people, but we provide needed social services when the government is unwilling or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each local community.

But Chesterfield in particular is blessed to have Rabbi Rubinfeld as one of the pillars of your community, and I am sure that you are doing all you can to help him in his mission of bringing goodness and kindness to all the residents of your city.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.

The mutual cooperation and friendship between us and our local government has borne beautiful fruits, and I hope you will make the right choice with your vote to bring that kind of partnership to your home as well.

Sincerely,

Rabbi Yankie Denburg  
Chabad Jewish Center – SW Coral Springs

**From:** Fagy Rubenfeld <fagy@usa.com>  
**Sent:** Tuesday, June 16, 2020 2:31 PM  
**To:** cityofficials; Vickie McGownd; Annisa Kumerow  
**Subject:** Rezoning on Clarkson Road.

Dear Chesterfield Mayor and City Council Members,

As Rabbi Avi's mom, I have taken great pride in watching him serve the community and it's needs.  
He will most definitely be a great addition to your community. Chabad is an exceptional world wide organization known for their positive contribution.

As President Bush once noted "Chabad saves lives". That is the motto of both Avi and Chabad.

The Bible teaches 'love our neighbors as ourselves' – Which is how Avi lives as a private citizen and as a representative of Chabad.

It will be a blessing for the entire area to have them as neighbors.  
That's coming from a mom - and mother knows best!!!!

Sincerely,  
Fagy Rubenfeld  
Boca Raton, FL

**From:** Justin Wyse  
**Sent:** Tuesday, June 16, 2020 1:15 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabad

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**From:** Mike Geisel  
**Sent:** Tuesday, June 16, 2020 1:05 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Subject:** Fwd: Chabad

Begin forwarded message:

**From:** Elchonon Chaikin <[elchonon@chabaddayton.com](mailto:elchonon@chabaddayton.com)>  
**Date:** June 16, 2020 at 12:30:54 PM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Chabad

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Dayton, OH with a center at 2001 Far Hills Avenue, I can personally attest to the added value that our Chabad Center has had on our neighborhood in general and home values in particular! There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.  
I hope you will make the right choice with \*your vote\*.

Sincerely,

--  
Rabbi Elchonon (Rabbi E.) Chaikin  
Sinai Initiative Director

The Sinai Initiative brings young Jews together in their unique peer groups, engaging and inspiring teens, college students, and young adults.

Chabad of Greater Dayton  
2001 Far Hills Ave  
Oakwood, OH 45419

p: 937-643-0770 x3  
c: 216-496-0014  
e: [elchonon@chabaddayton.com](mailto:elchonon@chabaddayton.com)  
w: [www.ChabadDayton.com](http://www.ChabadDayton.com)

*Please remember Chabad of Greater Dayton with a gift in your will, trust, retirement account or life insurance policy.*





**From:** Justin Wyse  
**Sent:** Tuesday, June 16, 2020 2:42 PM  
**To:** Annisa Kumerow  
**Subject:** FW: 2264 Clarkson Road Rezoning Proposal

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**From:** Mike Geisel  
**Sent:** Tuesday, June 16, 2020 2:33 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Subject:** FW: 2264 Clarkson Road Rezoning Proposal

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**From:** Mary Ann Scheerer <[mzstwins@earthlink.net](mailto:mzstwins@earthlink.net)>  
**Sent:** Tuesday, June 16, 2020 2:29 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** 2264 Clarkson Road Rezoning Proposal

Mayor Nation and Honorable Councilmembers:

Let me be clear that I mean no disrespect in my thoughts and comments toward the individuals and organizations involved, but questions, concerns and red flags need to be addressed with open eyes and minds. It is not an easy matter to express dissent against a plan or concept when race or religion is involved. Please understand, these do not enter into **my decision to request voting against this change in zoning.** Between the current owner of this property and the proposal, I see all kinds of question marks and concerns.

It is quite simple for individuals outside the subdivision and even the surrounding area to endorse the sale and building of the worship center based upon faith and experience with Chabad. It is quite another to live daily with safety issues and the changing of the feel for the subdivision. *Concern for residents of the area and those that walk and drive on a daily basis should take precedence.* Besides the red flags surrounding the sale of this property and no clear plans for how property will be developed, the following issues are KEY to the safety of residents and visitors to the area:

1. The entrance onto Clarkson Woods Drive off Clarkson is narrow as well as curvy in addition to having a slight incline close to the entrance to Clarkson Wilson Center. When drivers leave the shopping center at this point, sight to the left is somewhat impaired. This is not a good situation when speaking of adding to traffic. Note the distance involved between Clarkson and the center's entrance road. Because traffic comes off of Clarkson, speed is always an issue.
2. The entrance to the proposed facility is off of this entrance/exit road from shopping center to Clarkson Woods Drive, subdivision's main street.
3. There exists no sidewalk between Clarkson Woods Drive and shopping center (pedestrians walk on entrance road) nor between entrance road and Clarkson. This is a neighborhood shopping center used by walkers and bicyclists.
4. Parking would have to be limited given the size of the lot ( .99 acres), but Mr. David Volz (engineer advising Rabbi Rubinfeld) indicated that there exists an agreement allowing owner of this property to use shopping center for over-flow parking. This increases concern with traffic and numbers.
5. In questioning residents in our surrounding area who have similar congregations close by, I inquired as to how so many individuals could be coming from a distance given the fact that on some holidays no automobiles are used for transportation. They advised that people park a distance from the synagogue and then walk. Residents' concerns with parking along residential streets are definitely justified.
6. Allowing this green space to be replaced by a building and parking lot goes against the comprehensive plan which residents find vital to keeping Chesterfield livable and attractive. *Developing this property is not a vital issue except in the pocketbooks of involved individuals.* Allowing development would set a precedence that will forever haunt the City and negatively impact the lovely community that residents have worked so hard to establish and maintain. We don't have to look far to see that there exists plenty of available property.
7. This is a neighborhood and those outside the area have no clear understanding of what that means unless put in the same situation with their homes (i.e. living within and maintaining those homes).

We respectfully request that maintaining the green space remain a top priority of the City in an effort to preserve the feel in this residential community and help keep the safety of residents a prime concern. Please deny any changes in zoning.

Thanks for your efforts and consideration.  
Rich and Marianne Scheerer

**From:** Vickie McGownd  
**Sent:** Tuesday, June 16, 2020 4:34 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabad in Chesterfield

Sorry, this is the last one I'm sending you for today.

I'll let you know if I continue to receive emails tomorrow.

**Vickie McGownd**  
City Clerk  
690 Chesterfield Pkwy W  
Chesterfield, MO 63017-0760  
Phone: 636-537-6716  
Fax: 636-537-4798

**From:** Diane Packman <[love2mom2460@gmail.com](mailto:love2mom2460@gmail.com)>  
**Sent:** Tuesday, June 16, 2020 4:25 PM  
**To:** Vickie McGownd <[vmcgownd@chesterfield.mo.us](mailto:vmcgownd@chesterfield.mo.us)>  
**Subject:** Chabad in Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! Chana'la & Avi & their family are amazing, kind, compassionate people. Their programs have not missed a beat during this COVID-19 quarantine. They are forever inspirational, motivating, positive, & so creative in what they have done to encourage people through this stay at home order. They have used other locations in the past to hold holiday & Sabbath services, & they deserve a place to call their own. A place they & the Chabad community can call their house of worship. While I am not a Chabad Jew, I, so enjoy their weekly inspirational posts, their programs, & their creative ideas. They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all! Our country is currently in great turmoil & it would be wonderful to see something positive happen during all of this.

Sincerely,

Diane F. Packman

## Vickie McGownd

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**From:** debra@debrasartori.com  
**Sent:** Tuesday, June 16, 2020 12:38 PM  
**To:** Vickie McGownd  
**Subject:** Chabad House

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Best regards,

Debra  
636-346-5367

Keller Williams Realty Chesterfield  
11th Year in a row 5 STAR REAL ESTATE AGENT St. Louis Magazine  
Keller Williams Realty #1 Brokerage in Sales Volume

## Vickie McGownd

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**From:** kimberly vonk <ksvonk@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 12:45 PM  
**To:** Vickie McGownd  
**Subject:** Chabad House Please

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all! I am proud to have been raised in Chesterfield.

Sincerely,

Kimberly Sher-Vonk

## **Vickie McGownd**

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**From:** Liz Redler <lizredlerstl@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:49 PM  
**To:** Vickie McGownd  
**Subject:** Chabad of Chesterfield

To Whom it may Concern:

Chabad is essential to the Jewish community in Chesterfield. I live in Chesterfield and it is the closest connection I have to my Jewish community. Chabad is positive, welcoming, and loving. Chabad contributes to, not only to Jews in Chesterfield, but to many people and organizations both Jewish and Non Jewish throughout the St. Louis Area. I implore you to grant them the property at 2264 Clarkson Rd.

Respectfully submitted,

Liz Redler

## **Vickie McGownd**

---

**From:** Arza Sheffy <arzasheffy@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:50 PM  
**To:** Vickie McGownd  
**Subject:** Support for Chabad House in Chesterfield!

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Arza Sheffy-Raviv

## Vickie McGownd

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**From:** Danny Gorodetsky <dannygorodetsky@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:55 PM  
**To:** Vickie McGownd  
**Subject:** Chabad House Support

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there.

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location. They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all.

I was personally positively impacted by them as an adolescent which helped me become the successful adult I am today. This is an opportunity that should be provided to others and not limited by a lack of dedicated space. I hope you make the right decision for the community and all the taxpayers like me that support this initiative.

Sincerely,

Danny Gorodetsky

## Vickie McGownd

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**From:** mark1974w <mark1974w@sbcglobal.net>  
**Sent:** Tuesday, June 16, 2020 1:15 PM  
**To:** Vickie McGownd  
**Subject:** Chabbad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Mark Weinstein.

Sent via the Samsung Galaxy S10e, an AT&T 5G Evolution capable smartphone



## Vickie McGownd

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**From:** Stephen Boonshaft <boonshaftsteve@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 1:25 PM  
**To:** Vickie McGownd  
**Subject:** Chabad St. Louis Building

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Steve Boonshaft  
Chesterfield Resident.

## Vickie McGownd

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**From:** David Weinstein <david1994w@sbcglobal.net>  
**Sent:** Tuesday, June 16, 2020 2:08 PM  
**To:** Vickie McGownd  
**Subject:** Chabad house chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

David Weinstein

## **Vickie McGownd**

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**From:** teribring <teribring@gmail.com>  
**Sent:** Tuesday, June 16, 2020 2:45 PM  
**To:** Vickie McGownd  
**Subject:** Zoning

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd. and would love to see them build their Chabad House there.

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Teri Ring

16218 Forest Meadows Drive

Chesterfield MO 63005

## Vickie McGownd

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**From:** BONITA GOLDMEIER <bonitaellen@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 3:19 PM  
**To:** Vickie McGownd  
**Subject:** Chabad of chesterfield

Dear Honorable Mayor and esteem city council members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd. and would love to see them build their new home.

Chabad has had a positive impact on so many people in Chesterfield. As my family lived in Chesterfield for 25+ years, they were such a help and a great resource for us. They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us and everybody.

Sincerely,

Dr. Michael and Bonita Goldmeier

Our former address at 14309 Ladue Rd., Chesterfield, MO.

Thank you so very much !

Sent from my iPhone

## Vickie McGownd

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**From:** Mark Morgan <morganmark@outlook.com>  
**Sent:** Tuesday, June 16, 2020 3:50 PM  
**To:** Vickie McGownd  
**Subject:** Chabad

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Mark Morgan

Sent from my iPhone

## Vickie McGownd

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**From:** heather miederhoff <hmiederhoff@gmail.com>  
**Sent:** Tuesday, June 16, 2020 3:51 PM  
**To:** Vickie McGownd  
**Subject:** Chabad Development

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Heather Miederhoff



## Vickie McGownd

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**From:** Emily Morgan <emorgan@afftonschoools.net>  
**Sent:** Tuesday, June 16, 2020 3:53 PM  
**To:** Vickie McGownd  
**Subject:** Chabad

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Emily Morgan

Sent from my iPhone

**Telephone Calls Received in Support of Bill No. 3296:**

Fran Hoffman  
314-878-3607  
683 Spyglass Summit

Dr. Andrea Itzkowitz  
314-378-3759  
65 Julie Lane – St. Peters



**From:** moshe@chabadpennwynne.org  
**Sent:** Tuesday, June 16, 2020 6:10 PM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Rezoning vote

Dear Chesterfield Mayor and City Council Members,

I am writing this letter in support of my friend and colleague Rabbi Avi Rubinfeld, I think any neighborhood would be lucky to have him as their local Rabbi, he is extremely personable, kind and charismatic. He is one of those special leaders that makes the community he lives in a better place for all its inhabitants. (Don't take my word for it, spend some time with him and you will see exactly what I am talking about)

I understand your city council is voting on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield. As a Chabad Rabbi in Wynnewood, PA, I can personally attest to the added value that our Chabad center has had on our neighborhood in general and home values in particular! There are so many positive reasons for every city to want a Chabad House, but chief among them is the goodness and kindness that Chabad Houses bring to their neighbors and community members. Chabad fulfills a vital function in American communities, often stepping in to provide needed social services when the government is unwilling to or incapable of doing so. There is little dispute that work done by Chabad helps maintain the social fabric of this nation, and contributes to the health and vitality of each Chabad Houses local community.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd, and I hope you will do the same!

Rabbi Moshe Brennan  
Chabad of Penn Wynne  
8 Overbrook Parkway  
Wynnewood, PA 19096  
610.529.9011

16 June 2020

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my complete support for Chabad to develop the property at 2264 Clarkson Rd in Chesterfield. I would absolutely LOVE to see them build their Chabad House there!

I have lived in several states and have had the good fortune to experience Chabad in all of them. While all of my experiences with Chabad – the people, the programming, the atmosphere, the learning – have been fantastic, the Chabad here, expertly led by Rabbi Avi and Rebbetzin Chanala, has gone above and beyond. They are wonderful! I have attended several Chabad classes in the 10 years we've lived in Chesterfield as well as so many of their educational programs. We are very lucky to have them in Chesterfield....they are an enormous asset to our community.

I'm not the only one singing their praises...Chabad has had a positive impact on so many people in Chesterfield. Our entire community can benefit from their many programs in such a convenient and central location! They are an absolutely essential organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Thank you for your time.

Sincerely,



Rachael Green-Smith

Email: [TeamSmithSTL@gmail.com](mailto:TeamSmithSTL@gmail.com)

Cell: 314.307.7709

**From:** Dani Haberer <dani.haberer@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:36 PM  
**To:** Annisa Kumerow  
**Subject:** Support for rezoning motion Property 2264 Clarkson Road

I am a resident of Chesterfield and so is my wife , we support the motion for rezoning for Chabbad house at 2264 Clarkson road.

Chabbad is a great worldwide organization doing good for children's and adults, They are also very neighborhood friendly.

Thanks Dani Haberer

Sent from iPhone

**From:** genia lazarov <geniatailor72@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:55 PM  
**To:** cityofficials  
**Cc:** Annisa Kumerow; Vickie McGownd  
**Subject:** Chesterfield Chabad

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!  
Sincerely, Eugenia Lazarov

**From:** gpyepye <gpyepye@sbcglobal.net>  
**Sent:** Wednesday, June 17, 2020 4:13 AM  
**To:** cityofficials; Annisa Kumerow  
**Subject:** FW: Chabad Building

Sent from my Sprint Phone.

----- Original message -----

From: gpyepye <[gpyepye@sbcglobal.net](mailto:gpyepye@sbcglobal.net)>  
Date: 6/17/20 3:38 AM (GMT-06:00)  
To: [vmcgownd@chesterfield.mo.us](mailto:vmcgownd@chesterfield.mo.us)  
Subject: Chabad Building

To the Mayor and City Council of Chesterfield:

I am writing in support of the building of the Chabad House at 2264 Clarkson Road as a valuable asset to the community. Chabad has offered many programs helping the community to get through the trying times of COVID-19 while many have self-isolated in their homes. Having a building will enable Chabad to extend their services to encompass a larger part of the community with their innovative programs.

Sincerely,

Gail Gay

Sent from my Sprint Phone.

**From:** Laura Laurie <lauralaurie@rocketmail.com>  
**Sent:** Wednesday, June 17, 2020 8:32 AM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Rezoning 2264 Clarkson Road

To Whom It May Concern:

I am writing in concern of the piece of property- at 2264 Clarkson Road. I live at 15915 Woodlet Park Ct in the Clarkson Woods subdivision and firmly believe that this property should be zoned as residential ONLY. I am not able to attend the city council meeting this evening but wanted my voice to be heard. We do not need additional commercial property given the traffic of the current strip mall.

Please consider rezoning this property for residential use only (R4).

Thank you in advance for your consideration

In health,  
Laura Laurie  
Wellness & Freedom Coach  
973-271-6235  
***Your Health is an investment not an expense***

**From:** Melanie Huet <mkh26a@hotmail.com>  
**Sent:** Wednesday, June 17, 2020 9:57 AM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Chabad of Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!  
Sincerely,  
Melanie Huet & family

**From:** Ward Overall <wardoverall@gmail.com>  
**Sent:** Wednesday, June 17, 2020 8:57 AM  
**To:** cityofficials  
**Subject:** Vote no on rezoning parcel at Clarkson and Clarkson Woods Drive!!!

**Please do not rezone this very small parcel of land at the southern entrance to our Clarkson Woods for a church or synagogue or veterinarian or anything else!**

**Please forward my message to Michelle Ohley and Tom DeCampi who are my Ward 4 council members.**

**Thank you.**

[Ward G. Overall](#)

**Current Clarkson Woods resident.**

**Past Chesterfield council member 1988-1990.**

**Past member of the Chesterfield Incorporation Committee.**



## Annisa Kumerow

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**From:** Karen Marino <karenlmarino24@gmail.com>  
**Sent:** Wednesday, June 17, 2020 8:45 AM  
**To:** cityofficials  
**Subject:** Rezoning Clarkson Woods Drive Property

Thank you for allowing me to give my opinion on the rezoning for Clarkson Wood Drive/Clarkson Center to R4. Our preference is that the property stay a green space however, I realize that is an unlikely scenario. So I would support a R4 rezoning and am hopeful that Rabbi Avi will build an appropriate structure that is in keeping with the subdivision.

Karen Marino  
[Karenlmarino24@gmail.com](mailto:karenlmarino24@gmail.com)  
314-630-6766  
16050 Hunters Way Dr.



Virus-free. [www.avg.com](http://www.avg.com)

**From:** Dennis Ganahl <dennis.ganahl@me.com>  
**Sent:** Wednesday, June 17, 2020 9:39 AM  
**To:** cityofficials  
**Subject:** Letter of Opposition for the rezoning of the property at the entrance of Clarkson Woods\_Ganahl

Good morning,

I am writing this letter to oppose the rezoning of the property at the main entrance of Clarkson Woods subdivision which has 283 homes. The Chesterfield City Council has rebuffed developers' rezoning efforts for the past 40 years to maintain the controlling R2 zoning on the smaller than one-acre parcel. Most of you on this council voted 8-0 to oppose the rezoning effort of this owner just one and a half years ago. Don't let Pernikoff harass and harangue you until you change your principled position.

A year and a half ago, you witnessed over 150 residents attend various council meetings to oppose his last rezoning effort. In all of those meetings, only 10 people showed up in support and six didn't live in our subdivision. The neighborhood's sentiment hasn't changed since that time.

The R2 zoning allows the developer to develop the same buildings as R4. R2's size restrictions are appropriate for the entrance of our subdivision.

The placement of our subdivision's monument makes it clear that the parcel was a left-over remnant of property that was a 30% unusable hillside (C8) and 70% flat and useable R2 that isn't intended for a large R4 development.

You have received a letter from Hutkin Property that makes it clear that the newest development ploy doesn't have permission to use the shopping center's parking lot for overflow traffic like Rubenfeld claims.

Traffic numbers show the nearest intersection at Federal Way/Clarkson Woods Drive already has 1,000 cars each day coming and going. A neighborhood doesn't need more traffic. Our subdivision is getting more and more younger families as it is turning.

A year and a half ago Pernikoff claimed he was building his new veterinary office, instead he retired and sold his practice just a couple of months after his rezoning was rebuffed.

Rubenfeld supported Pernikoff's last rezoning effort when Rubenfeld was a trustee, and never asked his own subdivision residents if we supported the rezoning. We did.

I've been told there are letters of support for this development. I guarantee the people don't come from our subdivision as you witnessed a year and a half ago. Why should you let others decide about our neighborhood? They don't pay fees or taxes here. They can't be identified. Check. There aren't addresses listed on the letters.

It's not the city's responsibility to bail out Pernikoff. This isn't a cash transaction. Pernikoff is donating a major portion of his property to a church to get a tax deduction because his property is way over valued. We know because we tried to buy the property after his rezoning effort was rebuffed by the City Council the last time.

Over 40 years, the city has built a defensible position by not rezoning property at the entrance of our subdivisions. Protect the integrity of our neighborhoods. Value families' needs over developers.

Thank you,

Drs. Gina and Dennis Ganahl

15979 Woodlet Way Ct.

636-357-8071

Dennis Ganahl

[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)

**From:** Dani Haberer <dani.haberer@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:11 PM  
**To:** cityofficials  
**Subject:** Support motion for rezoning property on 2264 Clarkson Road

I am a resident of Chesterfield and so is my wife , we support the motion for rezoning for Chabbad house at 2264 Clarkson road.

Chabbad is a great worldwide organization doing good for children's and adults, They are also very neighborhood friendly.

Thanks

Dani Haberer  
686 Sunbridge Drive  
Chesterfield, MO 63017

Sent from iPhone

**From:** Sarah Kueper Hoffman <sarah.kueper@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:35 PM  
**To:** cityofficials  
**Subject:** Rezoning Proposal 2254 Road - Against

Dear City Council,

I appreciate the efforts of Rabbi Avi to reach out to the neighborhood in regards to rezoning 2264 Clarkson Road from R2/C8 to R4. He shared quite a bit about the organization itself but was lacking transparency on the vision he has for capacity and design, including signage. In a previous meeting, he cited 50 people on a weekly basis and 100-200 on high holidays. It was abundantly clear they would maximize capacity as permitted, which means as much asphalt as they can get away with. While it is obvious that this is a wonderful organization that serves its community well, this is simply too small of a footprint. There is a reason this is zoned mostly R2, this land should have always been a part of the neighborhood not another entity, we have a mirror image of this space on the other side of the entrance. Allowing a much larger building and a large parking lot that should require 3 acres instead of the one is unfair to the 283 homeowners who have invested in this neighborhood. Anything that cannot fit within the R2 parameters should not be developed in the best interests of the neighborhood and our property values. Chesterfield simply doesn't have these types of buildings at neighborhood entrances, we don't want to be the first and set a new precedent for anyone looking to shoehorn a development into an awkward leftover space.

I realize efforts to develop this land will not go away. Clarkson Woods has inquired about the purchase of this land and has been met with a price that is unreasonable relative to its market value. If the city is interested in pursuing as green space for the neighboring community, that could also be a solution. The county left this neighborhood with an awkward parcel of land after the shopping center was permitted, which is now full of restaurants that were not supposed to be allowed. What happens when Chabad House outgrows this property and someone one wants it rezoned to commercial? I feel like rezoning puts us one step away from that. The First Baptist Church of Ellisville turned public storage and car wash comes to mind. I hope we can find a better way to handle this than rezoning.

Thank you,  
Sarah Hoffman  
15929 Heather Glen Drive  
Chesterfield, MO 63017

Sent from my iPhone

16 June 2020

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my complete support for Chabad to develop the property at 2264 Clarkson Rd in Chesterfield. I would absolutely LOVE to see them build their Chabad House there!

I have lived in several states and have had the good fortune to experience Chabad in all of them. While all of my experiences with Chabad – the people, the programming, the atmosphere, the learning – have been fantastic, the Chabad here, expertly led by Rabbi Avi and Rebbetzin Chanala, has gone above and beyond. They are wonderful! I have attended several Chabad classes in the 10 years we've lived in Chesterfield as well as so many of their educational programs. We are very lucky to have them in Chesterfield....they are an enormous asset to our community.

I'm not the only one singing their praises...Chabad has had a positive impact on so many people in Chesterfield. Our entire community can benefit from their many programs in such a convenient and central location! They are an absolutely essential organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Thank you for your time.

Sincerely,



Rachael Green-Smith

Email: [TeamSmithSTL@gmail.com](mailto:TeamSmithSTL@gmail.com)

Cell: 314.307.7709

**From:** Rabbi Efraim Mintz <director@myjli.com>  
**Sent:** Wednesday, June 17, 2020 11:59 AM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Rezoning the plot at 2264 Clarkson Rd.

Dear Chesterfield Mayor and City Council Members,

I understand that the Chesterfield city council will soon vote on rezoning the plot at 2264 Clarkson Rd. for Chabad of Chesterfield.

In my capacity of Director of the Rohr Jewish Learning Institute (JLI) , a network of Adult Jewish Education learning centers operating in hundreds of cities around the world, I can personally attest to the added value that the Chabad Center will have on the surrounding neighborhood and home values in the area.

In addition to the educational enrichment the center will provide, a Chabad House is a center for kindness and helpfulness to its immediate neighbors and the entire community. At the many Chabad House centers around the world I have visited, I've seen the important role the centers play in the community, often, swiftly stepping up to the plate in times of crisis or need to provide the emergency social services the local city cannot.

There is little dispute that work done by Chabad helps maintain the social fabric of this nation, in each local community and in Chesterfield, under Rabbi Rubinfeld's able leadership, it will do the same.

I want to lend my voice to the local community and express my support for Chabad developing the property at 2264 Clarkson Rd.

I hope you will make the right choice with your vote.

Sincerely,

Rabbi Efraim Mintz | Executive Director  
The Rohr Jewish Learning Institute  
822 Eastern Parkway | Brooklyn, NY 11213  
Phone: 718-221-6900 | Fax: 718-221-6907  
[Director@myJLI.com](mailto:Director@myJLI.com) | [www.myJLI.com](http://www.myJLI.com)

**Craig W. Coldiron**  
**16036 Clarkson Woods Drive**  
**Chesterfield, Missouri 63017**

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June 17, 2020

Dear Honorable Bob Nation and City Council Members,

Our family has lived in the Clarkson Woods Subdivision since 2011. During this time, we have witnessed the struggle with the property at 2264 Clarkson. Over this time, it was difficult to comprehend a solution that didn't involve a commercial business. Now with the rezoning, it appears that we have the best of all worlds.

Our family has known Rabbi Avi and his family for the past 5 years, first at the Jewish Community Center and then as neighbors here in Clarkson Woods. We have participated in numerous events with his organization enjoying the welcoming atmosphere.

When Rabbi Avi asked if we would support the development of the property, we were truly all smiles! Our response was how soon?

I am sure you can tell by now that we want to express our support for the "Chabad" organization purchasing and developing the property at 2264 Clarkson Rd.

Respectfully,

Craig W Coldiron  
Current Homeowner

**From:** Rachel Martens <rachel.e.martens@gmail.com>  
**Sent:** Wednesday, June 17, 2020 2:24 PM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Clarkson Woods homeowner -- support for rezoning property 2264 Clarkson Rd to R4

Dear All,

I am a homeowner in the Clarkson Woods subdivision writing to offer my support for rezoning 2264 Clarkson Rd from R2 to R4. My understanding is that this kind of rezoning would rezone the property to residential from mixed use.

Thank you for the work you do for the wonderful Chesterfield community!

Best regards,

Rachel  
**Rachel E. Martens**  
*Freelance copyeditor and proofreader*  
[rachel.e.martens@gmail.com](mailto:rachel.e.martens@gmail.com)



**From:** Mike Geisel  
**Sent:** Wednesday, June 17, 2020 2:38 PM  
**To:** Annisa Kumerow  
**Subject:** FW: 2264 Clarkson Rd, Chesterfield, MO 63017

-----Original Message-----

From: Aaron Bunch <[bunch5708@gmail.com](mailto:bunch5708@gmail.com)>  
Sent: Wednesday, June 17, 2020 2:00 PM  
To: cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
Subject: 2264 Clarkson Rd, Chesterfield, MO 63017

I live at 16078 Hunters Way Dr Chesterfield, MO 63017. The back elevation of my home is directly across the street from this lot. I can see this lot from my back yard along with my living room, breakfast room and kitchen.

I do not support this request for the rezoning of this property. This lot is very small for the proposed development. My family spends a lot of time in the back yard and we can see this lot from inside our house as well. We witness numerous vehicles honking at each other and coming close to colliding without anything even being on this lot. When driving into our neighborhood from the Clarkson and Clarkson Woods Dr entrance, the road curves and also goes up a hill slightly. There is also a median with landscaping there which makes this entrance dangerous and hard to see anyone on the road or anyone that may be pulling into or out of the shopping center. We have spent much more time in our back yard over the last couple of months and even with the lighter traffic due to the pandemic, we have seen numerous cars making u-turns at Clarkson Woods Dr which has caused even more honking and near collisions. By adding another building, this would cause more traffic which is not safe for this area. There would also be more people walking around that entrance and it is already very unsafe to do this.

Rezoning this to R4 without any plan in place does not have merit at this time. Rezoning just to rezone is irresponsible planning.

Thanks,  
Aaron Bunch

**From:** Mike Geisel  
**Sent:** Wednesday, June 17, 2020 2:39 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Rezoning of 2264 Clarkson Road from C8/R2 to all R4

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**From:** Cindy Barmeier <[cindybarmeier@yahoo.com](mailto:cindybarmeier@yahoo.com)>  
**Sent:** Wednesday, June 17, 2020 1:48 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Rezoning of 2264 Clarkson Road from C8/R2 to all R4

First, I like to say this is why I opposed the city/county merger last year and will again strongly campaign against should it ever arise again as residents of each county municipality should have a voice/say in their neighborhood.

My apologies for sending communication so late however I wanted to hear what the Rabbi had to say in our meeting Monday evening. I struggle with this proposal as the Rabbi did not provide any information regarding site plans, renditions of building, occupancy level, estimated parking spots, etc. and advised this is because he is following city protocol. It was repeated several times the building, signage and landscaping buffers must be built per code however there was no guarantee variances would not be asked for at a later date. I struggle as if I was embarking on 750 to IMM capital expenditure, I would certainly have some idea as to how many members would be supported with approximate occupancy level and parking spots. I struggle with conceptualizing the footprint and how this building and parking lot will appear at the entrance to our Clarkson Woods South subdivision entrance and extremely concern about aesthetically compromising Clarkson Wood residential integrity.

Also, I am extremely concerned with the impede of traffic and safety of our residents and neighborhood because of the following

- increase traffic too close to a residential area
- increase accidents and pose a safety concerns to nearby residents
- increased cross traffic making left on Clarkson Woods leaving the Chabad house
- traffic now already backs up on Clarkson Woods to make the left onto Clarkson Road, also, left hand turn signal often skips a cycle
- traffic now already backs up on Clarkson Road trying to make a left onto Clarkson Woods.

In addition, I am very concerned about the overflow of parking, The Rabbi did state they would use the Clarkson Square shopping center lot to accommodate overflow but how can he ensure/enforce this. What I do not want to see happen is what happened to County Ridge Drive - additional signage along all streets on Country Ridge Dr and connecting side streets needed to be installed to prevent Marquette high school students from turning residential streets into a parking lot.

Lastly I hope in tonight's meeting we focus on the facts. There is no evidence our property values will increase or decrease in value. However the increased traffic may deter a potential buyer. In addition, we have no facts of how many members are within walking distance. All members that spoke in favor in January's meeting were not within walking distance and the Rabbi himself is not within walking distance as he no longer resides in Clarkson Woods subdivision.

I believe the only other subdivisions in Chesterfield with a place of worship within the subdivision and/or entrance is off of Ladue Road. However this structure has the proper infrastructure for easy access in/out to accommodate flow of traffic; Clarkson Woods Road does not. I still believe this property is too small to accommodate building and parking. I asked each of you to vote if you would want this building at the entrance of your subdivision. Chesterfield has enough development and does not need another building jeopardizing safety and property values of its residents.

Thank you for your time,

Kindest regards

Cindy Barmeier  
16049 Hunters Way Drive  
Cell: (314)560-2829  
[cindybarmeier@yahoo.com](mailto:cindybarmeier@yahoo.com)

**From:** Vickie McGownd  
**Sent:** Wednesday, June 17, 2020 2:58 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Habad of Chesterfield Zonning

---

**From:** Michael Vigdorichik <[bzmishka@yahoo.com](mailto:bzmishka@yahoo.com)>  
**Sent:** Wednesday, June 17, 2020 11:50 AM  
**To:** Vickie McGownd <[vmcgownd@chesterfield.mo.us](mailto:vmcgownd@chesterfield.mo.us)>  
**Subject:** Habad of Chesterfield Zonning

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield and beyond. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!  
Sincerely,  
MICHAEL VIGDORCHIK, Proud Member of Habad of Chesterfield

**From:** Mike Geisel  
**Sent:** Wednesday, June 17, 2020 3:09 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Rezoning hearing for Clarkson Woods Drive and Clarkson Road

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**From:** Erica Grogan <[erica.grogan@yahoo.com](mailto:erica.grogan@yahoo.com)>  
**Sent:** Wednesday, June 17, 2020 1:17 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Rezoning hearing for Clarkson Woods Drive and Clarkson Road

To Whom It May Concern,

I wanted to take a minute or two to talk about my feelings towards the rezoning hearing being held tonight in regards to the land at Clarkson Woods Drive and Clarkson Road.

My husband and I have lived in Clarkson Woods for five years. When we bought this home we were attracted to the location, school district, size of home/lot, and neighborhood feel. We love living in Chesterfield and our neighborhood. We can see why this piece of land has created such a stir between possible land purchasers, the city and the neighborhood. For possible land/business owners the location is on a busy street with good visibility. For the city, if zoned commercial this land brings in more tax dollars. For the neighborhood, it is a quiet piece of land that sits in the front of our neighborhood for the last 40+ years.

It is my understanding that this land has been empty the entire existence of our neighborhood. So 40+ years now. As homeowners in Clarkson Woods neighborhood, each of us bought into this neighborhood with the vacant piece of land at one of the entrances of the neighborhood. When purchasing a home you can control your location. Anyone that purchased a home adjacent or near this piece of land should have considered the fact that at some point that land may be turned into a business, etc.

The problem came into existence when a small group of homeowners became overly concerned with the outcome of that land. When the land was purchased by the veterinarian all steps were taken to make sure the new building would be suitable for that piece of land. Drawings were submitted, traffic plans studied, meetings held. Even with all of the right steps taken, a small group of neighbors decided that the idea of a business was not welcome there. Fast forward and the city decided to not allow for plans to move forward. At that point, our neighborhood conducted a survey/vote on the interest in pursuing purchasing that piece of land for neighborhood usage. After all votes were tallied, it was overwhelmingly decided that the neighborhood was NOT in favor of exploring the idea of purchasing the land for various reasons.

I think this is a very important piece of what is going on here. We, as homeowners, decided we were NOT interested in researching or moving forward on purchasing this land. A small group of homeowners continue to fight any proposed development on this piece of land. The reality is that there will never be a 100% perfect use for the land. Even if the neighborhood were interested in purchasing this land how do we go about using it to meet the needs of the majority of our large neighborhood? And how does the city want to handle this plot of land knowing that the neighborhood is not in favor of purchasing it?

The problem here is that the city already shot down the idea of a business here, so why is a church any different? One of the main arguments the with the vets office being built was traffic flow. That office would have had minimal traffic. The city conducted traffic flow studies, if I remember correctly. It was determined most of which would have been Monday through Friday daytime traffic, possibly some weekend traffic. Now we are talking about building a religious building here. The traffic flow for a church would significantly change our daytime, evening and weekend traffic in that area of the neighborhood. Have there been any thoughts in regards to this aspect? We live in a neighborhood where there are a lot of walkers/runners, kids riding bikes and scooters, etc. My point being, we turned down a business where the traffic flow would not have significantly changed the safety or walkers/runners, children, etc. because the bulk of the traffic would have been during hours when people are traditionally at school or work. A religious group obviously has different hours of operation than a traditional business. Will a church change that feel/element of our neighborhood because we are now concerned about traffic flow?

Another concern I have in regards to the rezoning hearing tonight is that there are no required plans that need to be submitted prior to the rezoning. How does the city or the neighborhood know if the look or feel of this proposed building fit into the neighborhood setting of Clarkson Woods? When we opposed the veterinarian office, we had drawings and detailed plans of what was proposed to be built. We have nothing prior to voting to rezone this land. Doesn't that make anyone else's eyebrows rise?

The reality is this is a no win situation. We need to find the best possible solution to this land. We need to work TOGETHER to find a way to create something that keeps the integrity of the city and neighborhood alive and well.

Thank you,

Erica Grogan  
Clarkson Woods resident

**From:** Mike Geisel  
**Sent:** Wednesday, June 17, 2020 3:52 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Proposed R-4 Rezoning and Development at Entrance to Clarkson Wood

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**From:** David Fliesher <[david.fliesher@yahoo.com](mailto:david.fliesher@yahoo.com)>  
**Sent:** Wednesday, June 17, 2020 3:50 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Proposed R-4 Rezoning and Development at Entrance to Clarkson Wood

Chesterfield City Council Members,

I am a resident of Clarkson Woods and would like to provide my perspective on the proposed R-4 rezoning and development plan for the land at our front entrance.

My personal thoughts are that I am not thrilled by it. However, I am not strongly opposed either. The previous attempt to convert the property to commercial space went against the city's master plan and the wishes of many of the residents. This new proposal carries some of the same risks. However, it may be possible to mitigate the risks depending on the development plan and other measures taken to safeguard against future less desirable uses.

I think the initial vision for our neighborhood was for the land around our front entrance to be zoned R-2. When my wife and I bought our house we thought it was part of the common property to provide a buffer between our front entrance and the shopping area nearby. The constant effort of developers to get the property rezoned is a source of stress and frustration for many members of our association. However, the rezoning to R-4 and subsequent development can fit the character of our neighborhood if done right. Yet, it will still expose us to additional risks.

Main concerns:

- Over development - I would not mind a Chabad next door to our neighborhood if they were building on 3 acres. I am concerned that they will try to maximize the space with R-4 and cram a large building/parking lot to the limit of the setbacks. The reduced setbacks and risk of a parking lot next to our front entrance bother me since it will impact the character of our neighborhood's entrance.
- Design/Upkeep - I am not as worried about traffic with this proposal since it is a place of worship, not a commercial property with 3x offices and constant traffic flow. However, the building design/appearance and maintenance may be a concern depending on the proposal. Would like to know a lot more about the plan before rezoning occurs. Just trust us or general thoughts are not really a plan.
- Vacancy/Remodel - There is a higher risk to the Association of having a vacant property or redevelopment if it is zoned R-4 instead of R-2. Can we request for the HOA to have first rights to purchase if the property is ever sold again? This would mitigate some risk of the property being used in the future for a purpose against the wishes of the residents. Ideally, I would like to forbid certain types of construction but we are at the mercy of the zoning for R-4 if this change is made.

Thanks for considering the thoughts expressed by my wife and me.

David  
Clarkson Woods Resident  
[David.Fliesher@yahoo.com](mailto:David.Fliesher@yahoo.com)  
314-283-5482

**From:** Vickie McGownd  
**Sent:** Wednesday, June 17, 2020 4:07 PM  
**To:** Annisa Kumerow  
**Subject:** FW: 2264 Clarkson Rd., Rezoning

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**From:** Samuel Copeland <[lscopeland3@att.net](mailto:lscopeland3@att.net)>  
**Sent:** Wednesday, June 17, 2020 3:32 PM  
**To:** Vickie McGownd <[vmcgownd@chesterfield.mo.us](mailto:vmcgownd@chesterfield.mo.us)>  
**Subject:** 2264 Clarkson Rd., Rezoning

Ms. McGownd,  
I am unable to attend the Planning and Public Works Committee meeting tonight.  
If allowed and if you can, please read the brief narrative, below.  
I am Samuel Copeland, at 16063 Clarkson Woods Drive  
I am against changing the zoning I am against a building of any kind on that property, including a house of worship.

I have lived in Clarkson Woods for over 40 years. This piece of land has continued to come up for rezoning in conjunction with a proposal to build there every several years. All proposals have been defeated. This has been a 40 year soap opera. I believe that the city, maybe in conjunction with the subdivision, should take over this land through eminent domain or some other means. It could be made into a park if so desired. The subdivision could maintain it. Maybe it should be just permanently zoned to disallow any building there. In any sense there must be some way to put an end to this subliminal nightmare and forever remove this piece of land from the Committee's proceedings. I am sure that the Committee has much better things to do than to continually deal with this.

**From:** Vickie McGownd  
**Sent:** Wednesday, June 17, 2020 4:08 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabad of Chesterfield House

**From:** Caren Goldstein <[carengoldstein61@gmail.com](mailto:carengoldstein61@gmail.com)>  
**Sent:** Wednesday, June 17, 2020 3:38 PM  
**To:** Vickie McGownd <[vmcgownd@chesterfield.mo.us](mailto:vmcgownd@chesterfield.mo.us)>  
**Subject:** Chabad of Chesterfield House

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at 2264 Clarkson Rd and would love to see them build their Chabad House there!

Chabad has had a positive impact for many years on so many people in the Chesterfield and St. Louis area at large by offering programs and events that help celebrate our rich traditions while promoting positive values for our families and the community. A central and accessible location such as Chesterfield will help them continue to be a vital organization as they continue the good work they do for us all!

Thank you for your consideration.

Sincerely,

Caren R. Goldstein  
St. Charles, MO  
[carengoldstein61@gmail.com](mailto:carengoldstein61@gmail.com)

**From:** Chanala Rubenfeld <chanalar@gmail.com>  
**Sent:** Wednesday, June 17, 2020 4:37 PM  
**To:** Annisa Kumerow; cityofficials; Vickie McGownd  
**Subject:** support for the rezoning of 2264 Clarkson Rd.

Dear Honorable Bob Nation and Esteemed City Council Members,

As homeowners in Clarkson Woods subdivision, we want to express our support for the rezoning of the property at 2264 Clarkson Rd to an R4 zoning.

Sincerely,  
Avi and Chanala Rubenfeld  
--  
Chanala Rubenfeld

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[www.Chanalar.com](http://www.Chanalar.com)



# **GREGORY P. WHITE**

12182 Belle Meade Road  
Des Peres, Missouri 63131

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Home: 314-822-9386

Cell: 314-369-3558

June 17, 2020

**Re: Chabad of Chesterfield**

To the Mayor and City Council Members:

It is my honor to support the request of Chabad of Chesterfield to build a house of worship. Although I am not Jewish, as an Irish Catholic, I feel very strongly that in these challenging times we invite God into our hearts and our neighborhoods.

I consider Rabbi Avi a friend and trusted spiritual presence. He is ideal for undertaking this project and I have made a contribution, although minimal, to help fund the construction.

Chesterfield is considered one of the most outstanding communities in the state, and this project will further the city's reputation.

Very truly yours,



Gregory P. White

GPW/kmw

THE SCHATZMAN LAW FIRM  
*Attorney and Counselor at Law*

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June 17, 2020

Honorable Mayor and  
City Council Members for the  
City of Chesterfield  
*Via Email*

**Re: Chabad of Chesterfield, Inc. ("Chabad") - 2264 Clarkson Rd.**

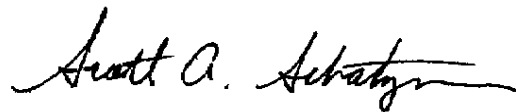
Dear Honorable Mayor and City Council Members:

I want to express my support for Chabad's request to rezone the property at 2264 Clarkson Rd. to build a house of worship.

Chabad has had a positive impact on so many people in Chesterfield and the surrounding areas. For me, Rabbi Avi has taken time from his busy schedule to provide religious education, friendship and guidance during loss.

Chabad is a vital organization that will serve Chesterfield and the surrounding community well.

Very truly yours,



Scott A. Schatzman

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8000 Bonhomme Avenue, Suite 311, St. Louis, Missouri 63105  
Phone: (314) 480-5599/Facsimile: (877) 484-6299  
E-Mail: [ScottS@sasatty.com](mailto:ScottS@sasatty.com)

**From:** Justin Wyse  
**Sent:** Tuesday, June 16, 2020 10:40 AM  
**To:** Debbie Rowan; Clarkson Woods Home Owners Association Board  
**Cc:** Bob Nation; Mike Geisel; Annisa Kumerow  
**Subject:** RE: Easement question

The easement language states it is for ingress, egress, and parking and that it includes "the area depicted as driveways, curb cuts and parking area on the Final Development Plan for Clarkson Village dated January 21, 1986, Revised February 10, 1986 and recorded in Plat Book 245 Page 8 of the County records and on any subsequent Development Plan..."

Based on this language, it would include the parking area. I would note that we have not received a submittal for a site development plan and we will more fully review this information if / when an application is received including review of the legal description and approved plans to ensure compliance with any relevant code requirements.

Justin Wyse, AICP, PTP  
Director of Planning  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, MO 63017  
Phone: 636.537.4734  
Fax: 636.537.4798



**From:** Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>  
**Sent:** Tuesday, June 16, 2020 10:26 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Clarkson Woods Home Owners Association Board <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Cc:** Bob Nation <[BNation@chesterfield.mo.us](mailto:BNation@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>; Annisa Kumerow <[AKumerow@chesterfield.mo.us](mailto:AKumerow@chesterfield.mo.us)>  
**Subject:** Re: Easement question

So this is only for use of the access road not for parking in the shopping center correct?

On Tue, Jun 16, 2020 at 10:24 AM Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)> wrote:

Attached are the easements I believe they were referring to.

Ingress, egress and parking for the benefit of the tract of land described on Exhibit B attached hereto.

Justin Wyse, AICP, PTP  
Director of Planning  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, MO 63017  
Phone: 636.537.4734  
Fax: 636.537.4798



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**From:** Bob Nation  
**Sent:** Tuesday, June 16, 2020 8:32 AM  
**To:** Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>  
**Cc:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Subject:** Re: Easement question

Again, I defer to Justin Wyse.

Sent from my iPad

On Jun 16, 2020, at 7:25 AM, Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)> wrote:

Ok because last night the Rabbi had a zoom meeting with the homeowners and parking was a big issue on the rezoning. David Volz (his engineer) claimed there was a 2nd easement to allow parking in the shopping center for overflow.

On Mon, Jun 15, 2020 at 10:30 PM Bob Nation <[BNation@chesterfield.mo.us](mailto:BNation@chesterfield.mo.us)> wrote:

Debbie,  
Not that I am aware of, but I will defer to Justin for confirmation.  
Sent from my iPad

On Jun 15, 2020, at 8:32 PM, Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)> wrote:

Is there an existing easement from the property requesting rezoning with the shopping center for parking?  
Hutkin was not aware of this?

--  
*Debbie Rowan*  
"There is no limit to what you can accomplish as long as you do not care who gets the credit."

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*Debbie Rowan*

“There is no limit to what you can accomplish as long as you do not care who gets the credit.”

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*Debbie Rowan*

“There is no limit to what you can accomplish as long as you do not care who gets the credit.”

**From:** Steve Hutkin <shutkin@hutkin.com>  
**Sent:** Tuesday, June 16, 2020 5:27 PM  
**To:** Justin Wyse  
**Cc:** Greg Otto; skling@jenkinskling.com; Bob Nation; Mike Geisel; Annisa Kumerow; Debbie Rowan  
**Subject:** P.Z 18-2019 Clarkson Center (2264 Clarkson Road, Chesterfield, MO)

Dear Justin,

As you know, Hutkin Development Company is the longtime managing agent for the Clarkson Wilson Shopping Center (“CWSC”) located at 2-90 Clarkson Road, and situated immediately south and directly adjacent to the 2264 Clarkson Road property.

In connection with the proposed rezoning of 2264 Clarkson Road (P.Z. 18-2019) it has just come to our attention that the applicant for rezoning recently had a Zoom meeting with some of the neighboring homeowners. It is our understanding the applicant claims certain ingress, egress and parking “rights” on/over Clarkson Wilson Shopping Center. It is also our understanding the applicant points to these alleged “rights” in an attempt to assuage certain concerns of the adjacent neighborhood, and, potentially, to satisfy code requirements with respect to the applicant’s parking needs.

Please know that the applicant has not approached us regarding parking in connection with its proposed development. There is a serious question as to whether any rights being alleged by the applicant to park on the CWSC property even exist, and if so, to what extent. If the applicant’s proposal includes the use of CWSC parking spaces to meet its parking requirements we will vigorously rebuff any such attempt.

Justin, we have enjoyed a very long and collaborative relationship with you, your team and the entire City of Chesterfield. As such, I am available at your convenience to discuss this further.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard, Suite 200  
St. Louis, Missouri 63141  
314.872.9140 (office)  
314.708.1227 (direct)  
314.872.9001 (fax)

## Annisa Kumerow

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**From:** Rabbi Avi Rubinfeld <rabbiavi@gmail.com>  
**Sent:** Wednesday, June 17, 2020 10:34 AM  
**To:** Justin Wyse  
**Cc:** Annisa Kumerow; Scott Schatzman  
**Subject:** Re: 2264 Clarkson

Thank you for the update.

Thanks for the information on Steve Hutkin, I've reached out to him and his office several times over the past two months and short of a promise that he'd call me back I never got a response. I will reach out again.

Sincerely,  
Rabbi Avi Rubinfeld



[www.jewishchesterfield.com](http://www.jewishchesterfield.com)

Questions? call me @ (314) 258 3401

Join us for [Torah in 5 at 12:20pm daily](#) & [Chumash in 20 at 9:15pm](#)

**Please consider leaving a Jewish legacy gift. [Remember](#) Chabad of Chesterfield in your will and ensure a brighter Jewish tomorrow!**

On Wed, Jun 17, 2020 at 7:52 AM Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)> wrote:

Good Morning:

I wanted to provide two quick updates.

1. We have received a fairly large number of emails regarding this project. The information has been (and will continue to be) collected, retaining as part of the record for the proposal, and shared with City Council (most have been addressed to City Council).
2. I spoke with Steve Hutkin, owner of the commercial center next to the site. They have heard discussion about an easement on their property and I told them I would reach out to you to facilitate a conversation between the two of you. His contact information is below. Mr. Hutkin is not adversarial, but wants to make sure that the two parties are coordinating if the plan is to utilize some of the parking (or other) improvements on the site.

Steven F. Hutkin

President/Principal

Hutkin Development Company

10829 Olive Boulevard, Suite 200

St. Louis, Missouri 63141

314.872.9140 (office)

314.708.1227 (direct)

314.872.9001 (fax)

Justin Wyse, AICP, PTP

Director of Planning

City of Chesterfield

690 Chesterfield Parkway West

Chesterfield, MO 63017

Phone: 636.537.4734

Fax: 636.537.4798



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**From:** Steve Hutkin <shutkin@hutkin.com>  
**Sent:** Wednesday, June 17, 2020 10:21 AM  
**To:** Justin Wyse  
**Cc:** Greg Otto; skling@jenkinskling.com; Bob Nation; Mike Geisel; Annisa Kumerow; Debbie Rowan  
**Subject:** RE: P.Z 18-2019 Clarkson Center (2264 Clarkson Road, Chesterfield, MO)

Dear Justin,

Thank you for your call last evening and for the open and thoughtful exchange.

While we look forward to Rabbi Avi taking your suggestion and reaching out to us for further discussions, it remains curious as to why he had not done so previously, especially in light of the claims made to the neighborhood homeowners the other day. This lack of communication from the applicant, and the apparent last minute claims to the homeowners, should be disconcerting for all the parties.

Please know, we are not (at this time) advocating for or against a rezoning of the property. However, we strongly believe it is in the best interest of all the stakeholders to adequately address and resolve the ingress, egress and parking issue, upfront.

Therefore, considering there is the possibility action may need to be taken by the owners of Clarkson Wilson Shopping Center, and the potential ramifications that may entail, we would suggest, and hereby respectfully request, the City table their consideration for rezoning until such time the applicant has contacted us and we have had a chance to discuss and resolve any misunderstandings.

As always, your assistance is greatly appreciated and if you have any questions please give me a call.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard, Suite 200  
St. Louis, Missouri 63141  
314.872.9140 (office)  
314.708.1227 (direct)  
314.872.9001 (fax)

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**From:** Steve Hutkin  
**Sent:** Tuesday, June 16, 2020 5:27 PM  
**To:** [JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)  
**Cc:** Greg Otto <[gotto@jenkinskling.com](mailto:gotto@jenkinskling.com)>; [skling@jenkinskling.com](mailto:skling@jenkinskling.com); [BNation@chesterfield.mo.us](mailto:BNation@chesterfield.mo.us); Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>; [AKumerow@chesterfield.mo.us](mailto:AKumerow@chesterfield.mo.us); Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>  
**Subject:** P.Z 18-2019 Clarkson Center (2264 Clarkson Road, Chesterfield, MO)

Dear Justin,

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Justin, we have enjoyed a very long and collaborative relationship with you, your team and the entire City of Chesterfield. As such, I am available at your convenience to discuss this further.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard, Suite 200  
St. Louis, Missouri 63141  
314.872.9140 (office)  
314.708.1227 (direct)  
314.872.9001 (fax)



## Annisa Kumerow

---

**From:** Steve Hutkin <shutkin@hutkin.com>  
**Sent:** Wednesday, June 17, 2020 12:20 PM  
**To:** Rabbi Avi Rubinfeld; Justin Wyse; gotto@jenkinskling.com; skling@jenkinskling.com; Bob Nation; Mike Geisel; Annisa Kumerow; Debbie Rowan; Scott Schatzman  
**Subject:** RE: FW: P.Z 18-2019 Clarkson Center (2264 Clarkson Road, Chesterfield, MO)

Rabbi,

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I appreciate you providing that information, and I look forward to speaking with you, shortly.

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President/Principal  
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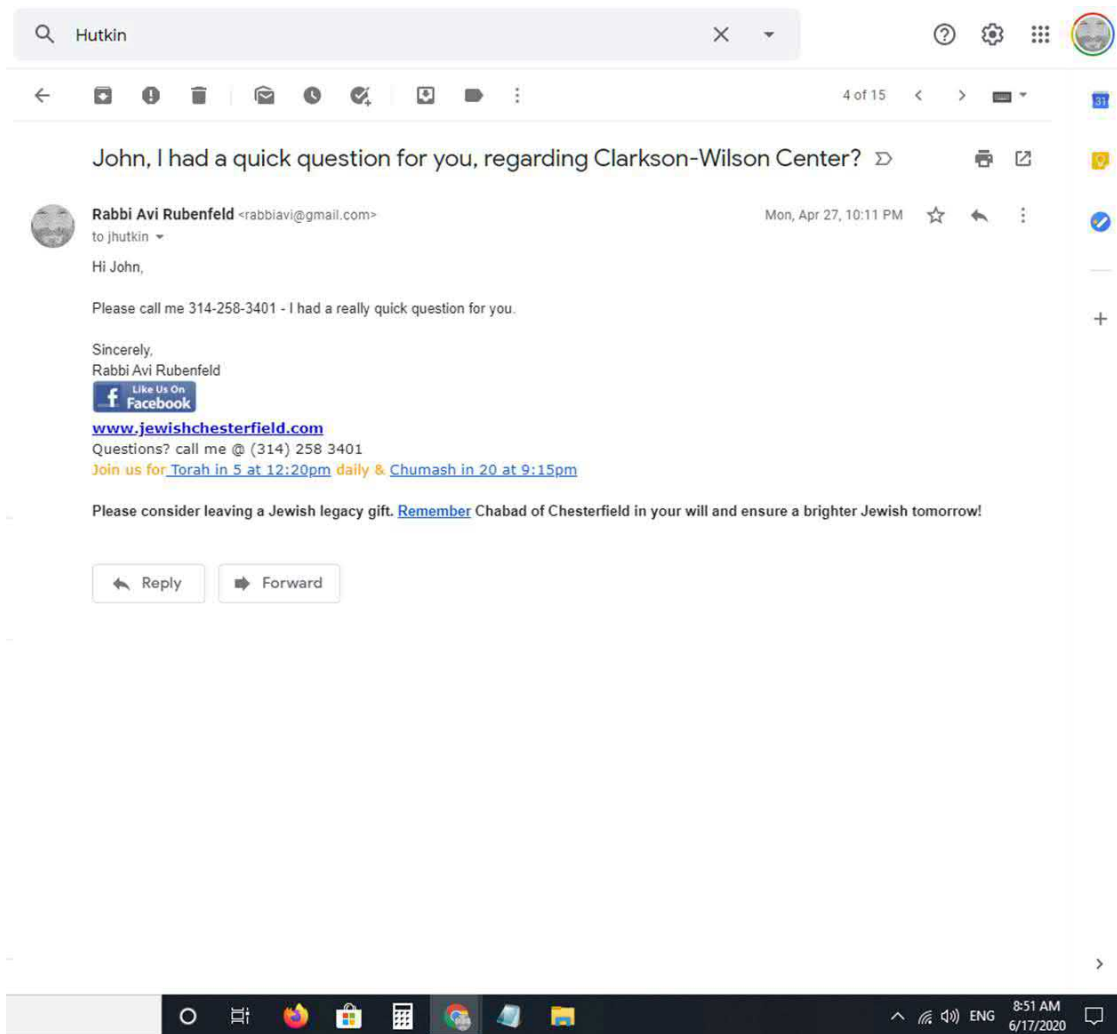
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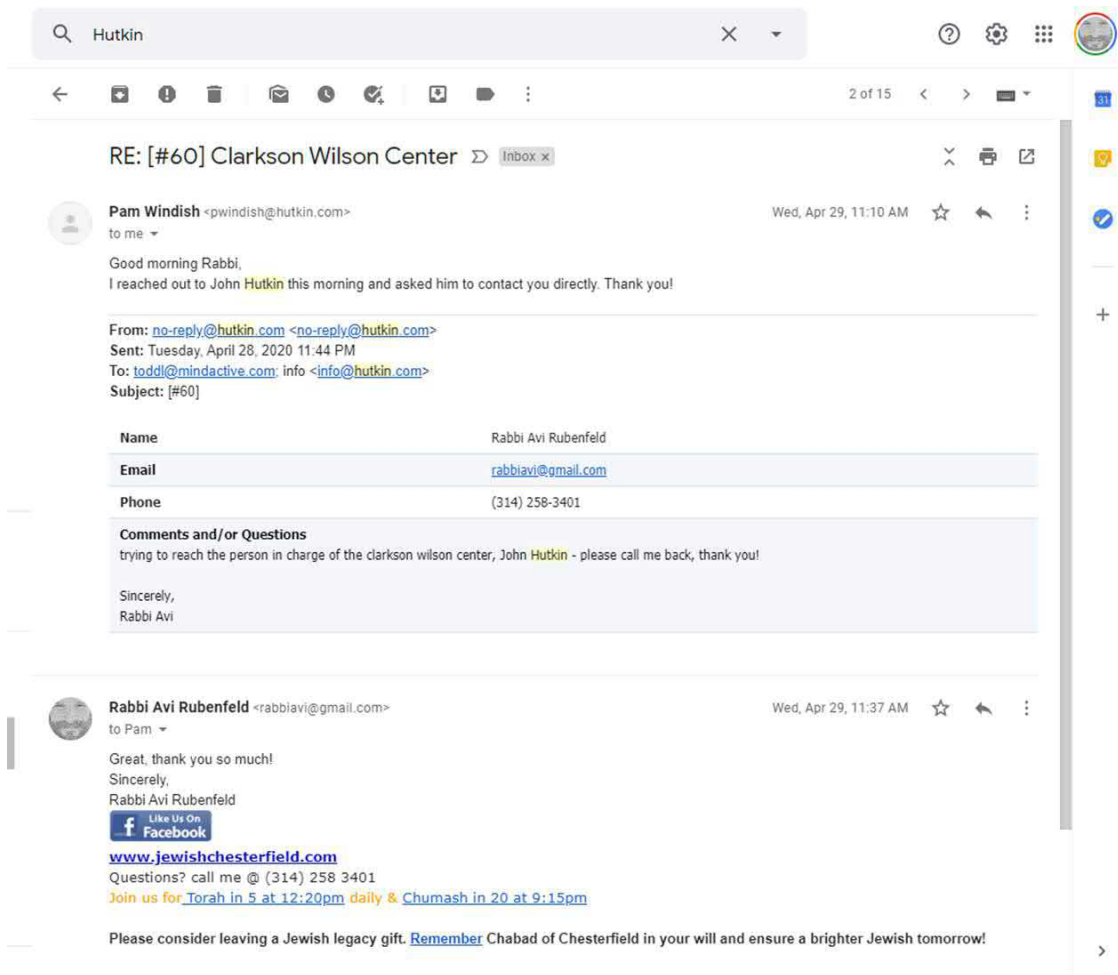
**From:** Rabbi Avi Rubinfeld <rabbiavi@gmail.com>  
**Sent:** Wednesday, June 17, 2020 11:40 AM  
**To:** Justin Wyse <JWyse@chesterfield.mo.us>; Steve Hutkin <shutkin@hutkin.com>; gotto@jenkinskling.com; skling@jenkinskling.com; Bob Nation <BNation@chesterfield.mo.us>; Mike Geisel <mgeisel@chesterfield.mo.us>; Annisa Kumerow <AKumerow@chesterfield.mo.us>; Debbie Rowan <drowan@sds-usa.com>; Scott Schatzman <ScottS@sasatty.com>  
**Subject:** Re: FW: P.Z 18-2019 Clarkson Center (2264 Clarkson Road, Chesterfield, MO)

Steve,

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Additionally, please see attached emails from back in April of this year when I reached out to your office multiple times without hearing back from anyone other than Pam who said that John would call me back, but I never received that call.





Sincerely,  
Rabbi Avi Rubinfeld



[www.jewishchesterfield.com](http://www.jewishchesterfield.com)

Questions? call me @ (314) 258 3401

Join us for [Torah in 5 at 12:20pm daily](#) & [Chumash in 20 at 9:15pm](#)

Please consider leaving a Jewish legacy gift. [Remember](#) Chabad of Chesterfield in your will and ensure a brighter Jewish tomorrow!

On Wed, Jun 17, 2020 at 10:35 AM Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)> wrote:

As we discussed.

Justin Wyse, AICP, PTP

Director of Planning

City of Chesterfield

690 Chesterfield Parkway West

Chesterfield, MO 63017

Phone: 636.537.4734

Fax: 636.537.4798



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**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Greg Otto <[gotto@jenkinskling.com](mailto:gotto@jenkinskling.com)>; [skling@jenkinskling.com](mailto:skling@jenkinskling.com); Bob Nation <[BNation@chesterfield.mo.us](mailto:BNation@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>; Annisa Kumerow <[AKumerow@chesterfield.mo.us](mailto:AKumerow@chesterfield.mo.us)>; Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>  
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Please know, we are not (at this time) advocating for or against a rezoning of the property. However, we strongly believe it is in the best interest of all the stakeholders to adequately address and resolve the ingress, egress and parking issue, upfront.

Therefore, considering there is the possibility action may need to be taken by the owners of Clarkson Wilson Shopping Center, and the potential ramifications that may entail, we would suggest, and hereby respectfully request, the City

table their consideration for rezoning until such time the applicant has contacted us and we have had a chance to discuss and resolve any misunderstandings.

As always, your assistance is greatly appreciated and if you have any questions please give me a call.

Steven F. Hutkin

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## Annisa Kumerow

---

**From:** Rabbi Avi Rubinfeld <rabbiavi@gmail.com>  
**Sent:** Wednesday, June 17, 2020 5:07 PM  
**To:** Steve Hutkin  
**Cc:** Justin Wyse; gotto@jenkinskling.com; skling@jenkinskling.com; Bob Nation; Mike Geisel; Annisa Kumerow; Scott Schatzman  
**Subject:** Re: FW: P.Z 18-2019 Clarkson Center (2264 Clarkson Road, Chesterfield, MO)  
**Attachments:** image005.png; image006.jpg; image007.jpg

Great talking with you tonight Steve!

I'm looking forward to working with you.

Zeit Gezunt!

-Rabbi Avi Rubinfeld

[www.jewishchesterfield.com](http://www.jewishchesterfield.com)

314-258-3401

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Placeholder text for a figure or image. The image content is not visible, only the placeholder box is shown.



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By the Grace of G-d

June 17, 2020

Dear Chesterfield Mayor and City Council Members,

I understand your city council is voting on rezoning the plot at 2264 Clarkson Road for Chabad of Chesterfield. As a co-director at the Chabad Jewish Center in St. Charles County, I can personally attest to the added value a community outreach center can have on so many people, of all backgrounds.

With love and respect for each individual, Chabad has set into motion an astounding array of innovative programs, services and institutions to serve as a force for good in thousands of communities around the world. In the St. Louis region alone there are five Chabad chapters, including in Chesterfield, University City, the Central West End, St. Charles County, and at Washington University.

I am confident that the development of the property at 2264 Clarkson Road will bring much added goodness to the community and serve as a great source of pride for all the citizens of Chesterfield.

With blessing,

Rabbi Chaim A. Landa

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:46 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Woods on Clarkson undeveloped land

---

**From:** Michelle Ohley  
**Sent:** Saturday, July 11, 2020 9:48 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Woods on Clarkson undeveloped land

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Jamie S Brooks <[jamiebrooks7276@yahoo.com](mailto:jamiebrooks7276@yahoo.com)>  
**Date:** July 11, 2020 at 7:51:16 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** Woods on Clarkson undeveloped land

Please do not allow the property to become a traffic nightmare. There just is not enough area there for the purpose development of a Chabad House.

I drive that area often and can't imagine how it could work in that tight corner.

I live in the Clarkson Woods South subdivision

Thank you. Jamie Brooks

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:46 AM  
**To:** Annisa Kumerow  
**Subject:** FW: 2264 Clarkson Rd

---

**From:** Michelle Ohley  
**Sent:** Sunday, July 12, 2020 8:31 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: 2264 Clarkson Rd

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Dennis Gastreich <[gastd@yahoo.com](mailto:gastd@yahoo.com)>  
**Date:** July 11, 2020 at 11:46:10 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** 2264 Clarkson Rd

Please do not change the zoning

Thank You

Dennis & Linda Gastreich  
2136 Hunters Way Ct

Sent from [Mail](#) for Windows 10



**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:45 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Rezoning of Property at 2264 Clarkson Road

---

**From:** Michelle Ohley  
**Sent:** Sunday, July 12, 2020 12:42 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning of Property at 2264 Clarkson Road

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** linda gastreich <[gastlin@yahoo.com](mailto:gastlin@yahoo.com)>  
**Date:** July 12, 2020 at 11:13:46 AM CDT  
**To:** "[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)" <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>  
**Subject:** Rezoning of Property at 2264 Clarkson Road  
**Reply-To:** linda gastreich <[gastlin@yahoo.com](mailto:gastlin@yahoo.com)>

Good morning,

We are strongly opposed to the rezoning of 2264 Clarkson Road from R2 to R4. Our reasons reflect those of the Clarkson Woods HOA from whom you recently received a formal letter. We are long time residents of the Clarkson Woods community and do not wish to see the value, safety, peace and beauty of our homes destroyed by the additional traffic and parking issues obviated by the proposed rezoning to accommodate a house of worship. Please deny the rezoning request of 2264 Clarkson Road from R2 to R4 filed by Chabad of Chesterfield.

Thank you,  
Linda Gastreich  
2136 Hunters Way Ct  
Chesterfield, Mo 63017

## Annisa Kumerow

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**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:45 AM  
**To:** Annisa Kumerow  
**Subject:** FW: rezoning 2264 Clarkson Road

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**From:** Michelle Ohley  
**Sent:** Sunday, July 12, 2020 12:43 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: rezoning 2264 Clarkson Road

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Joe <[jose39@charter.net](mailto:jose39@charter.net)>  
**Date:** July 12, 2020 at 11:33:20 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>  
**Cc:** Clarkson Woods <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** rezoning 2264 Clarkson Road  
**Reply-To:** <[jose39@charter.net](mailto:jose39@charter.net)>

We totally oppose the rezoning of 2264 Clarkson Rd. as requested by Rabbi Rubinfeld to change the zoning from R2 to R4. This is at the entrance of our 283 home subdivision "Clarkson Woods". This request does not take into consideration the character our subdivision which requires three acres for a place of worship. Our HOA met with Rabbi Rubinfeld and also sent a letter to him requesting information about his plans for this development.

Very little information has been provided.. We are particularly concerned about his arrangements for parking and he has not alleviated the concerns despite many opportunities for him to do so. His claim that he has rights to park in the adjacent Clarkson Wilson Center has been disputed by the management of the shopping center. It is obvious that he intends to use Clarkson Woods subdivision streets for parking as there are no other alternatives. Also the exit from Clarkson Woods Drive to Clarkson Road has a particularly short light, as is befitting, since most of the green light time has to be for Clarkson Road, a very busy street. Only three cars can exit at a time for the left turn going South. He has not responded to our HOA requests about the intended use of the property as to whether the structure will include food preparation, overnight sleeping, size of the structure and parking areas. This is particularly troubling.

Thank you for your attention,  
Joseph and Jane Stephans

16053 Hunters way Drive  
Chesterfield, MO 63017  
636-532-3067

---



Virus-free. [www.avg.com](http://www.avg.com)

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 9:56 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Oppose Rezoning of 2264 Clarkson Road

---

**From:** Michelle Ohley  
**Sent:** Monday, July 13, 2020 9:54 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
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Begin forwarded message:

**From:** judy burckhardt <[judybphd@hotmail.com](mailto:judybphd@hotmail.com)>  
**Date:** July 13, 2020 at 8:28:26 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>; "TDecampi@chestefield.mo.us" <[TDecampi@chestefield.mo.us](mailto:TDecampi@chestefield.mo.us)>  
**Cc:** "[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)" <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** **Oppose Rezoning of 2264 Clarkson Road**

My husband and I strongly oppose rezoning of 2264 Clarkson Road. The proposed purpose for the land is opposition to the current zoning requirement. Information from the Clarkson Woods HOA indicates that the purchaser of the land has not been forthcoming with information about proposed use of the land. We have lived in Clarkson Woods for 37 years and do not believe rezoning of that parcel of land is in the best interests of the Clarkson Woods residents.

Dr. Judith Burckhardt  
Dr. William Burckhardt  
2126 Park Forest Drive  
Chesterfield MO 63017

**From:** Justin Wyse  
**Sent:** Tuesday, July 14, 2020 7:22 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Resident position on Re-Zoning of 2264 Clarkson Road

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**From:** Michelle Ohley  
**Sent:** Monday, July 13, 2020 7:11 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Re: Resident position on Re-Zoning of 2264 Clarkson Road

Thanks Margaret. I have forwarded your email to the planning department for inclusion into the official record. I would also suggest emailing the entire council at [cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us) for their consideration as well.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

On Jul 13, 2020, at 7:08 PM, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)> wrote:

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Margaret Gemski <[margaretgemski@outlook.com](mailto:margaretgemski@outlook.com)>  
**Date:** July 13, 2020 at 6:54:24 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Clarkson Woods Home Owners Association Board <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** Resident position on Re-Zoning of 2264 Clarkson Road

Hello Councilwoman Ohley and Clarkson Woods Board,

Thanks for the ongoing updates with the re-zoning of the property located at the south entrance to the Clarkson Woods subdivision with address 2264 Clarkson Woods.

After evaluation, consideration and experiencing horrendous overflow parking this past weekend on Meadow Oak Drive due to an estate sale, this email serves as my OPPOSITION to change the zoning. The parking situation was unacceptable and at times made the street unpassable, which presented a safety concern. I can anticipate this would be the case if a Chabad House (which is similar to a recreation center) is allowed to be built. There just isn't enough parking to accommodate this heavy use.

The tract should remain zoned as an R2 tract and not be changed to R4.

Thank you,  
Margaret Gemski  
Homeowner – 16053 Meadow Oak Drive

Sent from [Mail](#) for Windows 10

**From:** Justin Wyse  
**Sent:** Tuesday, July 14, 2020 7:22 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Resident position on Re-Zoning of 2264 Clarkson Road

---

**From:** Michelle Ohley  
**Sent:** Monday, July 13, 2020 7:09 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Resident position on Re-Zoning of 2264 Clarkson Road

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Margaret Gemski <[margaretgemski@outlook.com](mailto:margaretgemski@outlook.com)>  
**Date:** July 13, 2020 at 6:54:24 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Clarkson Woods Home Owners Association Board <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** Resident position on Re-Zoning of 2264 Clarkson Road

Hello Councilwoman Ohley and Clarkson Woods Board,

Thanks for the ongoing updates with the re-zoning of the property located at the south entrance to the Clarkson Woods subdivision with address 2264 Clarkson Woods.

After evaluation, consideration and experiencing horrendous overflow parking this past weekend on Meadow Oak Drive due to an estate sale, this email serves as my OPPOSITION to change the zoning. The parking situation was unacceptable and at times made the street unpassable, which presented a safety concern. I can anticipate this would be the case if a Chabad House (which is similar to a recreation center) is allowed to be built. There just isn't enough parking to accommodate this heavy use.

The tract should remain zoned as an R2 tract and not be changed to R4.

Thank you,  
Margaret Gemski  
Homeowner – 16053 Meadow Oak Drive

Sent from [Mail](#) for Windows 10

**From:** Mike Geisel  
**Sent:** Monday, July 13, 2020 3:56 PM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** FW: Rezoning Clarkson Woods Drive Property- NO

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**From:** Karen Marino <[karenlmarino24@gmail.com](mailto:karenlmarino24@gmail.com)>  
**Sent:** Monday, July 13, 2020 3:55 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** RE: Rezoning Clarkson Woods Drive Property- NO

We are changing our previous position for the rezoning of the Clarkson Woods Drive property to R4. Based on several new data points we’ve been informed of we believe that an R4 zoning would be harmful to the neighborhood. We concur with the message sent to you by the HOA.

Please vote against rezoning R4.

Karen & Tony Marino  
[Karenlmarino24@gmail.com](mailto:karenlmarino24@gmail.com)  
314-630-6766

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**From:** Karen Marino <[karenlmarino24@gmail.com](mailto:karenlmarino24@gmail.com)>  
**Sent:** Wednesday, June 17, 2020 8:45 AM  
**To:** [cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)  
**Subject:** Rezoning Clarkson Woods Drive Property

Thank you for allowing me to give my opinion on the rezoning for Clarkson Wood Drive/Clarkson Center to R4.  
Our preference is that the property stay a green space however, I realize that is an unlikely scenario. So I would support a R4 rezoning and am hopeful that Rabbi Avi will build an appropriate structure that is in keeping with the subdivision.

Karen Marino  
[Karenlmarino24@gmail.com](mailto:karenlmarino24@gmail.com)  
314-630-6766  
16050 Hunters Way Dr.

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 9:56 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabad House Chesterfield

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**From:** Michelle Ohley  
**Sent:** Monday, July 13, 2020 9:55 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Chabad House Chesterfield

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** David Mogil <[davidmogil@yahoo.com](mailto:davidmogil@yahoo.com)>  
**Date:** July 13, 2020 at 9:35:50 AM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Cc:** Vickie McGownd <[vmcgownd@chesterfield.mo.us](mailto:vmcgownd@chesterfield.mo.us)>, Annisa Kumerow <[AKumerow@chesterfield.mo.us](mailto:AKumerow@chesterfield.mo.us)>  
**Subject:** Chabad House Chesterfield

Dear Honorable Mayor and Esteemed City Council Members,

My wife and I wish to express our support for Chabad developing the property at [2264 Clarkson Rd](#) and would love to see them build a Chabad House there!

Chabad promotes an uplifting message that fosters a positive impact on so many people in Chesterfield. Our entire community can benefit from the many programs they would be able to offer in such a convenient and central location.

As an essential organization in Chesterfield we need to help them build a center to further the good work they do for us all!

With much appreciation,

Jill and David Mogil



**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 11:59 AM  
**To:** Annisa Kumerow  
**Subject:** Fwd: Rezoning of 2264 Clarkson Road

Begin forwarded message:

**From:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Date:** July 13, 2020 at 9:57:12 AM CDT  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>, Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning of 2264 Clarkson Road

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Tom Napper <[tomnapper123@gmail.com](mailto:tomnapper123@gmail.com)>  
**Date:** July 13, 2020 at 9:42:49 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** Rezoning of 2264 Clarkson Road

**Dear Mrs Mohley,**

**As a resident of Clarkson Woods, I would like to encourage you to vote NO on the rezoning of 2264 Clarkson Road. My objections are based on the following:**

- 1. The character of the area in question has not changed since the last time the city's master plan was put into place.**
- 2. The lot is represented as one acre, but that includes a road easement to Clarkson Wilson Center and also includes setbacks of thirty feet on three sides. That leaves less than one half acre for a building and parking.**
- 3. The rights to park in the adjacent Clarkson Wilson Center, if needed since little room on a half acre lot, is disputed by the management of the shopping center despite Rabbi Rubenfeld's claim.**
- 4. Lastly, but also importantly, we homeowners purchased our homes with the idea that they could rely on the city to maintain a R-2 zoning for that small section of Clarkson Road.**

**Thank you for your consideration and hoping I can count on you for a NO vote.**

**Tom and Mary Jane Napper  
15959 Woodlet Park Court  
Chesterfield, MO 63017**

**From:** Mike Geisel  
**Sent:** Thursday, June 18, 2020 3:35 PM  
**To:** Annisa Kumerow; Justin Wyse  
**Subject:** FW: Chabad house in chesterfield.

**The list we've already compiled for the website is complete. If you want to compile the new ones between now and the next meeting fine, but no need to continuously update the online version.**

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**From:** Orna Dar <[odar@eha.org](mailto:odar@eha.org)>  
**Sent:** Thursday, June 18, 2020 1:40 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Cc:** [rabbiavi@gmail.com](mailto:rabbiavi@gmail.com); Chanala Rubenfeld <[chanalar@gmail.com](mailto:chanalar@gmail.com)>  
**Subject:** Chabad house in chesterfield.

Dear Honorable Mayor and Esteemed City Council Members,  
I want to express my support for Chabad developing the property at [2264 Clarkson Rd](#) and would love to see them build their Chabad House there!  
Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!  
Sincerely,  
Orna Dar

## **Annisa Kumerow**

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**From:** Vickie McGownd  
**Sent:** Thursday, June 18, 2020 11:14 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabad House Project

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**From:** Steve Wolff <SWolff@WOLFFPROPERTIES.COM>  
**Sent:** Thursday, June 18, 2020 11:11 AM  
**To:** Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Chabad House Project

Attn: Chesterfield City Council. Ladies and Gentlemen. I know the City held a meeting last night to consider the zoning and site development plan for a newly proposed construction project for the Chesterfield Chabbad. Please consider this a letter in support of the project. You all can decide on the appropriate architecture details but I would like to see the project approved. They will be a good neighbor and benefit to the City. I am sorry I was unable to attend the zoom meeting. I was in the air traveling back from a business trip. Kindest Regards, Steve

**Stephen Wolff**  
**President**  
**Wolff Properties/**  
**Mary R. Wolff Real Estate Management Company**  
**11456 Olive Boulevard, Suite 210**  
**St. Louis, Missouri 63141-7101**  
**Phone: 314.991.1500**  
**Fax: 314.991.8655**

**From:** Mike Geisel  
**Sent:** Friday, June 19, 2020 4:28 PM  
**To:** Annisa Kumerow  
**Subject:** FW: Rezoning of entrance to Clarkson Woods Subdivision

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**From:** ROBERT HANLON <[rehanlon@sbcglobal.net](mailto:rehanlon@sbcglobal.net)>  
**Sent:** Friday, June 19, 2020 4:12 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Cc:** Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)>  
**Subject:** Rezoning of entrance to Clarkson Woods Subdivision

City Officials: As a resident of Clarkson Woods Subdivision, I am requesting that you vote to NOT rezone the property at the entrance to my subdivision. Thank you for your consideration.  
Robert E Hanlon  
2111 Willow Way Court  
Chesterfield, MO 63017

**From:** Mike Geisel  
**Sent:** Tuesday, June 23, 2020 4:00 PM  
**To:** Annisa Kumerow; Justin Wyse  
**Subject:** FW: Vacant Lot at corner of Clarkson Woods Drive and Clarkson Woods Road

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**From:** [gjarby@charter.net](mailto:gjarby@charter.net) <[gjarby@charter.net](mailto:gjarby@charter.net)>  
**Sent:** Tuesday, June 23, 2020 3:31 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Vacant Lot at corner of Clarkson Woods Drive and Clarkson Woods Road

Hello to all City of Chesterfield Council Members; Mayor Nation and Mike Geisel,

I would like to comment of the *latest proposal* for the vacant lot near the entrance of Clarkson Woods subdivision. I have lived in CW Subdivision for 40 years. Over the years I served on the CW Board of Trustees and know about the many proposals to make something out of the small parcel of land right next to our main entrance. We (as a subdivision) at one time wanted to buy that very small parcel (considerably less than 1 acre of land). We aspired to make it into a small park with benches, landscaped with flowers & shrubs which would be attractive when viewed from Clarkson Rd and from our main entrance. The original lot owner's asking price was unfortunately, way too high....so, we let that idea slide thinking that it, hopefully, would stay a "Vacant lot". About 1.5 years ago, Dr. Pernikoff bought it and proposed a multi-unit building and small parking lot. That idea failed because ~80% of the lot is zoned R-2 Residential....and the City Council rightly voted it down.

Now, Rabbi Avi Rubinfeld is proposing a *Chabad House* for this very small lot. 1<sup>st</sup> of all, Chesterfield already has a Chabad House in Chesterfield located at 137 Brighthurst Drive. Why is another one necessary?  
2<sup>nd</sup> is the parking and usage of such a facility, if it were to be located right next to our subdivision. It is my understanding that there have been NO PLANS submitted to the City Council! So, we have no idea what or how large the proposed building might be! How can the Chesterfield City Council even consider changing the R-2 designation to R-4 (which has much less-strict requirements regarding building size)? We (the residents of Clarkson Woods subdivision) are extremely concerned about the parking of cars being contained in the small lot and also the number of days and times of usage. We can envision a proposal for a parking lot on the small parcel being approved. After some time we can also envision the streets around the lot being utilized for parking by people attending some function there. We can imagine that they would just claim the subdivision streets are public right-of-ways and anyone can park on them! If that should happen how can the City say anything? It would leave us (all the residents of CW Subdivision) with a very difficult issue, not considering all the noise associated with a crowd of people & cars there.... who don't live here!

At the very least, the Chesterfield City Council should require that plans with appropriate parking spaces be presented before the City Council will make any changes to Zoning! From my point-of-view **I (and my wife Heather) hope and ask that you all will vote down this latest proposal.** Maybe the current lot owner (Dr. Pernikoff) would consider selling the lot to the City? The residents of Clarkson Woods would likely vote to make it into a nice small park!

Very sincerely,  
Gary J. Arbesman  
16010 Meadow Oak Drive  
Chesterfield, MO. 63017  
Home: 636-536-1452  
Cell: 314-807-6565  
[gjarby@charter.net](mailto:gjarby@charter.net)

**From:** Julie V <julievielbaum@gmail.com>  
**Sent:** Tuesday, June 23, 2020 9:39 AM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Clarkson Woods Subdivision

Dear Chesterfield City Council and Mayor,

On June 17<sup>th</sup> I joined a Zoom meeting to speak in favor of the Chabad House next to Clarkson Woods Subdivision but experienced technical difficulties and was disconnected before getting a chance to speak. I am emailing each of you now as I was unable to communicate on Zoom. I intend to purchase a home in Clarkson Woods subdivision after the highly anticipated vote regarding the Chabad House. As a person looking to purchase a home I would like to share some important key facts my family considered when making the decision to buy in Clarkson Woods. At the beginning of the meetings there was a speaker in opposition. I listened carefully to all of their reasons. As a prospective buyer this was important to do. The concern for traffic was announced and a quick reminder was given to the council that the same reasons apply today as they did before regarding the Vet clinic. I was wondering if you knew what information the speakers received and from what source to validate these traffic concerns? Did they have a professional assessment completed? I'm genuinely unaware of any data provided to those in opposition and clarification would be sincerely appreciated. If for some reason the opposition is strictly opinion based, I'd like to offer important key points my husband and I discussed in our decision making process when considering our move to Clarkson's Woods. I thought about the previous request made by the veterinarian and the current one by Chabad. They are completely different, so old reasons and voting outcomes shouldn't apply. A Veterinarian has a constant flow of patients coming in for appointments. Veterinarians can schedule appoints 15 to 30 minutes apart, possibly creating more traffic. However a Chabad House is not an animal hospital and does not schedule appointments like a medical clinic. In realizing this, any fear I had about increased traffic & large parking lots fell to the ground. Additionally we would attend the Chabad house on Saturdays and we will not to drive. When we visit, there will be no extra traffic from us. The need to walk is why we are actually wanting to buy a home in Clarkson Woods Subdivision. You will have families pushing strollers, meeting new neighbors and waving hello. Additionally the programs I have attended with Chabad have been once a week in the evenings after dinner with breaks in-between programs. We all have jobs and it would be unrealistic to have tons of programs during normal business hours when everyone is working. Any teacher with an adult attendance certainly keeps this in mind. Before and after work traffic would continue as normal. Now if a daycare was requesting permission to build, then I could understand the worry about increased early morning and afternoon traffic. Just like I understand the concerns for an animal clinic creating more traffic. Hopefully, pointing out the key differences my family and I discussed helps. We are looking forward to hearing any good news about the vote and a chance to meet new neighbors!

Sincerely,  
Julie Vielbaum

Sent from [Mail](#) for Windows 10

**From:** Mike Geisel  
**Sent:** Thursday, June 25, 2020 12:20 PM  
**To:** Annisa Kumerow; Justin Wyse  
**Subject:** FW: Re-zoning & development of the lot at the intersection of Clarkson Rd. and Clarkson Woods Dr

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Charlie Young <[cwds.charlie@gmail.com](mailto:cwds.charlie@gmail.com)>  
**Sent:** Thursday, June 25, 2020 10:58 AM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Re-zoning & development of the lot at the intersection of Clarkson Rd. and Clarkson Woods Dr

As best as I can determine, it is common practice for the City Council to make rezoning decisions based on specific plans for development and use of a lot.

I am again requesting that the City **require** and review detailed building, parking and landscaping plans, as well as anticipated increase in traffic in the immediate area.

As far as I can determine, no such information has been provided by Rabbi Rubinfeld, but that the City Council will soon vote on his re-zoning request.

Considering the importance to the Clarkson Woods Subdivision of this proposed lot rezoning/development, this is the very least that subdivision homeowners should expect from their City Council.

Thank you and regards,

Charles Young  
16017 Hunters Way Dr. 63017  
636-675-6066

Sent from [Mail](#) for Windows 10

**From:** Mike Geisel  
**Sent:** Sunday, June 28, 2020 6:58 PM  
**To:** Annisa Kumerow; Justin Wyse  
**Subject:** Fwd: Supporting Chabad organization property purchase

Begin forwarded message:

**From:** JoAnne Brands <[jjalcbrands@att.net](mailto:jjalcbrands@att.net)>  
**Date:** June 28, 2020 at 5:40:36 PM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Supporting Chabad organization property purchase

To whom it may concern on our City Council,

I am a resident of Clarkson Woods Estates; we live on Clarkson Woods Drive, a few houses away from Clarkson Road. While we have owned our home, we know there has been banter and disagreements voiced on all sides, about what might be done with the property at the entrance to our subdivision (2264 Clarkson Road).

I doubt anyone would want to build a private family home on that property as it is so close to the busy road. Most commercial businesses would bring considerable traffic and might be otherwise undesirable for all of us to have at the entrance to our subdivision and thereby risk all of our property values, and our feelings of goodwill about our neighborhood. We all have a lot tied up in our homes and property. I don't think we need another car wash or a bank built, especially at the entrance to our subdivision.

I am writing to voice my support for Rabbi Avi purchasing, building and using that property for a Chabad House.

Though our family is not Jewish, I have a number of friends who are, and prior to moving to Clarkson Woods, we owned a home for more than 25 years in University City, which, as you know, has historic Jewish roots. Coincidentally, I also worked for some of those years as a social worker at Jewish Hospital. I guess what I'm trying to communicate is that I am fairly familiar with the Jewish community and know them to be generous, gentle and very good members of our overall St Louis area community, especially present in the central corridor from U City to Chesterfield.

I believe that Rabbi Avi's idea to build a Chabad house would allow that property to combine the residential feel that any of us would hope for, and it would provide a positive place for living and learning. To me, it would be much more desirable to have the Chabad house on that corner than having a car wash or a bank - none of which we really need more of. I believe, in West St Louis County, a Chabad house would bring good will and kindness and contribute to the overall positivity of our area.

Please consider his request seriously, and allow his ideas to be heard and approved, with whatever zoning changes necessary to be made.

Thank you for your attention!

Sincerely,  
JoAnne Brands

Sent from my iPhone



**From:** Mike Geisel  
**Sent:** Sunday, June 28, 2020 7:20 AM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** Fwd: Rezoning building height

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Begin forwarded message:

**From:** Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>  
**Date:** June 28, 2020 at 6:45:30 AM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning building height

I am assuming that the same restrictions placed on the shopping, center-single story buildings only will be applied to any building request if the property is reasoned to R4?

--  
*Debbie Rowan*  
“There is no limit to what you can accomplish as long as you do not care who gets the credit.”

**From:** Mike Geisel  
**Sent:** Monday, June 29, 2020 5:12 PM  
**To:** Annisa Kumerow; Justin Wyse  
**Subject:** FW: Vacant lot at corner of Clarkson Woods Drive and Clarkson Woods Road

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**From:** [tombaranowski123@gmail.com](mailto:tombaranowski123@gmail.com) <[tombaranowski123@gmail.com](mailto:tombaranowski123@gmail.com)>  
**Sent:** Monday, June 29, 2020 4:58 PM  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Vacant lot at corner of Clarkson Woods Drive and Clarkson Woods Road

Mr. Mayor, Council Members and Mike Geisel.

My wife, Sandy and I are very concerned about the proposed Chabad house to be constructed at the southeast corner of Clarkson Road and Clarkson Woods Dr. Rabbi Rubinfeld wants the property to be re-zoned from R-2 to R-4 so he can construct a house of worship.

A year and a half ago. Dr. Pernikoff petitioned the city to change the zoning of said property in order to construct a commercial building. The city required him to submit plans for this structure including the amount of parking. The city rightly determined that this proposal would create too much traffic in the area of the southern entrance to our subdivision and development of this property was not in accordance with the overall city plan to limit commercial entities at the entrance to subdivisions.

A traffic study for that area, Clarkson Woods Drive, has not been done in recent years. The only study completed was a MODOT study requested by Dr. Pernikoff on Clarkson Road, not Clarkson Woods Drive. Clarkson Woods Drive has to handle the traffic generated by any development of the site.

In the current rezoning request to the City, Rabbi Rubinfeld has not been required to even submit a building plan with elevations, parking spaces and the number of people he expects to host at his proposed place of worship. During a conference call he hosted for the residents of Clarkson Woods, Mr. Rubinfeld indicated that some celebrations at the facility could include up to 100 people. He also indicated this facility would be used for educational purposes but was not clear as to how often meetings would be held or how many people would be expected to attend. When Trustees and homeowners expressed their concerns about parking on subdivision streets when parking capacity was exceed, Mr. Rubinfeld said he has worked out overflow parking with the Clarkson Wilson Center, located adjacent to his proposed facility.

This statement indicates that Mr. Rubinfeld expects events at his facility to exceed parking capacity or he would not have already researched the potential of overflow parking. This overflow parking does not exist according to representatives of the Clarkson Wilson Center.

As you remember, when Dr. Pernikoff proposed his development, it would have 31 parking spots. The city determined that traffic generated into our subdivision, based on 31 parking spaces was too much at the entrance of a subdivision.

Canvassing the churches in the area of Clarkson Woods, each and every parking lot is larger than the footprint of the church building. Given this, it is clear that there will be insufficient parking at Mr. Rubinfeld's proposed place of worship to handle the capacity, therefore, people will be inclined to park on the subdivision street which is not permitted. It is also obvious that this is not in the best interest of the homeowners in Clarkson Woods, or in the overall interest to the citizens of the City of Chesterfield as this is a dangerous precedent. Mr. Rubinfeld could make an offer on the closed mortuary on the southwest corner of Clarkson Road and Wilson Road which has the capacity and parking to properly and comfortably support a house of worship.

We sincerely hope the City Council denies the request to change the zoning of the property.

Tom and Sandy Baranowski  
16002 Park Forest Ct.  
Chesterfield

**From:** Mike Geisel  
**Sent:** Thursday, July 2, 2020 3:41 PM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** FW: Rezoning of property and appropriate permits, licenses and inspections for home business

-----Original Message-----

From: Paul Bostick <[paulbostick@gmail.com](mailto:paulbostick@gmail.com)>  
Sent: Tuesday, June 30, 2020 5:16 PM  
To: Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)>  
Cc: cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>; Chris Graville <[cbg@gravillelaw.com](mailto:cbg@gravillelaw.com)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>; ClarksonWoods Homeowners <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
Subject: Re: Rezoning of property and appropriate permits, licenses and inspections for home business

Thanks Dennis for your continuing efforts to protect our homes from encroachment of businesses onto the property at the entrance to our subdivision.  
I strongly urge our city council and attorney to investigate the concerns that you raised.  
Paul Bostick

Sent from my iPhone

On Jun 30, 2020, at 11:23 AM, Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com) <<mailto:dennis.ganahl@me.com>>> wrote:

Good day everyone,

As you know, I, along with 150 others who showed up a year and a half ago, oppose the rezoning of the property at the entrance of our subdivision for many reasons especially because it requires the city to change the original zoning of the property to give a bailout to the developer.

However, a new and deeply concerning issue has become public, and I want the city to do something about it. Recent articles in the West County News and the St. Louis Post-Dispatch prove that Avi Rubinfeld and his wife, rezoning petitioners, are illegally running a catering business out of their home under the Chabad of Chesterfield. Their business, Chana'la rubinfeld, violates their subdivision's bylaws, our city's ordinance and our county's ordinance. They use their home as a place of business. Further, I am not sure they have the appropriate permits, licenses and inspections for preparing and selling food. Please research my questions and provide me with the answers regarding licenses, permits and inspections as soon as possible. They should certainly be answered before zoning is granted.

This means that the Chabad of Chesterfield will be selling food, coffees and pastries out of the Chabad if you allow the rezoning of the property for a synagogue. It's an outrageous claim to say that you must rezone the property to know what kind of business will be in it. That's like the Democrats claiming they had to pass Obamacare to know what was in the legislation.

I would like responses from the city attorney and the city council members addressing these issues (using their home as a place of business, using the Chabad to sell food) and I want to know what the city is going to do to shut down this illegal business operating from their home.

Why does the city council feel compelled to bailout a developer, Pernikoff, that didn't do his due diligence before he bought a property? By changing the zoning for a developer that bought the property knowing that it was 70% zoned R2 violates the trust of the 285 homeowners, the overwhelming majority of which oppose the rezoning, for the wants of one developer. You are responding to pressure from people who don't live in our subdivision, who don't live in our city and who don't even live in our state.

Thanks and I await your timely responses.

Dennis

Dennis Ganahl, PhD

Dennis Ganahl  
[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com) <<mailto:dennis.ganahl@me.com>>

## **Annisa Kumerow**

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**From:** Vickie McGownd  
**Sent:** Wednesday, July 1, 2020 10:40 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Property

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**From:** Phyllis Faintich <faintichp@sbcglobal.net>  
**Sent:** Wednesday, July 1, 2020 10:35 AM  
**To:** Vickie McGownd <vmcgownd@chesterfield.mo.us>  
**Subject:** Property

Dear Honorable Mayor and Esteemed City Council Members,

I want to express my support for Chabad developing the property at [2264 Clarkson Rd](#) and would love to see them build their Chabad House there!

Chabad has had a positive impact on so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,

Phyllis Faintich

Sent from my iPhone

**From:** Mike Geisel  
**Sent:** Monday, July 6, 2020 8:36 PM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** Fwd: Proposed Rezoning of 2264 Clarkson Road - Parking Issues- FOLLOW UP  
**Attachments:** Site Plan (Hypothetical) - 220 Seats; 7,365 sf bldg; 55 parking spaces.pdf; ATT00001.htm; Attached Message Part.html; ATT00002.htm; Site Plan (Hypothetical) - 240 Seats; 6,835 sf bldg; 60 parking spaces.pdf; ATT00003.htm; Attached Message Part.html; ATT00004.htm; Site Plan (Hypothetical) - 188 Seats; 4,758 sf bldg; 47 parking spaces.pdf; ATT00005.htm; Attached Message Part.html; ATT00006.htm

Begin forwarded message:

**From:** John Stanfield <[jstanfield1346@charter.net](mailto:jstanfield1346@charter.net)>  
**Date:** July 6, 2020 at 5:58:21 PM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Fwd: Re: Proposed Rezoning of 2264 Clarkson Road - Parking Issues- FOLLOW UP

Dear Sirs:

I am strongly opposed to the rezoning of 2264 Clarkson Road to R4 for the reasons so aptly described in the forwarded message below. I urge you not to damage the Clarkson Woods subdivision by approving this rezoning effort.

John Stanfield  
16015 Park Forest Ct.  
Chesterfield, MO 63017

636-728-1346

----- Forwarded Message -----

**Subject:**Re: Proposed Rezoning of 2264 Clarkson Road - Parking Issues- FOLLOW UP

**Date:**Mon, 6 Jul 2020 16:42:48 -0500

**From:**Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)>

**To:**GARY ARBESMAN <[gjarby@charter.net](mailto:gjarby@charter.net)>

**CC:**Sarah Kueper Hoffman <[sarah.kueper@gmail.com](mailto:sarah.kueper@gmail.com)>, Michele Bunch <[mrk21@hotmail.com](mailto:mrk21@hotmail.com)>, Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>, Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, cindybarmeier@yahoo.com, thodges34102@yahoo.com, KarenLMarino24@gmail.com, Sandy Baranowski <[scbaranowski@aol.com](mailto:scbaranowski@aol.com)>, Charlie Young <[cwds.charlie@gmail.com](mailto:cwds.charlie@gmail.com)>, ClarksonWoods Homeowners <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>, barbnauert@aol.com, Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)>, Doug Purkey <[purkey5@att.net](mailto:purkey5@att.net)>, Gary Arbesman <[gjarby@sbcglobal.net](mailto:gjarby@sbcglobal.net)>, Pete White <[galwithbigpurse@yahoo.com](mailto:galwithbigpurse@yahoo.com)>, Jim Thoenen <[jamesthoenen@yahoo.com](mailto:jamesthoenen@yahoo.com)>, Stuart or Nancy Lindley <[sjlindley@aol.com](mailto:sjlindley@aol.com)>, Stan Anderson <[stanley\\_anderson@sbcglobal.net](mailto:stanley_anderson@sbcglobal.net)>, jstanfield1346@charter.net, Bob Dakich <[bnjdakich@sbcglobal.net](mailto:bnjdakich@sbcglobal.net)>, Joy Dakich <[joydakich@gmail.com](mailto:joydakich@gmail.com)>, dtippit@swbell.net, gardenfreak423@gmail.com, Jan Terry Adam <[nevamo61@gmail.com](mailto:nevamo61@gmail.com)>, Rich Kastel <[RichKastel@gmail.com](mailto:RichKastel@gmail.com)>, Paul Bostick <[paulbostick@gmail.com](mailto:paulbostick@gmail.com)>, Kristy Gann <[gkristy01@gmail.com](mailto:gkristy01@gmail.com)>, ROBERT HANLON <[rehanlon@sbcglobal.net](mailto:rehanlon@sbcglobal.net)>, Sue Kerr <[smkerr47@gmail.com](mailto:smkerr47@gmail.com)>, Sherri Rogers <[sherri.rogers2@gmail.com](mailto:sherri.rogers2@gmail.com)>, cnork@lmiaerospace.com, Les Dennis <[ljdennis@charter.net](mailto:ljdennis@charter.net)>, lackey.gayle@gmail.com, Greg Kerr <[sgdkerr@gmail.com](mailto:sgdkerr@gmail.com)>, Bryan Humphreys <[humphreysbryan@hotmail.com](mailto:humphreysbryan@hotmail.com)>, Alicia Andrews <[aliciaandrewsmusic@gmail.com](mailto:aliciaandrewsmusic@gmail.com)>, selshort@aol.com, Bill DeWert <[bill.dewert@gmail.com](mailto:bill.dewert@gmail.com)>, Sally Fabbri <[s.fabbri@charter.net](mailto:s.fabbri@charter.net)>, mummacpm@earthlink.net, wardoverall@gmail.com, michellelegsmith@gmail.com, tylerandstephanieswoboda@yahoo.com, addielthompson@yahoo.com, lwadsack@gmail.com, David Fliesher <[David.Fliesher@yahoo.com](mailto:David.Fliesher@yahoo.com)>, Liz Venturella <[lventurella@charter.net](mailto:lventurella@charter.net)>, Tom DeCampi <[tdecampi@chesterfield.mo.us](mailto:tdecampi@chesterfield.mo.us)>, Ben Keathley <[ben.keathley@gmail.com](mailto:ben.keathley@gmail.com)>, Gina Ganahl <[ginaganahl@gmail.com](mailto:ginaganahl@gmail.com)>, Sarah Hoffman <[sarah.kueper@gmail.com](mailto:sarah.kueper@gmail.com)>, Steve Hoffman <[hoffman0416@yahoo.com](mailto:hoffman0416@yahoo.com)>

Friends and Neighbors,

Following my discussions with Hutkin Development I'd like to propose we take the following steps. Hutkin doesn't want the parcel rezoned to R4 either. It is inappropriate for a subdivision. We need to get the Council to vote against R4 zoning. It doesn't matter what type of development is put in place if they approve R4. It can be any development that is allowed with R4 zoning. If the council approves R4 and Rubenfeld bows out, anyone can build anything they want that comports to R4 zoning. The City Council can say that they will require set backs etc. but they can't. If they approve R4, the developer gets R4 and the building they want. Steve Hutkins's staff has put together the following possible renderings of the type of developments that are possible with R4. [See below] Our opposition has nothing to do with Rabbi Rubenfeld wanting to build a Chabad. We MUST oppose R4 zoning because it will damage our subdivision.

We need to write emails to all the City Council members right now and hit these major points. Our goal is to get the City Council to reject R4 zoning for the parcel of property at our entrance. Here are the most important talking points that you should emphasize in your emails this week.

There are several pieces in play this week. Let's wait to see what happens after all of us write our letters. Feel free to write personal letters to individual council members asking for a NO vote.

1. We're not obstructionists but we don't want the kind of dense development that will be created with R4 zoning. It would be the most damaging act the City can do to our subdivision. R4 will damage our subdivision and the City of Chesterfield by creating density issues into the entrance of our subdivision, including traffic, noise, parking lots and overflow traffic. Would you want a 7,000 square foot building with 50 parking spots at the front of your subdivision? We don't either. As neighbors we need to take care of each other. There isn't any R4 zoning at the front of any subdivision in Chesterfield. R2 zoning is the correct zoning for our subdivision and all other subdivisions. R2 is what is on the City of Chesterfield's Master Plan.

2.Regardless of whether the site currently has dual zoning, neither current zoning category (C-8 and/or R-2) allow for the type of density, traffic and parking demand that is being contemplated and necessary for the applicant's proposed use under the R4 zoning. It was understood in 1986, and the conditions remain the same today, that the nature and extent of any development on this site would not (and should not) burden or have a detrimental impact by rezoning for a very dense use on a small parcel of land that is situated within the original subdivision plot.

St. Louis County, who had original jurisdiction over the property, recognized the importance of protecting the 280+ residential property owners within the Clarkson Woods subdivision from any measurable intrusion on the neighborhood. So, together with the owner of the parcel at that time, they jointly and intentionally zoned this parcel to allow for only low density uses. As part of the incorporation of this parcel by the City of Chesterfield, they too have reinforced the wisdom of the existing zoning as a necessity to preserve and protect residential neighborhoods by repeatedly, and we believe without exception, denying rezoning efforts over the past 20+ years. We believe Chesterfield was making it clear (and rightly so) that protecting the City's residential neighborhoods is a vital aspect in maintaining the City of Chesterfield as one of the region's most desirable communities in which to live. Our ownership group certainly concurs with the City's approach and actions in this regard and believes they should not rezone the parcel to R4.

3. We want to collaborate with the City and our residential neighbors to support potential uses for the parcel that are consistent with the low density levels that were always contemplated for the site. With that said, and by clearly demonstrating the density that is actually possible under the R4 zoning, it is our hope that our City leaders and decision makers will come to similar conclusions that we and the majority of residents have come to. If the Council members want to approve R4 zoning please grant a month long delay to the zoning process so that all of the parties [Rubenfeld, City, Clarkson Woods, Hutkin] can come together and discuss options that might work for all parties and preserve our subdivision and the city. Two weeks isn't enough time to get everyone together.

Send your message similar to this to [cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us) immediately. One letter isn't enough. We need to stop the City Council from potentially damaging our subdivision. They need to vote NO against R4 zoning on the parcel.

We'll stay in touch and keep you informed if we hear anything going forward.

Thanks,  
Dennis

**From:** Dennis Ganahl <dennis.ganahl@me.com>  
**Sent:** Monday, July 6, 2020 2:28 PM  
**To:** Annisa Kumerow  
**Cc:** Dennis Ganahl  
**Subject:** Chabad has nformation

Hello Annisa:

[https://www.chabad.org/centers/default\\_cdo/aid/169299/jewish/Chabad-of-Chesterfield.htm](https://www.chabad.org/centers/default_cdo/aid/169299/jewish/Chabad-of-Chesterfield.htm)

Dennis

**From:** Dennis Ganahl <dennis.ganahl@me.com>  
**Sent:** Monday, July 6, 2020 2:41 PM  
**To:** Annisa Kumerow  
**Cc:** Dennis Ganahl  
**Subject:** Jewish community leader seeks to build Chabad house – West Newsmagazine

Annisa, here is a story that explains that their home is used for worship services.

<https://westnewsmagazine.com/2020/01/17/119277/jewish-community-seeks-chabad-house>

Dennis Ganahl  
[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)

**From:** Dennis Ganahl <dennis.ganahl@me.com>  
**Sent:** Monday, July 6, 2020 6:40 PM  
**To:** Annisa Kumerow  
**Subject:** Last article

<https://www.ksdk.com/article/entertainment/television/show-me-st-louis/salads-2-your-door/63-7270c2b7-0ff6-4bda-a20b-0fe602374531>

Dennis



**From:** Dennis Ganahl <dennis.ganahl@me.com>  
**Sent:** Monday, July 6, 2020 2:48 PM  
**To:** Annisa Kumerow  
**Cc:** Dennis Ganahl  
**Subject:** Facebook business

<https://www.facebook.com/chanalarubenfeld/>

Dennis

**From:** Dennis Ganahl <dennis.ganahl@me.com>  
**Sent:** Monday, July 6, 2020 2:44 PM  
**To:** Annisa Kumerow  
**Cc:** Dennis Ganahl  
**Subject:** Salads 2 Your Door - Chanala Health Coaching

Here is notes on her business.

<http://www.chanalar.com/salads2yourdoor/>

Dennis Ganahl  
[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com) <<mailto:dennis.ganahl@me.com>>

**From:** Mike Geisel  
**Sent:** Monday, July 6, 2020 8:36 PM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** Fwd: Proposed Rezoning of 2264 Clarkson Road - Parking Issues- FOLLOW UP  
**Attachments:** Site Plan (Hypothetical) - 220 Seats; 7,365 sf bldg; 55 parking spaces.pdf; ATT00001.htm; Attached Message Part.html; ATT00002.htm; Site Plan (Hypothetical) - 240 Seats; 6,835 sf bldg; 60 parking spaces.pdf; ATT00003.htm; Attached Message Part.html; ATT00004.htm; Site Plan (Hypothetical) - 188 Seats; 4,758 sf bldg; 47 parking spaces.pdf; ATT00005.htm; Attached Message Part.html; ATT00006.htm

Begin forwarded message:

**From:** John Stanfield <[jstanfield1346@charter.net](mailto:jstanfield1346@charter.net)>  
**Date:** July 6, 2020 at 5:58:21 PM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Fwd: Re: Proposed Rezoning of 2264 Clarkson Road - Parking Issues- FOLLOW UP

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John Stanfield  
16015 Park Forest Ct.  
Chesterfield, MO 63017

636-728-1346

----- Forwarded Message -----

**Subject:**Re: Proposed Rezoning of 2264 Clarkson Road - Parking Issues- FOLLOW UP

**Date:**Mon, 6 Jul 2020 16:42:48 -0500

**From:**Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)>

**To:**GARY ARBESMAN <[gjarby@charter.net](mailto:gjarby@charter.net)>

**CC:**Sarah Kueper Hoffman <[sarah.kueper@gmail.com](mailto:sarah.kueper@gmail.com)>, Michele Bunch <[mrk21@hotmail.com](mailto:mrk21@hotmail.com)>, Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>, Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, cindybarmeier@yahoo.com, thodges34102@yahoo.com, KarenLMarino24@gmail.com, Sandy Baranowski <[scbaranowski@aol.com](mailto:scbaranowski@aol.com)>, Charlie Young <[cwds.charlie@gmail.com](mailto:cwds.charlie@gmail.com)>, ClarksonWoods Homeowners <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>, barbnauert@aol.com, Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)>, Doug Purkey <[purkey5@att.net](mailto:purkey5@att.net)>, Gary Arbesman <[gjarby@sbcglobal.net](mailto:gjarby@sbcglobal.net)>, Pete White <[galwithbigpurse@yahoo.com](mailto:galwithbigpurse@yahoo.com)>, Jim Thoenen <[jamesthoenen@yahoo.com](mailto:jamesthoenen@yahoo.com)>, Stuart or Nancy Lindley <[sjlindley@aol.com](mailto:sjlindley@aol.com)>, Stan Anderson <[stanley\\_anderson@sbcglobal.net](mailto:stanley_anderson@sbcglobal.net)>, jstanfield1346@charter.net, Bob Dakich <[bnjdakich@sbcglobal.net](mailto:bnjdakich@sbcglobal.net)>, Joy Dakich <[joydakich@gmail.com](mailto:joydakich@gmail.com)>, dtippit@swbell.net, gardenfreak423@gmail.com, Jan Terry Adam <[nevamo61@gmail.com](mailto:nevamo61@gmail.com)>, Rich Kastel <[RichKastel@gmail.com](mailto:RichKastel@gmail.com)>, Paul Bostick <[paulbostick@gmail.com](mailto:paulbostick@gmail.com)>, Kristy Gann <[gkristy01@gmail.com](mailto:gkristy01@gmail.com)>, ROBERT HANLON <[rehanlon@sbcglobal.net](mailto:rehanlon@sbcglobal.net)>, Sue Kerr <[smkerr47@gmail.com](mailto:smkerr47@gmail.com)>, Sherri Rogers <[sherri.rogers2@gmail.com](mailto:sherri.rogers2@gmail.com)>, cnork@lmiaerospace.com, Les Dennis <[ljdennis@charter.net](mailto:ljdennis@charter.net)>, lackey.gayle@gmail.com, Greg Kerr <[sgdkerr@gmail.com](mailto:sgdkerr@gmail.com)>, Bryan Humphreys <[humphreysbryan@hotmail.com](mailto:humphreysbryan@hotmail.com)>, Alicia Andrews <[aliciaandrewsmusic@gmail.com](mailto:aliciaandrewsmusic@gmail.com)>, selshort@aol.com, Bill DeWert <[bill.dewert@gmail.com](mailto:bill.dewert@gmail.com)>, Sally Fabbri <[s.fabbri@charter.net](mailto:s.fabbri@charter.net)>, mummacpm@earthlink.net, wardoverall@gmail.com, michellelegsmith@gmail.com, tylerandstephanieswoboda@yahoo.com, addielthompson@yahoo.com, lwadsack@gmail.com, David Fliesher <[David.Fliesher@yahoo.com](mailto:David.Fliesher@yahoo.com)>, Liz Venturella <[lventurella@charter.net](mailto:lventurella@charter.net)>, Tom DeCampi <[tdecampi@chesterfield.mo.us](mailto:tdecampi@chesterfield.mo.us)>, Ben Keathley <[ben.keathley@gmail.com](mailto:ben.keathley@gmail.com)>, Gina Ganahl <[ginaganahl@gmail.com](mailto:ginaganahl@gmail.com)>, Sarah Hoffman <[sarah.kueper@gmail.com](mailto:sarah.kueper@gmail.com)>, Steve Hoffman <[hoffman0416@yahoo.com](mailto:hoffman0416@yahoo.com)>

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Send your message similar to this to [cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us) immediately. One letter isn't enough. We need to stop the City Council from potentially damaging our subdivision. They need to vote NO against R4 zoning on the parcel.

We'll stay in touch and keep you informed if we hear anything going forward.

Thanks,  
Dennis

**From:** Mike Geisel  
**Sent:** Monday, July 6, 2020 8:58 PM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** Fwd: Rezoning 2264 Clarkson Road

Begin forwarded message:

**From:** James Thoenen <[jamesthoenen@yahoo.com](mailto:jamesthoenen@yahoo.com)>  
**Date:** July 6, 2020 at 8:40:18 PM CDT  
**To:** cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Rezoning 2264 Clarkson Road

This is from the trustees of Clarkson Woods Subdivision

The trustees of Clarkson Woods Subdivision would like to make you aware of their position on the application filed by Chabad of Chesterfield to change the zoning of the property at 2264 Clarkson Road.

The trustees met with Rabbi Rubinfeld early this year and also have also sent a formal letter to him asking for information regarding his plans for the development of the property. We very recently participated in a video conference with him. Very little information has been provided regarding his plans for development. We are particularly concerned about the arrangements for parking and he has not alleviated the concerns despite many opportunities for him to do so. His claim that he has rights to park in the adjacent Clarkson Wilson Center are disputed by the management of the shopping center. He may represent to you that he has addressed concerns of the homeowners of Clarkson Woods Subdivision but I assure you he has not but, in fact, has caused increased concern by his lack of disclosure. We have asked him about the intended use of the property but his lack of a response as to such questions as whether the structure will include a food preparation area, overnight sleeping areas, size of structure and parking areas are particularly troubling.

The character of the existing residential area requires three acres for a place of worship. There is no reason to revisit the city's master plan as the character of the area has not changed. The only change has been an investment by a business owner wishing to develop the property. The fact that the investment has not been successful is by no means an acceptable reason to grant a zoning change. The accommodation, if granted by the city, will be wholly at the expense of those homeowners who purchase property adjoining the property in reliance on R2 zoning. The current zoning requires three acres for a place of worship which is consistent with the character of the area as defined by the city's master plan which clearly does not permit such use on a lot of less than 3 acres. I firmly believe that the drafters of that ordinance realize that a place of worship will typically involve large gatherings with many vehicles needing a lot of parking spaces. That is one of the primary reasons why three acres is required in areas zoned R2.

Clarkson Woods Subdivision is a 283 home residential development and should not be used for spillover parking for large gatherings of any type. It should be obvious that there will be attempts to use Clarkson Woods Subdivision streets for parking because there are simply no alternatives for those attending gatherings at the functions to be held. Alternatives to parking on the streets in Clarkson Woods Subdivision do not exist. Please consider the following: (1) Parking on the shoulder of Clarkson Road is not possible due to traffic, turn lanes and general safety. (2) The lot does not have adequate size for parking. It has been represented to you that the lot is almost one acre but keep in mind that the almost one acres tract includes a road easement to Clarkson Wilson Center and also includes set backs of thirty feet on three sides. The area remaining for a building and the required parking is likely less than one half acre. (3) Clarkson Wilson Center adjoins the property but the shopping center denies that parking rights have been granted the current owner.

Why this tract was left unused when the area was developed is unknown but it is not role of our representatives to solve a financial problem for a developer or subsequent purchaser. The current owner's proposed solution to his problem is one that is entirely at the expense of the homeowners who purchased their homes in reliance on R2 zoning. We believe that the overwhelming number of Clarkson Woods Subdivision homeowners oppose the change to R4 zoning and ask that the City Council deny the application.

Sent from my iPhone

**From:** Justin Wyse  
**Sent:** Tuesday, July 7, 2020 10:01 AM  
**To:** Annisa Kumerow  
**Cc:** Custodian of Records  
**Subject:** FW: Rezoning Proposal at Clarkson Woods Subdivision

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**From:** Michelle Ohley  
**Sent:** Tuesday, July 07, 2020 9:19 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning Proposal at Clarkson Woods Subdivision

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Tom Counts <[1326tc@gmail.com](mailto:1326tc@gmail.com)>  
**Date:** July 7, 2020 at 7:14:50 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, "[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)" <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** Rezoning Proposal at Clarkson Woods Subdivision

I am emailing you to express my concerns and opposition to the rezoning of 2264 Clarkson Road as scheduled for vote July 20, 2020. The property in question will not support a Synagogue / Public facility. Passage of the rezoning plan will create an unsafe environment with insufficient parking capabilities. We are also concerned with traffic issues at the head of our subdivision. This property must not be rezoned.

My family and I value our neighborhood and the Chesterfield community. We have been in the neighborhood since 2004.

Please carefully review this project as if you live here. Vote no on rezoning this property.

Regards,  
Thomas L Counts  
Mary E. Counts

2104 Woodlet Park Dr  
Chesterfield Mo., 63017  
314-308-9254

**From:** Justin Wyse  
**Sent:** Tuesday, July 7, 2020 10:01 AM  
**To:** Custodian of Records; Annisa Kumerow  
**Subject:** FW: Vacant plot of land at Clarkson Woods/Wilson Roads

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**From:** Michelle Ohley  
**Sent:** Tuesday, July 07, 2020 9:24 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Vacant plot of land at Clarkson Woods/Wilson Roads

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** "erica.grogan" <[erica.grogan@yahoo.com](mailto:erica.grogan@yahoo.com)>  
**Date:** July 7, 2020 at 8:34:47 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>  
**Subject:** Vacant plot of land at Clarkson Woods/Wilson Roads

To whom it may concern,

My husband and I have lived in Clarkson Woods for five years. We do have some concerns with the proposed rezoning of the land at the front of the neighborhood. It appears that this development idea has a lot of flaws.

For starters very limited parking, no submitted building plans, etc. It appears that without overflow parking in the Clarkson Wilson shopping center, our neighborhood would feel that pain daily. This along would drastically change the look and feel of our neighborhood. Not to mention safety concerns with the increased traffic on our neighborhood streets.

However, we are strongly opposed to the idea of the neighborhood purchasing this piece of land. We do not want an extra assessment and higher annual dues that will come from the added maintenance, insurance and upkeep of the land.

Each homeowner has purchased a home in Clarkson Woods with this land being vacant. Even though this land has sat vacant for 40 years, it does not mean it will for the foreseeable future. We all have control on the home we buy, it's location and surroundings. If this piece of land was that large of a concern for some homeowners, why did they purchase in this neighborhood?

The City of Chesterfield needs to decide how to go forward with this plot of land. Our neighborhood has submitted a vote on whether or not we were interested in purchasing it. We, as a neighborhood, voted the idea down to explore the purchase of the land. At some point we need to compromise on a solution for this land. It cannot continue to be a talking point.

Erica Grogan  
2134 Heather Glen Drive

Sent from my Samsung Galaxy smartphone.

**From:** Justin Wyse  
**Sent:** Tuesday, July 7, 2020 10:01 AM  
**To:** Annisa Kumerow  
**Cc:** Custodian of Records  
**Subject:** FW: Oppose Rezoning 2264 Clarkson Road

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**From:** Michelle Ohley  
**Sent:** Tuesday, July 07, 2020 9:19 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Oppose Rezoning 2264 Clarkson Road

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Aaron Holman <[aarondholman@gmail.com](mailto:aarondholman@gmail.com)>  
**Date:** July 7, 2020 at 7:33:23 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>  
**Cc:** "[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)" <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** Oppose Rezoning 2264 Clarkson Road

Good morning,

My name is Aaron Holman and my family own 16066 Meadow Oak Drive in the Clarkson Woods neighborhood. We oppose the rezoning of 2264 Clarkson Road. My family will be out of town on the scheduled date to vote, so please accept this as my proxy in opposition from myself and Jessie Holman.

Thank you for serving our community.

Aaron

**From:** Mike Geisel  
**Sent:** Tuesday, July 7, 2020 10:21 AM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** FW: Property at the property at 2264 Clarkson Rd

**From:** Nelleke Maxwell <[nellekemaxwell@gmail.com](mailto:nellekemaxwell@gmail.com)>  
**Sent:** Tuesday, July 07, 2020 10:09 AM  
**To:** Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>; Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>; cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Cc:** [rabbiavi@gmail.com](mailto:rabbiavi@gmail.com)  
**Subject:** Re: Property at the property at 2264 Clarkson Rd

Please do not make public the attached postings they are for the Council as background information only.

On Tue, Jul 7, 2020 at 9:35 AM Nelleke Maxwell <[nellekemaxwell@gmail.com](mailto:nellekemaxwell@gmail.com)> wrote:

Dear City Council,

My name is Neeltje Maxwell, my family lives in a home on Clarkson Woods drive. We are the fifth home from the subject property.

I am unable to attend the meeting, but wish to express my support for the proposed plans by Rabbi Rubinfeld.

I would like for this letter to be read at the meeting and added to the records.

As a homeowner in the Clarkson Woods Subdivision, I want to express my support for the Chabad organization purchasing and developing the property at 2264 Clarkson Rd. I have known Rabbi Avi and Chana'la and even attended some of their events, though I myself am not Jewish, and found them to be a caring and wonderful organization. Just this month I learned to make delicious pretzels from Chana'la and have made it several times since!

The property has been vacant and barely maintained. It has attracted unwelcome guests drinking on it over the weekends. Many Mondays I've picked up beer cans and other items from it.

Rabi Rubinfeld and his family have been great neighbors. He even served on the HOA board as an interim board member. It will be an improvement to the entrance of the subdivision. It would hide the eyesore that the Clarkson Wilson center is.

I am concerned by the Clarkson Wilson Center and the Board of Trustees attempts to persuade homeowners against a religious building. (See quoted letters that our subdivision trustees posted on the neighborhood site.) There have been false claims with regards to home values and parking.

The Board of Trustees voted against this project without the input from home owners. There are home owners who are for the project or probably the majority who simply do not care. As such they do not represent me or this group of people.

With regards to home values, I believe they will increase. Several people have expressed an interest in our subdivision if the project is allowed to take place.

What saddens me is that there is opposition from home owners who do not live close to this entrance or do not use this entrance on a regular basis. Please pay attention during the meeting proximity of people's homes to the entrance and the property. Unfortunately, especially in these times, some of my neighbors/trustees still believe a Chabad House, nor people of different backgrounds belong in this neighborhood.

We neighbors are excited to have the Chabad house as neighbors and look forward to being able to attend their creative and meaningful programming with our family once they complete their center!

Thank you and I wish I could have been at the meeting but I am in the wilderness Northern Tier with scouting.

Thank you  
Neeltje Maxwell  
16056 clarkson woods dr  
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Posts on our neighborhood site by the HOA in Cooperation with the Clarkson Wilson Shopping center undermining the project:

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We are posting this information to our homeowners.

We believe any assertion or representation made by anyone that the Chabad house is permitted to use the Clarkson Wilson Shopping Center parking lot for overflow parking is ill-considered and wholly incorrect. Having learned that such a representation has been made, we spoke with Rabbi Rubinfeld and his attorney. Our conversations with Rabbi Rubinfeld lead us to firmly believe Chabad house's intention is to have the largest building and largest congregation size allowable. If that is the case, it will result in parking needs that exceed what will be provided for on the site – even if the number of on-site parking spaces technically meets “code”. In our professional real estate opinion and experience, what will be allowable on the site, if it is rezoned to R4, will not be “self-parked”. We believe that once the congregation is full, and/or there is an event, there will simply be too many people coming in too many cars and the on-site parking facilities will be overwhelmed.

We intend to defend our property rights with legal action if necessary. As such, it is reasonable to assume that any Chabad house overflow parking may very well spill over onto the Clarkson Woods neighborhood streets because they won't be able to park at the shopping center. Not to mention, that after an event has ended, the very significant amount of cars (traffic) all trying to exit the Chabad house parking lot and backing up on Clarkson Woods Drive at the signalized intersection could, among other things, block normal ingress and egress to the neighborhood.

It is unfortunate that some of the Clarkson Woods residents, who may be supporting this project, could be relying on erroneous information (or promises) that this potential project (and especially rezoning the property to R4) will not have a negative impact on the neighborhood. We beg to differ. The proposed new R4 zoning allows for much denser uses and on-site activity than the current zoning. In light of this, the owners of Clarkson Wilson Shopping Center will be opposing the rezoning and implementing specific action to prohibit any outsider parking on the shopping center parking lot.

On another note, I wanted to let you know I spoke with Councilmembers Ohley and DeCampi this week. From those conversations, I believe they are both focused and thoughtful representatives that take our concerns, and certainly those of the residents in the neighborhood, seriously.

We encourage you and your neighbors to attend the meeting before the City Council on July 20, 2020 at 7:00pm so that your voice and opinions on this important issue may be heard and considered. If you or other neighbors are not able to attend the meeting but would like to have your voice heard, we would suggest emailing your Ward IV Councilmembers, Tom DeCampi ([tdcampi@chesterfield.mo.us](mailto:tdcampi@chesterfield.mo.us)) and Michelle Ohley ([mohley@chesterfield.mo.us](mailto:mohley@chesterfield.mo.us)).

Please feel free to call me if you have any questions.

Steven F. Hutkin

President/Principal

Hutkin Development Company

10829 Olive Boulevard, Suite 200



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Clarkson Woods Subdivision Homeowner,

The HOA board is asking for all homeowners to contact the city council members in advance of a vote on the rezoning of 2264 Clarkson Road scheduled for July 20th, 2020 at 7:00. The vote will take place at the regular City Council meeting at city hall. As of the date of mailing personal attendance will be available but it is unknown whether virtual attendance will be an option. The City will provide information regarding attendance as part of the meeting agenda which is generally published the Wednesday before the meeting or, in this case, on July 15th.

***The HOA board has voted to oppose the rezoning and we have sent the following letter to city officials but there is strength in numbers and we encourage you to contact our representatives directly.***  
<[[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)](mailto:MOhley@chesterfield.mo.us)> <[[TDecampi@chesterfield.mo.us](mailto:TDecampi@chesterfield.mo.us)](mailto:TDecampi@chesterfield.mo.us)>

We would also appreciate it if you would e-mail the board at <[[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)](mailto:cwshomeowners@gmail.com)> with your decision on whether you oppose or favor rezoning. Thank you.

--

Nelleke Maxwell

Real Estate Consultant Realty and Associates

Email: [NellekeMaxwell@gmail.com](mailto:NellekeMaxwell@gmail.com)

My business is based on referrals. If you know of anyone looking to buy or sell real estate, call or email their name and telephone number. I will take the absolute best care of them! Missouri Licensed Salesperson, REALTOR®, Certified Negotiation Expert®. BPOR®

**From:** Mike Geisel  
**Sent:** Tuesday, July 7, 2020 10:20 AM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** FW: Property at the property at 2264 Clarkson Rd

**From:** Nelleke Maxwell <[nellekemaxwell@gmail.com](mailto:nellekemaxwell@gmail.com)>  
**Sent:** Tuesday, July 07, 2020 9:35 AM  
**To:** Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>; Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>; cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Cc:** [rabbiavi@gmail.com](mailto:rabbiavi@gmail.com)  
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Neeltje Maxwell  
16056 clarkson woods dr  
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We are posting this information to our homeowners.

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We intend to defend our property rights with legal action if necessary. As such, it is reasonable to assume that any Chabad house overflow parking may very well spill over onto the Clarkson Woods neighborhood streets because they won't be able to park at the shopping center. Not to mention, that after an event has ended, the very significant amount of cars (traffic) all trying to exit the Chabad house parking lot and backing up on Clarkson Woods Drive at the signalized intersection could, among other things, block normal ingress and egress to the neighborhood.

It is unfortunate that some of the Clarkson Woods residents, who may be supporting this project, could be relying on erroneous information (or promises) that this potential project (and especially rezoning the property to R4) will not have a negative impact on the neighborhood. We beg to differ. The proposed new R4 zoning allows for much denser uses and on-site activity than the current zoning. In light of this, the owners of Clarkson Wilson Shopping Center will be opposing the rezoning and implementing specific action to prohibit any outsider parking on the shopping center parking lot.

On another note, I wanted to let you know I spoke with Councilmembers Ohley and DeCampi this week. From those conversations, I believe they are both focused and thoughtful representatives that take our concerns, and certainly those of the residents in the neighborhood, seriously.

We encourage you and your neighbors to attend the meeting before the City Council on July 20, 2020 at 7:00pm so that your voice and opinions on this important issue may be heard and considered. If you or other neighbors are not able to attend the meeting but would like to have your voice heard, we would suggest emailing your Ward IV Councilmembers, Tom DeCampi ([tdecampi@chesterfield.mo.us](mailto:tdecampi@chesterfield.mo.us)) and Michelle Ohley ([mohley@chesterfield.mo.us](mailto:mohley@chesterfield.mo.us)).

Please feel free to call me if you have any questions.

Steven F. Hutkin

President/Principal

Hutkin Development Company

10829 Olive Boulevard, Suite 200

St. Louis, Missouri 63141

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Clarkson Woods Subdivision Homeowner,

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*The HOA board has voted to oppose the rezoning and we have sent the following letter to city officials but there is strength in numbers and we encourage you to contact our representatives directly.*  
<[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)> <[TDecampi@chesterfield.mo.us](mailto:TDecampi@chesterfield.mo.us)>

We would also appreciate it if you would e-mail the board at <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)> with your decision on whether you oppose or favor rezoning. Thank you.

**From:** FAYE ZIGRON <fayer71@yahoo.com>  
**Sent:** Tuesday, July 7, 2020 5:14 PM  
**To:** cityofficials; Annisa Kumerow; Vickie McGownd  
**Subject:** Chabad in Chesterfield

Dear Mayor Nation and City Council Members,

I want to briefly express my support for Chabad developing the property at 2264 Clarkson Rd.

I can attest that Chabad of Chesterfield is an organization that has had a positive impact on me and my family and so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a force for good and frankly a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,  
Faye Reinstein-Zigron  
Ward 4, Chesterfield and a neighbor of Tom Decampe!

*PS please read my letter at the city council meeting.*

**From:** Jason Adler <jason@adlervideo.com>  
**Sent:** Wednesday, July 8, 2020 12:20 PM  
**To:** cityofficials  
**Cc:** Vickie McGownd; Annisa Kumerow  
**Subject:** Chabad of Chesterfield developing the property at 2264 Clarkson Rd.

Dear Mayor Nation and City Council Members,

Please note that I fully support the Chabad developing the property at 2264 Clarkson Road. The Chabad of Chesterfield is an organization that has had a positive impact on not only me but the whole community. This group provides countless beneficial programs for the community, and I have never met a group of people who are as dedicated and welcoming as the Chabad of Chesterfield. The moment I met members of the Chabad of Chesterfield I instantly felt the warmth and compassion of what they do for others. The city of Chesterfield has always been a strong beautiful community, and having this would only add to the thriving future for the city of Chesterfield.

Sincerely,  
Jason Adler

*PS please read my letter at the city council meeting.*

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:49 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Corner Clarkson Rd. and Clarkson Woods Dr.

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**From:** Michelle Ohley  
**Sent:** Wednesday, July 08, 2020 6:21 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Corner Clarkson Rd. and Clarkson Woods Dr.

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** "m.baumann" <[m.baumann@charter.net](mailto:m.baumann@charter.net)>  
**Date:** July 8, 2020 at 4:32:20 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, "[tdicampi@chesterfield.mo.us](mailto:tdicampi@chesterfield.mo.us)" <[tdicampi@chesterfield.mo.us](mailto:tdicampi@chesterfield.mo.us)>  
**Subject:** Corner Clarkson Rd. and Clarkson Woods Dr.

Hi,  
I just wanted to weigh in on this matter...I use this corner every day and often multiple times.

This corner is very heavily trafficked, as you are aware.  
Adding to the already busy situation seems unwise.

The City of Chesterfield can surely afford to add this small corner to its green space, thus keeping our city green and beautiful. This could avoid many of the future problems.

Nothing against the Rabbi, but a court battle with the landlord over parking before you break ground, does not seem an an easy or inexpensive beginning.

Wise folks might view "less is more", in this case.

Thanks for listening and I hope this can be resolved for the good of all the parties.

**Mike Baumann**

2191 Willow Forest Court  
Chesterfield Mo 63017  
314.779.8290  
via the Samsung Galaxy S7 active, an AT&T 4G LTE smartphone

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:49 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Property at Clarkson Rd and Clarkson Woods

---

**From:** Michelle Ohley  
**Sent:** Wednesday, July 08, 2020 6:34 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Property at Clarkson Rd and Clarkson Woods

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Maureen Dybala <[dybala.maureen@gmail.com](mailto:dybala.maureen@gmail.com)>  
**Date:** July 8, 2020 at 5:38:19 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** Property at Clarkson Rd and Clarkson Woods

Hi Michelle,  
I think there is enough traffic in this intersection. Our son had an accident making a left from Clarkson Rd to Clarkson Woods Dr. And Clarkson Woods Dr . Is already a small area with not much room to go anywhere but straight. And it is a very short distance when you are making a left from Clarkson Rd then you often have to stop for some car going into the Clarkson Wilson Shopping Center. Not only that but since this area is on a hill that makes it more difficult to see cars going in and out of the center.  
In conclusion you can see how I feel about this area and something new being built there.  
Thanks for giving us the chance to comment on this situation.  
Maureen Dybala

**From:** Mike Geisel  
**Sent:** Wednesday, July 8, 2020 9:19 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Chesterfield, MO - Existing House of Worship Sites Analysis  
**Attachments:** Chesterfield Churches-Houses of Worship.pdf; ATT00001.htm

**From:** Michelle Ohley  
**Sent:** Tuesday, July 07, 2020 6:40 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Chesterfield, MO - Existing House of Worship Sites Analysis

Justin,

Please see below to add to the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>  
**Date:** July 7, 2020 at 5:58:18 PM CDT  
**To:** Dennis Ganahl <[dennis.ganahl@me.com](mailto:dennis.ganahl@me.com)>, Charlie Young <[cwds.charlie@gmail.com](mailto:cwds.charlie@gmail.com)>  
**Cc:** Sarah Kueper Hoffman <[sarah.kueper@gmail.com](mailto:sarah.kueper@gmail.com)>, Michele Bunch <[mrk21@hotmail.com](mailto:mrk21@hotmail.com)>, Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, "[cindybarmeier@yahoo.com](mailto:cindybarmeier@yahoo.com)" <[cindybarmeier@yahoo.com](mailto:cindybarmeier@yahoo.com)>, "[thodges34102@yahoo.com](mailto:thodges34102@yahoo.com)" <[thodges34102@yahoo.com](mailto:thodges34102@yahoo.com)>, "[KarenLMarino24@gmail.com](mailto:KarenLMarino24@gmail.com)" <[KarenLMarino24@gmail.com](mailto:KarenLMarino24@gmail.com)>, Sandy Baranowski <[scbaranowski@aol.com](mailto:scbaranowski@aol.com)>, Charlie Young <[cwds.charlie@gmail.com](mailto:cwds.charlie@gmail.com)>, ClarksonWoods Homeowners <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>, "[barbnauert@aol.com](mailto:barbnauert@aol.com)" <[barbnauert@aol.com](mailto:barbnauert@aol.com)>, Doug Purkey <[purkey5@att.net](mailto:purkey5@att.net)>, Gary Arbesman <[gjarby@sbcglobal.net](mailto:gjarby@sbcglobal.net)>, Pete White <[galwithbigpurse@yahoo.com](mailto:galwithbigpurse@yahoo.com)>, Jim Thoenen <[jamesthoenen@yahoo.com](mailto:jamesthoenen@yahoo.com)>, Stuart or Nancy Lindley <[sjlindley@aol.com](mailto:sjlindley@aol.com)>, Stan Anderson <[stanley\\_anderson@sbcglobal.net](mailto:stanley_anderson@sbcglobal.net)>, "[jstanfield1346@charter.net](mailto:jstanfield1346@charter.net)" <[jstanfield1346@charter.net](mailto:jstanfield1346@charter.net)>, Bob Dakich <[bnjdakich@sbcglobal.net](mailto:bnjdakich@sbcglobal.net)>, Joy Dakich <[joydakich@gmail.com](mailto:joydakich@gmail.com)>, "[dtippit@swbell.net](mailto:dtippit@swbell.net)" <[dtippit@swbell.net](mailto:dtippit@swbell.net)>, "[gardenfreak423@gmail.com](mailto:gardenfreak423@gmail.com)" <[gardenfreak423@gmail.com](mailto:gardenfreak423@gmail.com)>, Jan Terry Adam <[nevamo61@gmail.com](mailto:nevamo61@gmail.com)>, Rich Kastel <[richkastel@gmail.com](mailto:richkastel@gmail.com)>, Paul Bostick <[paulbostick@gmail.com](mailto:paulbostick@gmail.com)>, GARY ARBESMAN <[gjarby@charter.net](mailto:gjarby@charter.net)>, Kristy Gann <[gsty01@gmail.com](mailto:gsty01@gmail.com)>, ROBERT HANLON <[rehanlon@sbcglobal.net](mailto:rehanlon@sbcglobal.net)>, Sue Kerr <[smkerr47@gmail.com](mailto:smkerr47@gmail.com)>, Sherri Rogers <[sherri.rogers2@gmail.com](mailto:sherri.rogers2@gmail.com)>, "[cnork@lmiaerospace.com](mailto:cnork@lmiaerospace.com)" <[cnork@lmiaerospace.com](mailto:cnork@lmiaerospace.com)>, Les Dennis <[ljedennis@charter.net](mailto:ljedennis@charter.net)>, "[lackey.gayle@gmail.com](mailto:lackey.gayle@gmail.com)" <[lackey.gayle@gmail.com](mailto:lackey.gayle@gmail.com)>, Greg Kerr <[gdkerr@gmail.com](mailto:gdkerr@gmail.com)>, Bryan Humphreys <[humphreysbryan@hotmail.com](mailto:humphreysbryan@hotmail.com)>, Alicia Andrews <[aliciaandrewsmusic@gmail.com](mailto:aliciaandrewsmusic@gmail.com)>, "[selshort@aol.com](mailto:selshort@aol.com)" <[selshort@aol.com](mailto:selshort@aol.com)>, Bill DeWert <[bill.dewert@gmail.com](mailto:bill.dewert@gmail.com)>, Sally Fabbri <[s.fabbri@charter.net](mailto:s.fabbri@charter.net)>, "[mummacpm@earthlink.net](mailto:mummacpm@earthlink.net)" <[mummacpm@earthlink.net](mailto:mummacpm@earthlink.net)>, "[wardoverall@gmail.com](mailto:wardoverall@gmail.com)" <[wardoverall@gmail.com](mailto:wardoverall@gmail.com)>, "[michellegsmith@gmail.com](mailto:michellegsmith@gmail.com)" <[michellegsmith@gmail.com](mailto:michellegsmith@gmail.com)>, "[tylerandstephanieswoboda@yahoo.com](mailto:tylerandstephanieswoboda@yahoo.com)" <[tylerandstephanieswoboda@yahoo.com](mailto:tylerandstephanieswoboda@yahoo.com)>, "[addielthompson@yahoo.com](mailto:addielthompson@yahoo.com)" <[addielthompson@yahoo.com](mailto:addielthompson@yahoo.com)>, "[lwadsack@gmail.com](mailto:lwadsack@gmail.com)" <[lwadsack@gmail.com](mailto:lwadsack@gmail.com)>, David Flieshner <[david.flieshner@yahoo.com](mailto:david.flieshner@yahoo.com)>, Liz Venturella <[lventurella@charter.net](mailto:lventurella@charter.net)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, Ben Keathley <[ben.keathley@gmail.com](mailto:ben.keathley@gmail.com)>, Gina Ganahl <[ginaganahl@gmail.com](mailto:ginaganahl@gmail.com)>, Sarah Hoffman <[sarah.kueper@gmail.com](mailto:sarah.kueper@gmail.com)>, Steve Hoffman <[hoffman0416@yahoo.com](mailto:hoffman0416@yahoo.com)>  
**Subject:** Chesterfield, MO - Existing House of Worship Sites Analysis

Dennis and Charlie,

Attached is a pdf spreadsheet that identifies what we believe are all the Houses of Worship in the City of Chesterfield. We think the list is fully inclusive, but there is always the possibility we may have missed something. If anyone thinks or knows that we missed anything, please let me know.

Other than five, single family, residential homes that apparently also serve as Houses of Worship (including two homes owned and utilized by Rabbi Rubenfeld) it appears there are no Houses of Worship within Chesterfield that are located on sites that are less than 3 acres (other than the SLCC Church which is located on 2.79 acres). Further, none of the Houses of Worship on the attached list are zoned R4, or are within an R4 zoning district.

If we haven't missed anything on the list, then it appears what is being proposed and considered for the Clarkson Woods parcel doesn't exist anywhere else within the City of Chesterfield.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard, Suite 200  
St. Louis, Missouri 63141  
314.872.9140 (office)  
314.708.1227 (direct)  
314.872.9001 (fax)



| HOUSE OF WORSHIP NAME                                                                           | ADDRESS                                                          | LOT SIZE (AC.) | BLDG SIZE (SF) | LAND USE CODE                             | ZONING CODE |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------|----------------|----------------|-------------------------------------------|-------------|
| Chabad of Chesterfield (Abraham & Chana Rubenfeld)                                              | 137 Brighthurst Dr, Chesterfield, MO, 63017                      | 0.18           | 2,656          | 110 (Single Family)                       | R6          |
| Confluence Church (Keith & Barbara Utley)                                                       | 14356 Lake Tahoe Dr, Chesterfield, MO, 63017                     | 0.22           | 2,202          | 110 (Single Family)                       | R1A         |
| Chabad of Chesterfield (Abraham & Chana Rubenfeld)                                              | 2122 Park Forest Dr, Chesterfield, MO, 63017                     | 0.29           | 2,733          | 110 (Single Family)                       | R2          |
| Jehovah's Witnesses (Eric James Haug)                                                           | 15 Baxter Ln, Chesterfield, MO, 63017                            | 0.45           | 1,553          | 110 (Single Family)                       | NU          |
| <a href="#">Church in St. Louis</a>                                                             | <a href="#">223 Woods Mill Rd, Chesterfield, MO, 63017</a>       | 0.79           | 3,383          | 691 (Religious Activity Facilities)       | R2          |
| <a href="#">St Louis Chinese Christian Church</a>                                               | <a href="#">832 N Woods Mill Rd, Chesterfield, MO, 63017</a>     | 2.49           | 1,968          | 691 (Religious Activity Facilities)       | R3          |
| Antioch Baptist Church                                                                          | 18319 Wild Horse Creek Rd, Chesterfield, MO, 63005               | 3.33           | 1,333          | 691 (Religious Activity Facilities)       | NU          |
| Highlands Church / West County Seventh-day Adventist / West County Presbyterian Church services | 16800 Baxter Rd, Chesterfield, MO 63005                          | 3.68           |                | 691 (Religious Activity Facilities)       | R2          |
| Gateway 61 / Sixone Sixone                                                                      | 17550 Wild Horse Creek Road, Chesterfield, MO, 63005             | 4.16           | 21,562         | 691 (Religious Activity Facilities)       | NU          |
| Church Of Latter Day Saints                                                                     | 15081 Clayton Rd, Chesterfield, MO, 63017                        | 4.87           |                | 691 (Religious Activity Facilities)       | R1          |
| Tpheris Israel Chevra Kadisha                                                                   | 14550 Ladue Rd, Chesterfield, MO, 63017                          | 5.00           |                | 691 (Religious Activity Facilities)       | R2          |
| Church of the Resurrection                                                                      | 1330 Schoettler Road, Chesterfield, MO, 63017                    | 5.24           | 6,085          | 110 (Single Family)                       | R2          |
| King Of Kings Lutheran Church                                                                   | 13765 (13781) Olive Blvd, Chesterfield, MO, 63017                | 5.28           | 1,902          | 691 (Religious Activity Facilities)       | R2          |
| United Methodist Church of Green Trails                                                         | 14237 Ladue Rd, Chesterfield, MO, 63017                          | 5.32           |                | 691 (Religious Activity Facilities)       | NU          |
| Ivy Chapel United Church Of Christ                                                              | 620 N Woods Mill Rd, Chesterfield, MO, 63017                     | 6.00           |                | 691 (Religious Activity Facilities)       | NU          |
| St Johns United Church of Christ / St John's Early Childhood Center                             | 15370 (15354) Olive Blvd, Chesterfield, MO, 63017                | 7.06           | 2,320          | 691 (Religious Activity Facilities)       | NU          |
| St Johns United Church of Christ                                                                | 15362 Olive Blvd, Chesterfield, MO, 63017                        | 7.67           |                | 691 (Religious Activity Facilities)       | NU          |
| Ascension School                                                                                | 238 Santa Maria Dr, Chesterfield, MO, 63005                      | 8.00           | 2,400          | 691 (Religious Activity Facilities)       | LLR         |
| Ascension Catholic Church                                                                       | 230 Santa Maria Dr, Chesterfield, MO, 63005                      | 8.09           |                | 681 (Nursery/Primary/Secondary Education) | LLR         |
| Chesterfield Community Church / St. Louis Korean Baptist Church                                 | 14647 Ladue Rd, Chesterfield, MO, 63017                          | 8.47           | 16,600         | 691 (Religious Activity Facilities)       | NU          |
| Bonhomme Presbyterian Church                                                                    | 14820 Conway Rd, Chesterfield, MO, 63017                         | 8.72           | 3,965          | 691 (Religious Activity Facilities)       | NU          |
| Incarnate Word Parish                                                                           | 13416 Olive Blvd, Chesterfield, MO, 63017                        | 9.92           | 5,712          | 691 (Religious Activity Facilities)       | R3          |
| First Baptist Church Chesterfield                                                               | 17103 Wild Horse Creek Rd, Chesterfield, MO 63005                | 10.85          |                | 691 (Religious Activity Facilities)       | NU          |
| Lord Of Life Lutheran Church                                                                    | 15750 Baxter Rd, Chesterfield, MO, 63017                         | 11.24          |                | 691 (Religious Activity Facilities)       | R6A         |
| New Covenant Church of St Louis / Living Hope International                                     | 1401 Timberlake Manor Pkwy, Chesterfield, MO, 63017              | 11.74          | 18,158         | 691 (Religious Activity Facilities)       | R2          |
| United Hebrew Congregation                                                                      | 13742 (13788) Conway Road, St. Louis, MO, 63017                  | 12.37          |                | 681 (Nursery/Primary/Secondary Education) | NU          |
| Chesterfield Presbyterian Church                                                                | 15037 Clayton Rd, Chesterfield, MO, 63017                        | 12.44          | 2,587          | 691 (Religious Activity Facilities)       | R1          |
| Vertical Fellowship / Harvest Bible Chapel St Louis                                             | 17795 Wild Horse Creek Road, Chesterfield, MO, 63005             | 14.81          | 40,431         | 691 (Religious Activity Facilities)       | NU          |
| St. Thomas Evangelical United Church of Christ                                                  | 17842 Wild Horse Creek Road, Chesterfield, MO, 63005             | 18.35          | 1,479          | 691 (Religious Activity Facilities)       | LLR         |
| St Louis Family Church                                                                          | 17458 & 17476 Chesterfield Airport Road, Chesterfield, MO, 63005 | 19.13          | 26,654         | 637 (Warehousing/Storage Services)        | PC          |
| The Crossing at Chesterfield                                                                    | 114 N. Eatherton Rd, Chesterfield, MO, 63005                     | 34.61          | 32,914         | 829 (Other Agricultural Services)         | M3          |

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:46 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Proposed Chabad House

---

**From:** Michelle Ohley  
**Sent:** Friday, July 10, 2020 11:20 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Proposed Chabad House

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Date:** July 8, 2020 at 7:11:46 PM CDT  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Proposed Chabad House

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** John Miller <[miller3j@att.net](mailto:miller3j@att.net)>  
**Date:** July 8, 2020 at 6:50:34 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** Proposed Chabad House

Hi Michelle:

I'm writing to provide you our opposition feelings about the proposed Chabad House on the Clarkson Woods Drive/Clarkson Road corner. I realized it was being proposed, but Barb's email (copied below) raised some concerns for us.

Specifically, this proposed plan does not seem to be very far along. Rabbi Rubinfeld has not submitted any architectural plan, nor officially purchased the land. How much of the land is building, and how much land is left for parking? The potential for congestion seems quite high in the area, and the debate regarding using the adjacent parking area is outlined below. Frankly, if I owned one of the businesses nearby, I would be concerned about lack of parking. As a frequent customer to several of those businesses, it concerns me too.

I followed the proposed vet clinic by Dr. Perkinoff, that was turned down by the board. Although I don't know how you voted personally, I respect the board's judgment, but I did favor it. What is more relevant is that Dr. Doug had a specific plan, owned the property already, and his potential for parking congestion was much less. And it was voted down. I respectfully request that, at the least, a lot more information come forward before this proposal is voted on.

Copied from Barb's email:

"There is a controversy regarding the undeveloped land located at entrance of the Clarkson Woods Subdivision at Clarkson Woods Drive and Clarkson Road. Many of our Clarkson Woods South residents use this entrance to get to their homes. Currently the proposed development is a troubled one as the plot of land has 2 different zonings created when the plat plans were drawn up under St. Louis County jurisdiction. Chesterfield had not formed as a city during that time period. The original owner of the one acre property died and the estate sold it to Dr. Perkinoff, a veterinarian located at the Clarkson-Wilson Center. He had planned a rather large development that was turned down by the City of Chesterfield. He is trying to sell the lot to a Rabbi Rubinfeld who wants to put a Chabad House on the property. A Chabad House is a place for learning, helping those in need, and a place for religious services.

The concern is the inadequate parking at the site which could force parking on the residential streets of both Clarkson Woods and Clarkson Woods South. The "No Parking" sign restrictions in both subdivisions are for students during school days, but parking is allowed after school day hours and on the weekends. Rabbi Rubinfeld's representative noted that the original plat plan for the property allows for overflow parking at the Clarkson-Wilson Center. This was a surprise to Hutkin Development. The shopping center contends that it is an incorrect interpretation of the intention of the plat plan. There will probably be a lawsuit filed by Hutkin Development on that issue.

At the city meetings **no** Clarkson Woods resident objected to having a religious group build at that location. However, the issues of concern are the prospective buyer, Rabbi Rubinfeld, has not officially purchased the property, there are no architectural plans submitted for the lot located at the beginning of a residential subdivision, the problem not having enough adequate parking for the participants, and the traffic congestion generated at the subdivision entrance at Clarkson Woods Drive. Traffic concerns include cars lining up to get into religious services which the Rabbi hoped would bring **more than** 100 individuals on high holy days."

Thanks for your time, and thanks for continuing to serve our ward and our city.  
Sincerely,  
John and Jean Miller  
15934 Country Ridge Drive

**From:** Mike Richter <mbrstl@gmail.com>  
**Sent:** Wednesday, July 8, 2020 12:30 PM  
**To:** cityofficials; Vickie McGownd; Annisa Kumerow  
**Subject:** Chabad of Chesterfield

Dear Mayor Nation and City Council Members,  
I want to briefly express my support for Chabad developing the property located at 2264 Clarkson Rd.

I personally contribute financially to Chabad of Chesterfield, an organization that has had a tremendous positive impact on me and my family and so many people in Chesterfield. All of our community can benefit from their many programs in such a convenient and central location! They are a force for good and frankly a vital organization in Chesterfield and we need to help them build a center to further the good work they do for us all!

Sincerely,  
Mike Richter

*PS I'd like to speak at the upcoming city council meeting to express my support, please read my letter then and call on me to speak as well.*

--  
Mike Richter  
314-276-5884

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:49 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Rezoning Proposal For a Chabad House at 2264 Clarkson Road

**From:** Michelle Ohley  
**Sent:** Wednesday, July 08, 2020 6:32 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning Proposal For a Chabad House at 2264 Clarkson Road

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Barbara <[barbnauert@aol.com](mailto:barbnauert@aol.com)>  
**Date:** July 8, 2020 at 4:44:54 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, "[tdicampi@chesterfield.mo.us](mailto:tdicampi@chesterfield.mo.us)" <[tdicampi@chesterfield.mo.us](mailto:tdicampi@chesterfield.mo.us)>, Bob Nation <[BNation@chesterfield.mo.us](mailto:BNation@chesterfield.mo.us)>  
**Cc:** "[mhagenhoff@kpmg.com](mailto:mhagenhoff@kpmg.com)" <[mhagenhoff@kpmg.com](mailto:mhagenhoff@kpmg.com)>, "[laufer13@sbcglobal.net](mailto:laufer13@sbcglobal.net)" <[laufer13@sbcglobal.net](mailto:laufer13@sbcglobal.net)>, Barbara <[barbnauert@aol.com](mailto:barbnauert@aol.com)>  
**Subject:** Fwd: Rezoning Proposal For a Chabad House at 2264 Clarkson Road  
**Reply-To:** Barbara <[barbnauert@aol.com](mailto:barbnauert@aol.com)>

The trustees of the **Clarkson Woods South Subdivision** would like to address the proposed rezoning of the property at 2264 Clarkson Road in Chesterfield. This piece of property is located at the corner of Clarkson Road and Clarkson Woods Drive. We want to make you aware of our position on the application filed by Chabad of Chesterfield to change the zoning of the property at 2264 Clarkson Road from R2 to R4.

We oppose the zoning change based on the following reasons:

1. Trustees from Clarkson Woods Subdivision have been in contact with Rabbi Rubinfeld seeking information on development plans for the plot of land with very little information being disclosed.
2. Arrangements for adequate parking spaces at the Chabad of Chesterfield are a concern to us. He claims he has rights to park in the Clarkson Wilson Center are disputed by management of the shopping center.
3. Rabbi Rubinfeld does not have the approval to park on the streets of Clarkson Woods Subdivision or for that matter Clarkson Woods South streets that connect with Clarkson Woods.
4. Traffic congestion and safety concerns for both drivers and people walking while increased traffic is pulling into Clarkson Woods off of Clarkson Road will be created as drivers attempt a left hand turn off of Clarkson.
5. Trustees of Clarkson Woods have attempted to obtain a written response as to the plans for developing the building site with little information being shared. Questions have been raised as to whether the structure will include a food preparation area, overnight sleeping areas, size of structure and arrangements for the parking areas. None of the inquiries have been addressed.
6. We believe current zoning requires three acres for a place of worship. We also believe there is no reason to revisit the city's master plan as the character of the area has not changed. The only change has been an investment by a business owner wishing to develop the property. The fact that the investment has not been successful is by no means an acceptable reason to grant a zoning change.
7. Concerns over putting a place of worship on a piece of property the size of 2264 Clarkson Road will have a definite impact on the property values of the homes in both subdivisions. Need for parking as mentioned previously will become a major issue with the lack of parking spots impacting the success of the Chabad. Considering a road easement on Clarkson Road and setbacks on three sides of 30 feet each you are now talking, in our estimation, roughly in the one half acre space, truly not three acres.

In summary homeowners in Clarkson Woods South along with those of Clarkson Woods will be negatively impacted by changing of the zoning to R4 and the subsequent development of the plot for the use outlined above.

We appreciate your attention to this matter and in support of the homeowners in both subdivisions.

Sincerely,

|                |                |              |
|----------------|----------------|--------------|
| Barbara Nauert | Mike Hagenhoff | Patty Laufer |
| President      | Trustee        | Trustee      |



## Annisa Kumerow

---

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:47 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Clarkson woods property  
**Attachments:** Site Plan (Hypothetical) - 220 Seats; 7,365 sf bldg; 55 parking spaces.pdf; ATT00001.htm;  
Site Plan (Hypothetical) - 240 Seats; 6,835 sf bldg; 60 parking spaces.pdf; ATT00002.htm;  
Site Plan (Hypothetical) - 188 Seats; 4,758 sf bldg; 47 parking spaces.pdf; ATT00003.htm

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**From:** Michelle Ohley  
**Sent:** Friday, July 10, 2020 11:19 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Clarkson woods property

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>  
**Date:** July 9, 2020 at 1:03:06 PM CDT  
**To:** Jennifer Holmes <[djmoholmes@yahoo.com](mailto:djmoholmes@yahoo.com)>  
**Cc:** Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** RE: Clarkson woods property

Jennifer,

As a quick follow up to your response, perhaps the three attached site plan examples might also be helpful to further understand the density, and massive assembly use that could be built on the parcel. If the parcel were to be rezoned to R4 (from its current R2 zoning) any party would be able to develop a project with this type of density and attendee numbers. The City certainly has site plan review authority, but if the parcel were rezoned to R4, the City would be obligated to permit any of the attached examples because they generally fit the requirements of the R4 zoning.

As I said in my previous email, we are not obstructionists. We have not opposed or provided strong opinions regarding some of the previously considered projects because we felt the density levels of those projects were not unreasonable and generally within what the current zoning would have manifested. Again, I believe we would generally support a quality project for the site that comported with the current R2 zoning.

In my opinion, it is wholly understandable why the vast majority of Clarkson Woods residents and the owners of the shopping center are opposing rezoning the parcel to R4.

Thank you again for reaching out.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard, Suite 200  
St. Louis, Missouri 63141  
314.872.9140 (office)  
314.708.1227 (direct)  
314.872.9001 (fax)

---

**From:** Jennifer Holmes <[djmoholmes@yahoo.com](mailto:djmoholmes@yahoo.com)>

**Sent:** Thursday, July 9, 2020 12:38 PM

**To:** Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>

**Subject:** Re: Clarkson woods property

Hi Mr. Hutkin,

Thanks for the detailed response, it does provide some clarity. We had not heard that the proposed developer stated that there would be additional parking at the Clarkson Wilson Shopping Center, only residents that brought up a parking issue on the main street of the subdivision where there are currently "no parking" signs. Unfortunately we only see the one-sided view of our trustees on the facebook page which included your note. We were just curious after reading the article in the West Magazine which was the opposite of the strong tone of your note on our subdivision facebook and below regarding protecting and defending your rights with legal action. We didn't recall seeing any notes from you during past proposed purchases of the property but this is great information nonetheless, especially considering how much talk there has been in the subdivision about how they fought against the Clarkson/Wilson center being built.

Thanks again for all of the details and best of luck to you!  
Jennifer and Dave

On Jul 9, 2020, at 11:23 AM, Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)> wrote:

Dear Jennifer and Dave,

Thank you very much for your email. There are multiple informational exchanges with the Clarkson Woods residents, so I'm not sure which "note" you are referring to. However, I greatly appreciate the opportunity to answer your questions and provide clarification. Also, consistent with my other emails with residents, I have included Ms. Ohley and Mr. DeCampi, our Ward IV council members, on this email.

As background (and to answer the question of how we fit in), members of my family and I hold a meaningful ownership position in Clarkson Wilson Shopping Center, and have had this ownership interest since our ownership group purchased the property in early 1999. Hutkin Development Company is the management, leasing and property operating company that handles the day to day operations of Clarkson Wilson Shopping

Center.

The driveway that connects Clarkson Wilson Shopping Center to Clarkson Woods Drive is partially on the shopping center property, and partially on the vacant 0.9 acre parcel. Prior to 1986 (before this area was annexed by Chesterfield in the mid 1990's) the properties were not separated - it was one larger parcel. In 1986, the owner of that tract of land subdivided it into two parcels. One parcel was the approximate 5 acres which the shopping center was built upon, and the second parcel is the 0.9 acres located at the entrance of, and within the Clarkson Woods subdivision.

At the time the property was being subdivided and "platted" for the shopping center, a second ingress and egress point (in addition to the curb cut on Clarkson) was required. The owner of the property at the time (William Erker), in order to be able to sell the 5 acres to the shopping center developer, provided an ingress and egress easement over the eastern portion of the 0.9 acre parcel that he was keeping. So while that driveway straddles both properties, it is a permanent easement (for the benefit of the shopping center property) that allows for traffic to enter and exit the shopping center parking areas to access the stoplight.

With respect to parking discussions as reported by West Magazine, their reporting and characterization of what is taking place (or took place) is incorrect. It is our understanding the Chabad house has made unsubstantiated representations to the neighborhood residents and to the City of Chesterfield that they have the right to park vehicles (presumable overflow parking) on the shopping center parking lot. We believe they are making these representations to try and alleviate the concerns of the residents, and to assure the City, that their overflow parking needs will not spill over into the neighborhood. However, we firmly believe that no such valid easement to park cars on our parking lot exists, and we will protect and defend our rights with legal action, if necessary.

It is very common for adjacent property owners (especially when a new development is being proposed next door to a long standing existing development) to meet and talk about a variety of issues. When we were alerted that representations were being made by Chabad house regarding the use of our parking facilities, we naturally wanted to engage in a discussion. We did have those discussions, but there was never any offer made by the Clarkson Wilson Shopping Center to allow for the use of its parking facilities, and there are no such discussions currently occurring, as it seems was erroneously reported by West Magazine.

As I said in an email to another resident earlier today, we (Clarkson Wilson Shopping Center) are not obstructionists, and I believe the vast majority of all Clarkson Woods residents are not obstructionists either. I believe we would all generally support a quality project for the site that comported with the current R2 zoning. However, this proposed rezoning to R4 and the very dense, assembly use that will be allowed is the polar opposite of the current density and type of development that is currently permitted on the site.

As you are likely aware, development proposals in the past that were deemed too dense for the site were rejected by the City. This R4 zoning category allows for an assembly use type of development which is far more dense than anything that has been presented previously (and rejected by the City), that I am currently aware of.

I apologize for the length of my response, but hope I answered your questions and provided the clarifications you were seeking.

Please feel free to reach out anytime should you have further questions.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard, Suite 200  
St. Louis, Missouri 63141  
314.872.9140 (office)  
314.708.1227 (direct)  
314.872.9001 (fax)

-----Original Message-----

From: Jennifer Holmes <[djmoholmes@yahoo.com](mailto:djmoholmes@yahoo.com)>

Sent: Wednesday, July 8, 2020 9:21 PM

To: Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>

Subject: Clarkson woods property

Dear Mr. Hutkin,

We recently read your note to our subdivision regarding your opposition to the development of the piece of land near our entrance. We also noticed the survey stakes on the lot of land and one survey stake is on the opposite side of the drive going into the plaza. Does the plaza own this driveway? Also, are you a resident of Clarkson woods subdivision?

After reading the west magazine today we were further confused about the parking when it stated that the attorney for the shopping center is now involved with ongoing discussions with the rabbi's attorney regarding parking.

Just trying to get some clarification and how you fit into this picture.

Warm regards,

Jennifer and Dave Holmes



**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:47 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Clarkson Woods Adjacent Property Rezoning Question

---

**From:** Michelle Ohley  
**Sent:** Friday, July 10, 2020 11:18 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Clarkson Woods Adjacent Property Rezoning Question

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>  
**Date:** July 10, 2020 at 11:02:09 AM CDT  
**To:** Samuel Baker <[samuelbakersjb@gmail.com](mailto:samuelbakersjb@gmail.com)>  
**Cc:** Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** RE: Clarkson Woods Adjacent Property Rezoning Question

Dear Sam,

Thank you for your email and I appreciate your outreach and candor.

Clarkson Wilson Center does not have interest in purchasing, nor has Clarkson Wilson Center ever attempted to purchase the 0.9 acre parcel.

With respect to the parking concerns of Clarkson Wilson Shopping Center, I do want to clarify that the ownership of the shopping center firmly believes that no valid easement exists that would allow any owner of the 0.9 acre vacant parcel to park cars (overflow or otherwise) on the shopping center parking lot, or to travel over the shopping center lot. We are aware of certain representations that may have been made to the neighborhood that the shopping center may be used for a thoroughfare and for overflow parking, but that is inaccurate.

The crux of this issue is the allowable density of a potential development under the R4 zoning. Under the R4 zoning on this very small site, the number of parking spaces required by “code” for a house of worship in relation to the number of attendees that will be allowed is woefully lacking. This under-served parking situation will inevitably cause spill over parking. Where will those attendees who cannot park on the parking lot (because it will be full) go to park? The neighborhood streets and the shopping center parking lot are clearly in the line of fire. And if the neighborhood and shopping center enforce their rights and disallow parking on the street or the shopping center parking lot, where will they go, then? Our City leaders and decision makers must consider this when deciding the rezoning issue that is in front of them.

Further, the amount of cars on the parking lot alone will create serious traffic issues. Access to the 0.9 acres is from the north-south drive on the west end of the parcel. Traffic that would be exiting after an event (presumably mostly at the same time) would be required to turn left onto the north-south drive, turn left onto Clarkson Woods Drive and then use the signal at Clarkson Road. The left and right turn lanes on Clarkson Woods at Clarkson Road are only long enough to accommodate two or three cars each. Therefore, it is highly likely the turning lanes at the stoplight will jam up and traffic will line up back along Clarkson Woods Drive following a service or event. Traffic could then choose to make a right turn (away from Clarkson Road) and cut through the neighborhood and use Federal Way/Country Ridge Drive to get to Clarkson, or they could cut through the Clarkson Wilson Center and use it as a thoroughfare. Again, our City leaders and decision makers must consider this issue.

As I have stated to many residents, we (Clarkson Wilson Center) are not obstructionists, and I believe the vast majority of all Clarkson Woods residents are not obstructionists either. I believe we would all generally support a quality project for the site that comported with the current R2 zoning. However, this proposed rezoning to R4 and the very dense, assembly use that will be allowed is the polar opposite of the current density and type of development that is currently permitted on the site, and the opposite of what we all “bargained” for when we invested in our respective properties.

I hope that addresses your concerns, but please feel free to reach out to me if you have additional questions.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard, Suite 200  
St. Louis, Missouri 63141  
314.872.9140 (office)  
314.708.1227 (direct)  
314.872.9001 (fax)

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**From:** Samuel Baker <[samuelbakersjb@gmail.com](mailto:samuelbakersjb@gmail.com)>  
**Sent:** Friday, July 10, 2020 9:47 AM  
**To:** Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>  
**Subject:** Clarkson Woods Adjacent Property Rezoning Question

Hi Steve,

I'm the Vice President of the Clarkson Woods HOA. I wanted to thank you for assisting us in understanding the parking situation with this new proposed development, and I see how it is concerning to both the Clarkson Wilson Center and Clarkson Woods Subdivision. I did have a question though. If the currently proposed rezoning is not approved, do you or your company have an interest or desire to purchase the land from its current owner? I can certainly see how that might resolve parking concerns since any Hutkin development there could presumably use parking at the Clarkson Wilson center, but I assume any prospective purchase would seek a change to commercial zoning, too.

I apologize to have to ask, but since this occurred to me as a possibility I think I have a fiduciary duty as a board member to do my diligence on it.

Thanks,

Sam Baker

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:47 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Clarkson Woods South Trustees

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**From:** Michelle Ohley  
**Sent:** Friday, July 10, 2020 11:19 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Clarkson Woods South Trustees

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Steve Hutkin <[shutkin@hutkin.com](mailto:shutkin@hutkin.com)>  
**Date:** July 9, 2020 at 5:19:59 AM CDT  
**To:** Barbara <[barbnauert@aol.com](mailto:barbnauert@aol.com)>  
**Cc:** "[mhagenhoff@kpmg.com](mailto:mhagenhoff@kpmg.com)" <[mhagenhoff@kpmg.com](mailto:mhagenhoff@kpmg.com)>, "[laufer13@sbcglobal.net](mailto:laufer13@sbcglobal.net)" <[laufer13@sbcglobal.net](mailto:laufer13@sbcglobal.net)>, Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>  
**Subject:** Re: Clarkson Woods South Trustees

Dear Barb,

Thank you very much for your email and for your efforts. As I have consistently done with my other communications with residents, and as our respected Ward IV elected officials, I have included Ms. Ohley and Mr. DeCampi on this email.

We firmly believe the density and dense development permitted under the proposed R4 (re)zoning was never intended for this particular parcel and would have extremely detrimental consequences were the City to approve such a rezoning for the site.

We (Clarkson Wilson Shopping Center) are not obstructionists, and I believe the vast majority of all Clarkson Woods residents are not obstructionists either. I believe we would all generally support a quality project for the site that comported with the current R2 zoning. However, this proposed rezoning to R4 and the very dense use that will be allowed is the polar opposite of the current density and type of development that is currently permitted on the site.

As you are likely aware, development proposals in the past that were deemed too dense for the site were rejected by the City. This R4 zoning category allows for a potentially far more dense development than anything that has been presented previously (and rejected by the City), that I am currently aware of.

We will continue to work with our City leaders and decisions makers, and will provide them information we hope will be helpful as they consider the rezoning proposal in front of them.

Should you or your co-Trustees have any additional thoughts or questions, please feel free to reach out at your convenience.

Steven F. Hutkin  
President/Principal  
Hutkin Development Company  
10829 Olive Boulevard , Suite 200  
St. Louis, MO 63141  
(314) 872-9140 (office)  
(314) 708-1227 (direct)

On Jul 8, 2020, at 10:09 PM, Barbara <[barbnauert@aol.com](mailto:barbnauert@aol.com)> wrote:

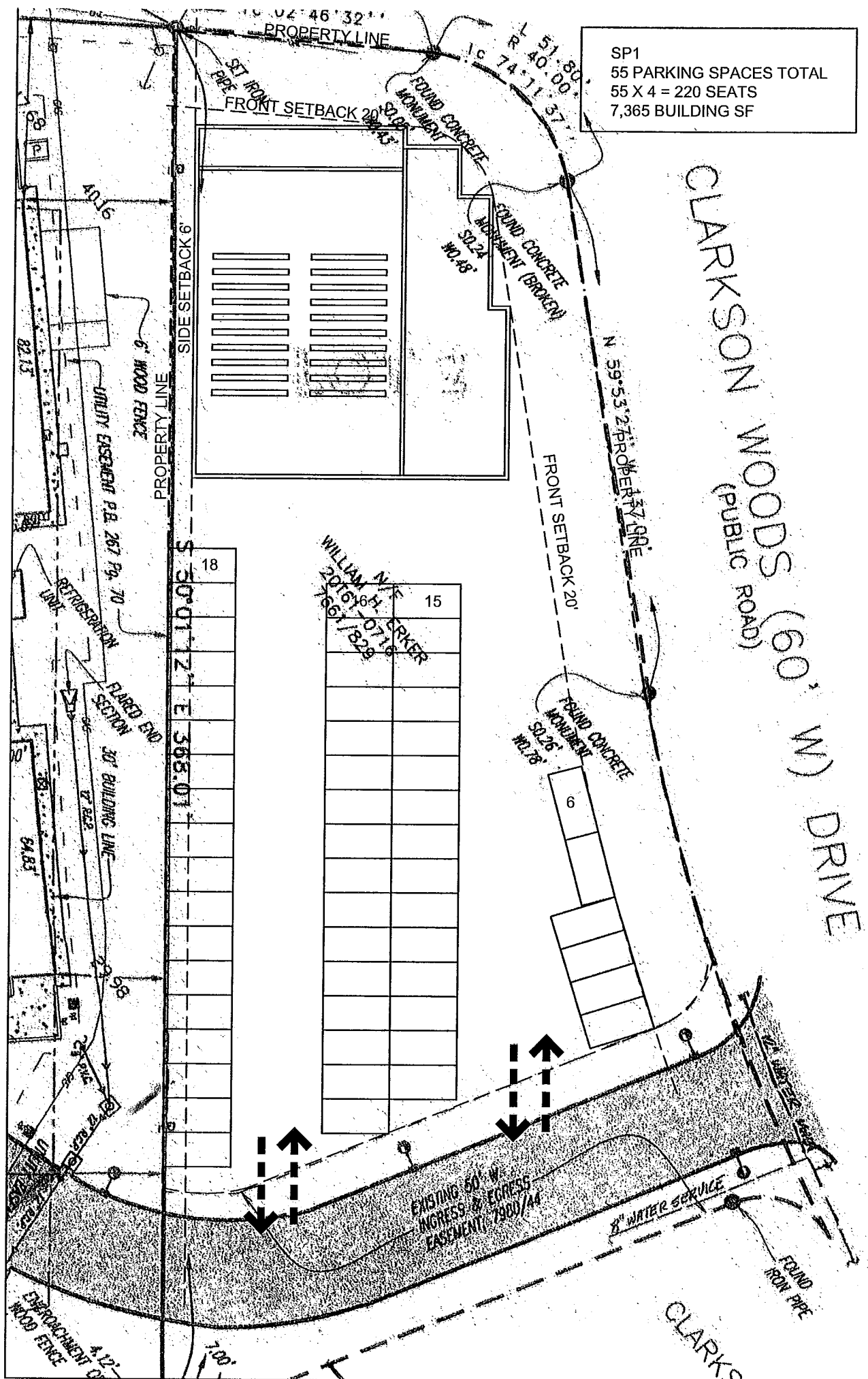
Steve,

The trustees of Clarkson Woods South wanted to inform you that we have notified our 133 residents about the rezoning proposal at Clarkson Road and Clarkson Woods Drive and urged our homeowners to respond to Michelle Ohley, and Tom DeCampi via email or snail mail. The trustees also sent an email to Michelle, Tom and Bob Nation objecting to the proposal. Many of our residents use the entrance of Clarkson Woods to enter and exit our subdivision using Clarkson Woods Drive and Federal Way .

Barb Nauert  
President  
Clarkson Woods South Trustees

SP1  
55 PARKING SPACES TOTAL  
55 X 4 = 220 SEATS  
7,365 BUILDING SF

CLARKSON WOODS (60' W) DRIVE  
(PUBLIC ROAD)



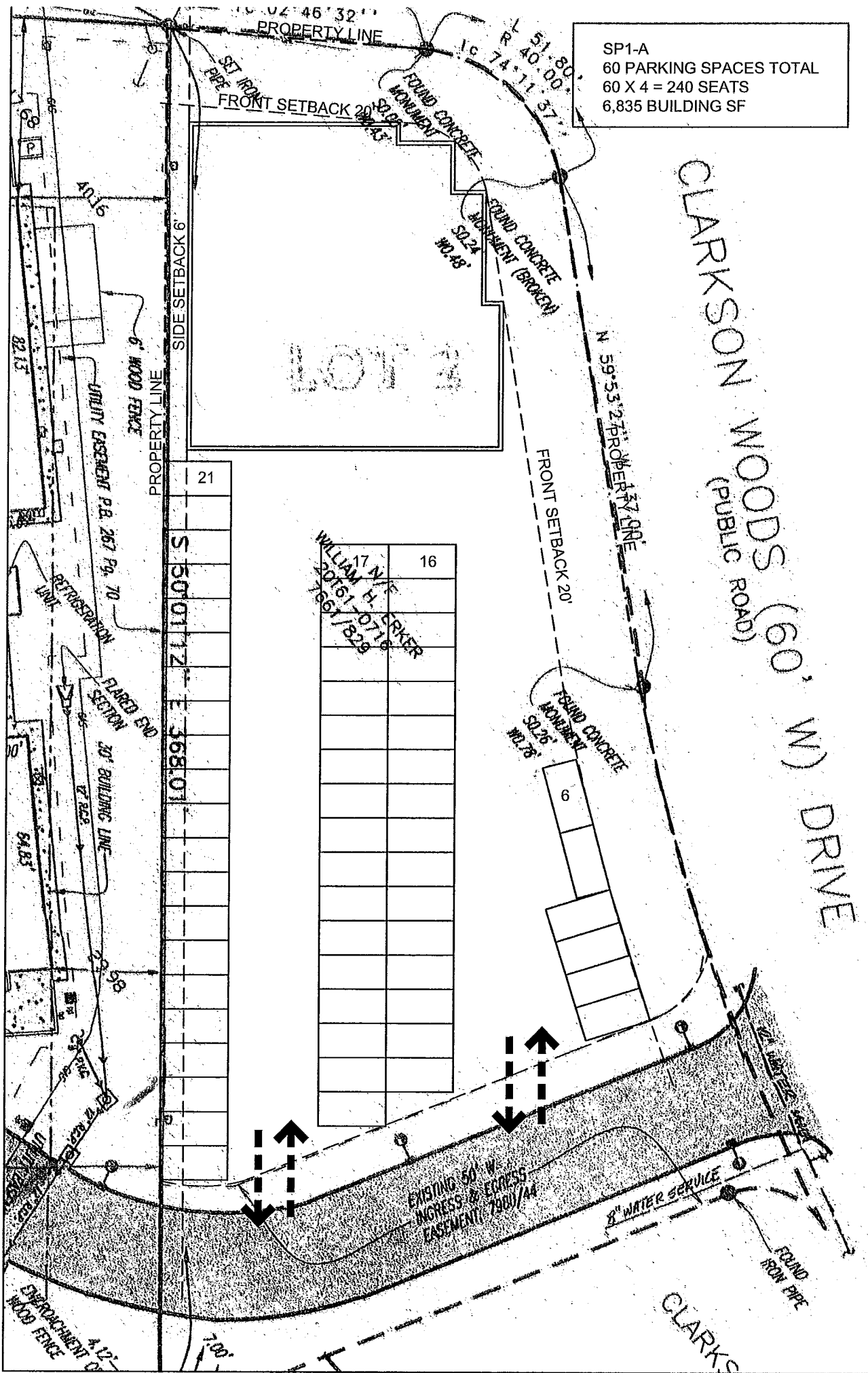
HYPOTHETICAL  
SITE PLAN.

FOR DEMONSTRATION  
PURPOSES ONLY.

AND DISCUSSION

SP1-A  
60 PARKING SPACES TOTAL  
60 X 4 = 240 SEATS  
6,835 BUILDING SF

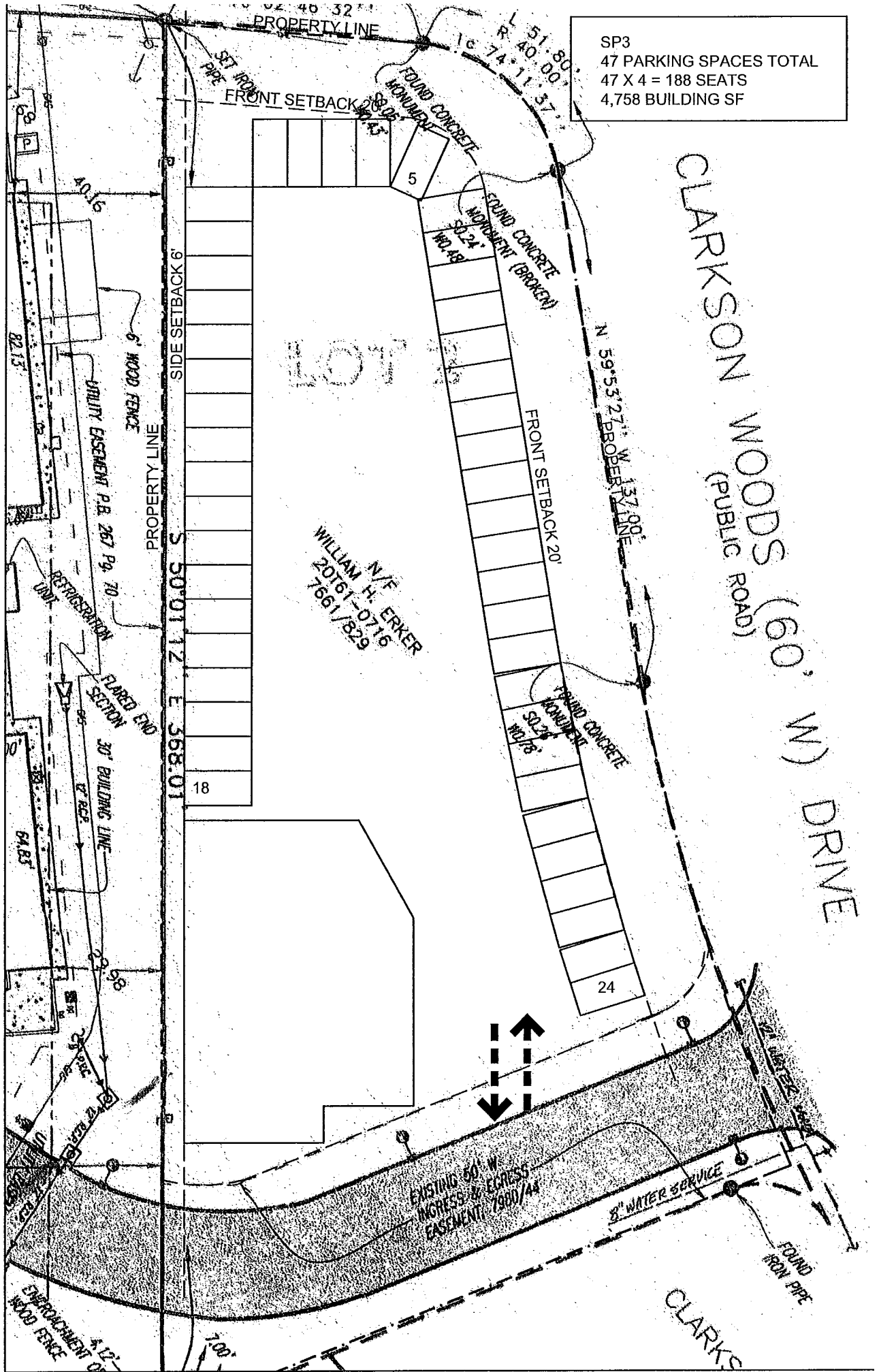
CLARKSON WOODS (60' W) DRIVE  
(PUBLIC ROAD)



HYPOTHETICAL  
SITE PLAN.  
FOR DEMONSTRATION AND DISCUSSION  
PURPOSES ONLY

HYPOTHETICAL  
SITE PLAN.

FOR DEMONSTRATION AND DISCUSSION  
PURPOSES ONLY.



**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:46 AM  
**To:** Annisa Kumerow  
**Subject:** FW: New Development Near Clarkson Woods

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**From:** Michelle Ohley  
**Sent:** Friday, July 10, 2020 11:41 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: New Development Near Clarkson Woods

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Elizabeth Henderson <[lizthend@gmail.com](mailto:lizthend@gmail.com)>  
**Date:** July 10, 2020 at 11:14:29 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, "[tdicampi@chesterfield.Mo.us](mailto:tdicampi@chesterfield.Mo.us)" <[tdicampi@chesterfield.Mo.us](mailto:tdicampi@chesterfield.Mo.us)>  
**Subject:** New Development Near Clarkson Woods

Hello,]

As a Clarkson Woods resident, I too have no problem with the Rabbi, a religious group, building at that location. However, I am concerned about the traffic, especially at that entrance. We have a new driver and that light is typically a left yield turn. I would hate to have my kid have to maneuver at that intersection to avoid parked cars near that entrance. I am hopeful that they will come up with a solution to that issue and not compromise the safety of that entrance.

Personally, I would like to see that piece of land remain undeveloped, but I understand that sometimes those things cannot be helped.

Sincerely,

Elizabeth Henderson

15836 Willow Point Court

--

This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

**From:** Justin Wyse  
**Sent:** Monday, July 13, 2020 7:46 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Chabad House

---

**From:** Michelle Ohley  
**Sent:** Friday, July 10, 2020 5:15 PM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Chabad House

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Larry Patton <[larryp424@aol.com](mailto:larryp424@aol.com)>  
**Date:** July 10, 2020 at 4:45:15 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Subject:** Chabad House

I am not in favor of the Chabad House plan on the property at Wilson Center. Not enough parking and will cause congestion.

Larry Patton  
[2211 Willow Ridge Lane](#)  
[Chesterfield, MO 63017](#)  
[\(636\) 236-6054](#)

**From:** Justin Wyse  
**Sent:** Tuesday, July 14, 2020 6:04 AM  
**To:** Annisa Kumerow  
**Subject:** Fwd: Rezoning of 2264 Clarkson Rd.

Begin forwarded message:

**From:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Date:** July 13, 2020 at 10:59:34 PM CDT  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>, Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning of 2264 Clarkson Rd.

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** "J. W. Silva" <[jwsilva@gmail.com](mailto:jwsilva@gmail.com)>  
**Date:** July 13, 2020 at 8:31:57 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>  
**Subject:** Rezoning of 2264 Clarkson Rd.

Representatives Ohley and Decampi,

My name is Jon Silva and I'm a homeowner in Clarkson Woods and a small business owner in Chesterfield. I'm writing to you because I strongly disapprove the proposed rezoning of the property located at 2264 Clarkson Rd. Five years ago, this became my home, my first home. I chose this subdivision due to the school district and lack of immediate surrounding commercial property and hoped to one day raise my family here. This March, I proudly welcomed my first daughter, Elizabeth Ann.

Please vote against this rezoning so our neighborhood is not affected by increased traffic and street parking. We love living here and enjoy the safety of its current state.

Respectfully,

Jon Silva



**From:** Justin Wyse  
**Sent:** Tuesday, July 14, 2020 9:40 AM  
**To:** Annisa Kumerow  
**Subject:** FW: City of Chesterfield / P.Z. 18-2019  
**Attachments:** Appendix A.pdf; Appendix B.PDF; Appendix C.PDF; Appendix D.PDF; Appendix E.pdf; Appendix F.pdf; CLARKSON - Ltr. to City dated 7-13-2020 (2889588x9DB39).PDF

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**From:** Vickie McGownd  
**Sent:** Tuesday, July 14, 2020 9:10 AM  
**To:** City Council <[CityCouncil@chesterfield.mo.us](mailto:CityCouncil@chesterfield.mo.us)>  
**Cc:** Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>; Chris Graville <[cbg@gravillelaw.com](mailto:cbg@gravillelaw.com)>; Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Amanda Miller <[AMiller@chesterfield.mo.us](mailto:AMiller@chesterfield.mo.us)>  
**Subject:** FW: City of Chesterfield / P.Z. 18-2019

Mayor and City Council,

I have placed hard copies of the attached documents in your mail boxes at City Hall for review prior to Monday's City Council meeting.

**Vickie McGownd**  
City Clerk  
690 Chesterfield Pkwy W  
Chesterfield, MO 63017-0760  
Phone: 636-537-6716  
Fax: 636-537-4798

---

**From:** Meghan M. Lamping <[mmml@carmodymacdonald.com](mailto:mmml@carmodymacdonald.com)>  
**Sent:** Tuesday, July 14, 2020 8:22 AM  
**To:** CityClerk <[cityclerk@chesterfield.mo.us](mailto:cityclerk@chesterfield.mo.us)>  
**Subject:** RE: City of Chesterfield / P.Z. 18-2019

Ms. McGownd:

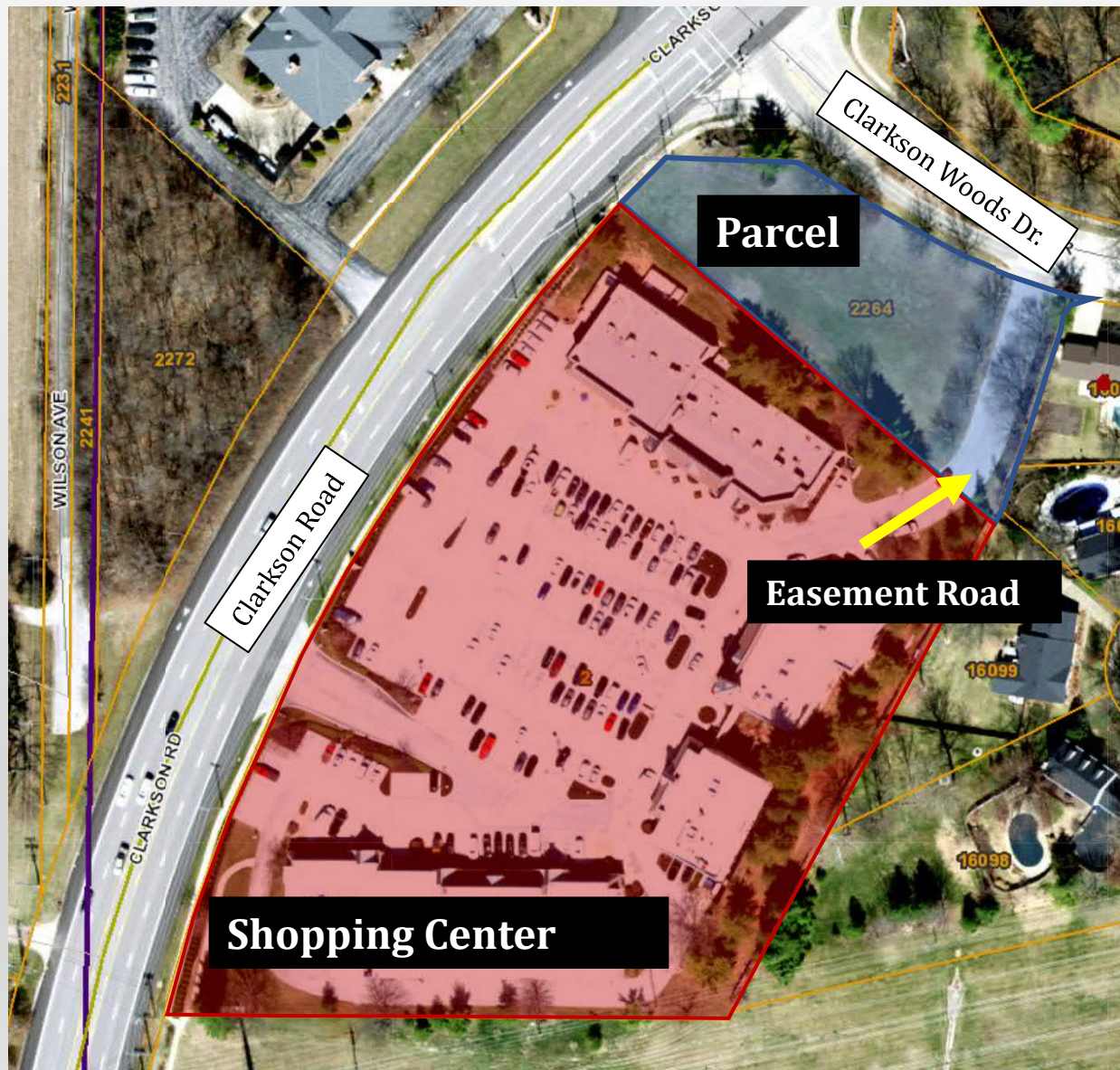
Attached please find correspondence related to P.Z. 18-2019 on behalf of Clarkson-Wilson Investors, L.L.C. We request that the attached materials be circulated to the Mayor and City Councilors prior to the July 20<sup>th</sup> hearing. We are also delivering hard copies of these documents.

Thank you for your assistance.

|                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>Carmody MacDonald</b><br/><i>Attorneys &amp; Counselors at Law</i></p> | <p><b>Meghan M. Lamping</b><br/>Principal • Carmody MacDonald P.C.</p> <p>120 S. Central Ave., Suite 1800<br/>St. Louis, Missouri 63105<br/><b>Main:</b> 314.854.8600   <b>Direct:</b> 314.854.8676<br/><b>Email:</b> <a href="mailto:mmml@carmodymacdonald.com">mmml@carmodymacdonald.com</a></p> <p><a href="http://www.carmodymacdonald.com">www.carmodymacdonald.com</a></p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

This electronic message is from a law firm. It may contain confidential or privileged information. If you received this transmission in error, please reply to the sender to advise of the error and delete this transmission and any attachments.

## Appendix A



# Appendix B

ALL HOUSES OF WORSHIP WITHIN THE CITY OF CHESTERFIELD\*  
(Smallest Lot Size: 3.33 Acres | Average Lot Size: 10.16 Acres) see below

| HOUSES OF WORSHIP                                                                               | ADDRESS                                                          | LOT SIZE (AC.) | LAND USE CODE                                                                                 | ZONING CODE |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------|-------------|
| Antioch Baptist Church                                                                          | 18319 Wild Horse Creek Rd, Chesterfield, MO, 63005               | 3.33           | 691 (Religious Activity Facilities)                                                           | NU          |
| Highlands Church / West County Seventh-day Adventist / West County Presbyterian Church services | 16800 Baxter Rd, Chesterfield, MO 63005                          | 3.68           | 691 (Religious Activity Facilities)                                                           | R2          |
| Gateway 61 / Sixone Sixone                                                                      | 17550 Wild Horse Creek Road, Chesterfield, MO, 63005             | 4.16           | 691 (Religious Activity Facilities)                                                           | NU          |
| Church Of Latter Day Saints                                                                     | 15081 Clayton Rd, Chesterfield, MO, 63017                        | 4.87           | 691 (Religious Activity Facilities)                                                           | R1          |
| Tpheris Israel Chevra Kadisha                                                                   | 14550 Ladue Rd, Chesterfield, MO, 63017                          | 5.00           | 691 (Religious Activity Facilities)                                                           | R2          |
| St. Louis Chinese Christian Church**                                                            | 824 & 832 N Woods Mill Rd, Chesterfield, MO, 63017               | 5.04           | 691 (Religious Activity Facilities) - composed of 2.49 plus the 2.55-acre adjoining lot       | R3          |
| Church of the Resurrection                                                                      | 1330 Schoettler Road, Chesterfield, MO, 63017                    | 5.24           |                                                                                               | R2          |
| King Of Kings Lutheran Church                                                                   | 13765 (13781) Olive Blvd, Chesterfield, MO, 63017                | 5.28           | 691 (Religious Activity Facilities)                                                           | R2          |
| United Methodist Church of Green Trails                                                         | 14237 Ladue Rd, Chesterfield, MO, 63017                          | 5.32           | 691 (Religious Activity Facilities)                                                           | NU          |
| Ivy Chapel United Church Of Christ                                                              | 620 N Woods Mill Rd, Chesterfield, MO, 63017                     | 6.00           | 691 (Religious Activity Facilities)                                                           | NU          |
| St Johns United Church of Christ & St John's Early Childhood Center                             | 15354 & 15370 Olive Blvd, Chesterfield, MO, 63017                | 7.06           | 691 (Religious Activity Facilities)                                                           | NU          |
| Chesterfield Community Church / St. Louis Korean Baptist Church                                 | 14647 Ladue Rd, Chesterfield, MO, 63017                          | 8.47           | 691 (Religious Activity Facilities)                                                           | NU          |
| Bonhomme Presbyterian Church                                                                    | 14820 Conway Rd, Chesterfield, MO, 63017                         | 8.72           | 691 (Religious Activity Facilities)                                                           | NU          |
| Incarnate Word Parish                                                                           | 13416 Olive Blvd, Chesterfield, MO, 63017                        | 9.92           | 691 (Religious Activity Facilities)                                                           | R3          |
| First Baptist Church Chesterfield                                                               | 17103 Wild Horse Creek Rd, Chesterfield, MO 63005                | 10.85          | 691 (Religious Activity Facilities)                                                           | NU          |
| Lord Of Life Lutheran Church                                                                    | 15750 Baxter Rd, Chesterfield, MO, 63017                         | 11.24          | 691 (Religious Activity Facilities)                                                           | R6A         |
| New Covenant Church of St Louis / Living Hope International                                     | 1401 Timberlake Manor Pkwy, Chesterfield, MO, 63017              | 11.74          | 691 (Religious Activity Facilities)                                                           | R2          |
| United Hebrew Congregation                                                                      | 13742 (13788) Conway Road, St. Louis, MO, 63017                  | 12.37          | 681 (Nursery/Primary/Secondary Education)                                                     | NU          |
| Chesterfield Presbyterian Church                                                                | 15037 Clayton Rd, Chesterfield, MO, 63017                        | 12.44          | 691 (Religious Activity Facilities)                                                           | R1          |
| Vertical Fellowship / Harvest Bible Chapel St Louis                                             | 17795 Wild Horse Creek Road, Chesterfield, MO, 63005             | 14.81          | 691 (Religious Activity Facilities)                                                           | NU          |
| Ascension Catholic Church                                                                       | 230 & 238 Santa Maria Dr, Chesterfield, MO, 63005                | 16.09          | 691 (Religious Activity Facilities) - composed of 8.09 acres plus the adjoining 8.00-acre lot | LLR         |
| St. Thomas Evangelical United Church of Christ                                                  | 17842 Wild Horse Creek Road, Chesterfield, MO, 63005             | 18.35          | 691 (Religious Activity Facilities)                                                           | LLR         |
| St Louis Family Church                                                                          | 17458 & 17476 Chesterfield Airport Road, Chesterfield, MO, 63005 | 19.13          | 637 (Warehousing/Storage Services) - composed of 16.17 acres plus the 2.96-acre adjoining lot | PC          |
| The Crossing at Chesterfield                                                                    | 114 N. Eatherton Rd, Chesterfield, MO, 63005                     | 34.61          | 829 (Other Agricultural Services)                                                             | M3          |

Average Acreage: 10.16

*\*To the best of our actual knowledge, we believe these are all the houses of worship located within the City of Chesterfield (not including single-family homes).*

*This list does not include the three single-family homes that we believe act as both a residence and also provide for religious activities.*

*Based on the above information and to the best of our actual knowledge, there are no houses of worship within the City of Chesterfield located on less than 3.33 acres of land.*

*All lot sizes are based on acreage. The average lot size of these houses of worship is approximately 10.16 acres.*

*\*\*St. Louis Chinese Christian Church is divided into two lots - one lot is comprised of 2.49 acres plus the other 2.55-acre adjoining lot. We do not know how St. Louis Chinese Christian Church is utilizing the 2.55-acre adjoining lot.*

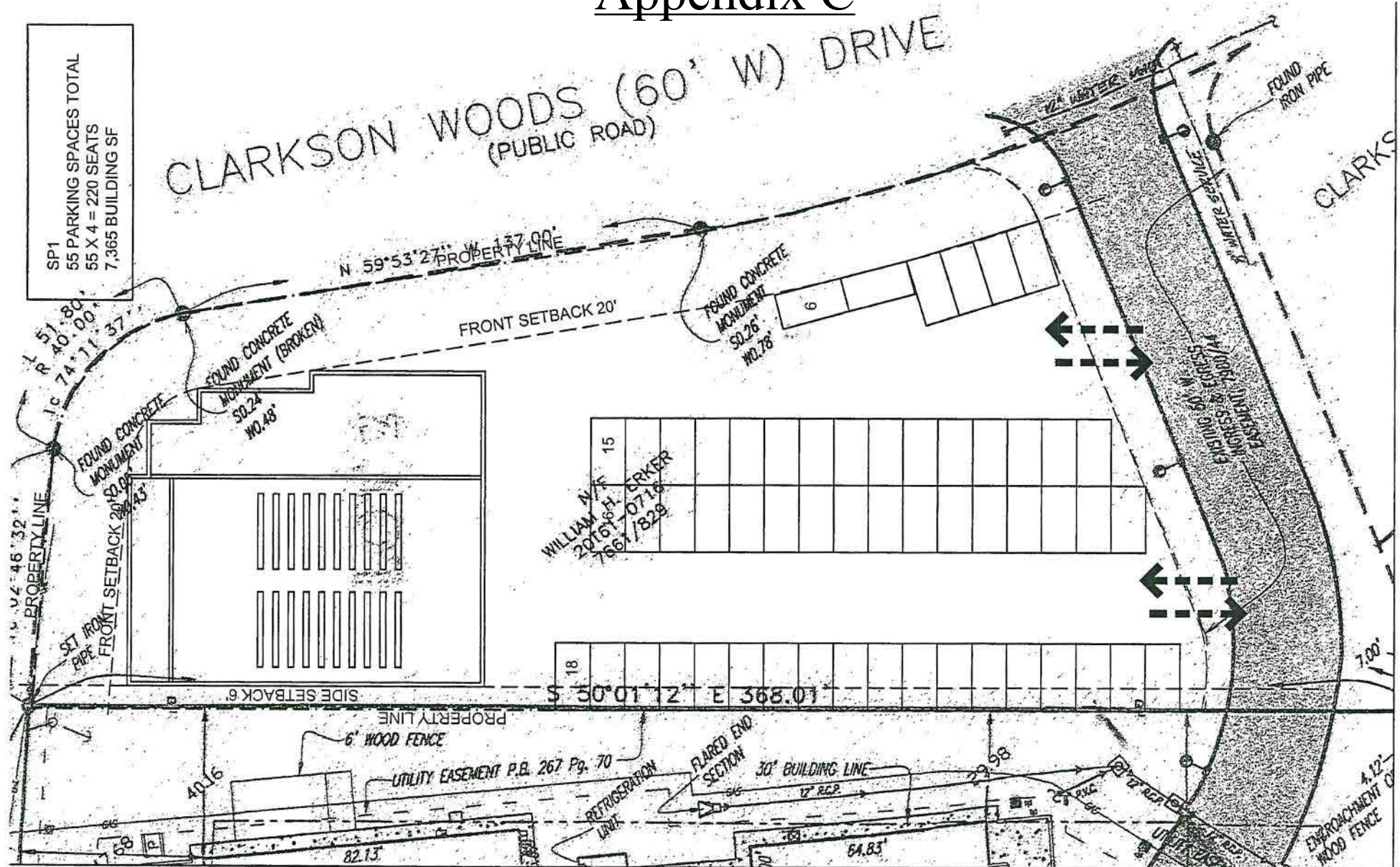


**Smallest Lot Size: 3.33 Acres | Average Lot Size: 10.16 Acres (see below)**



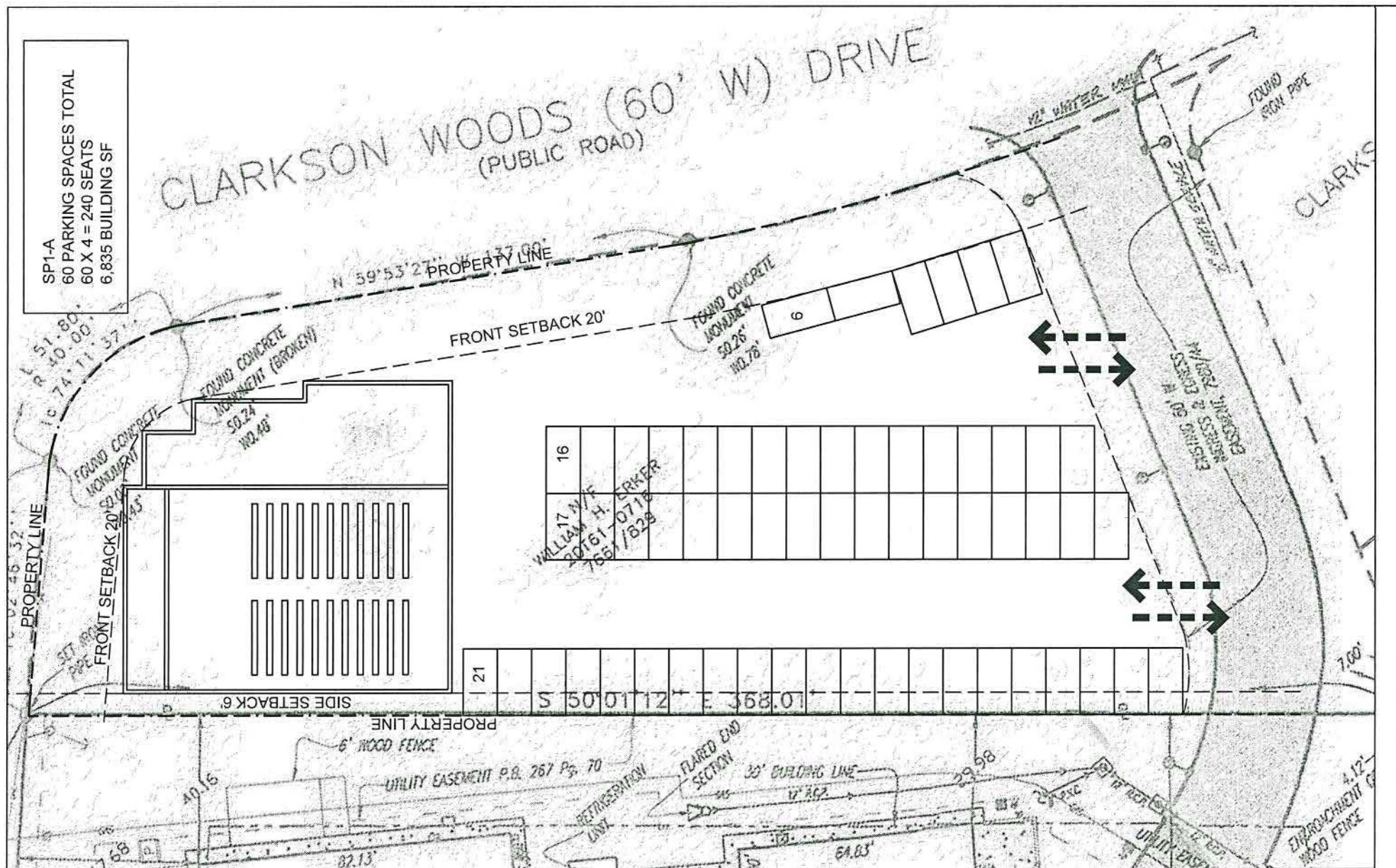


## Appendix C



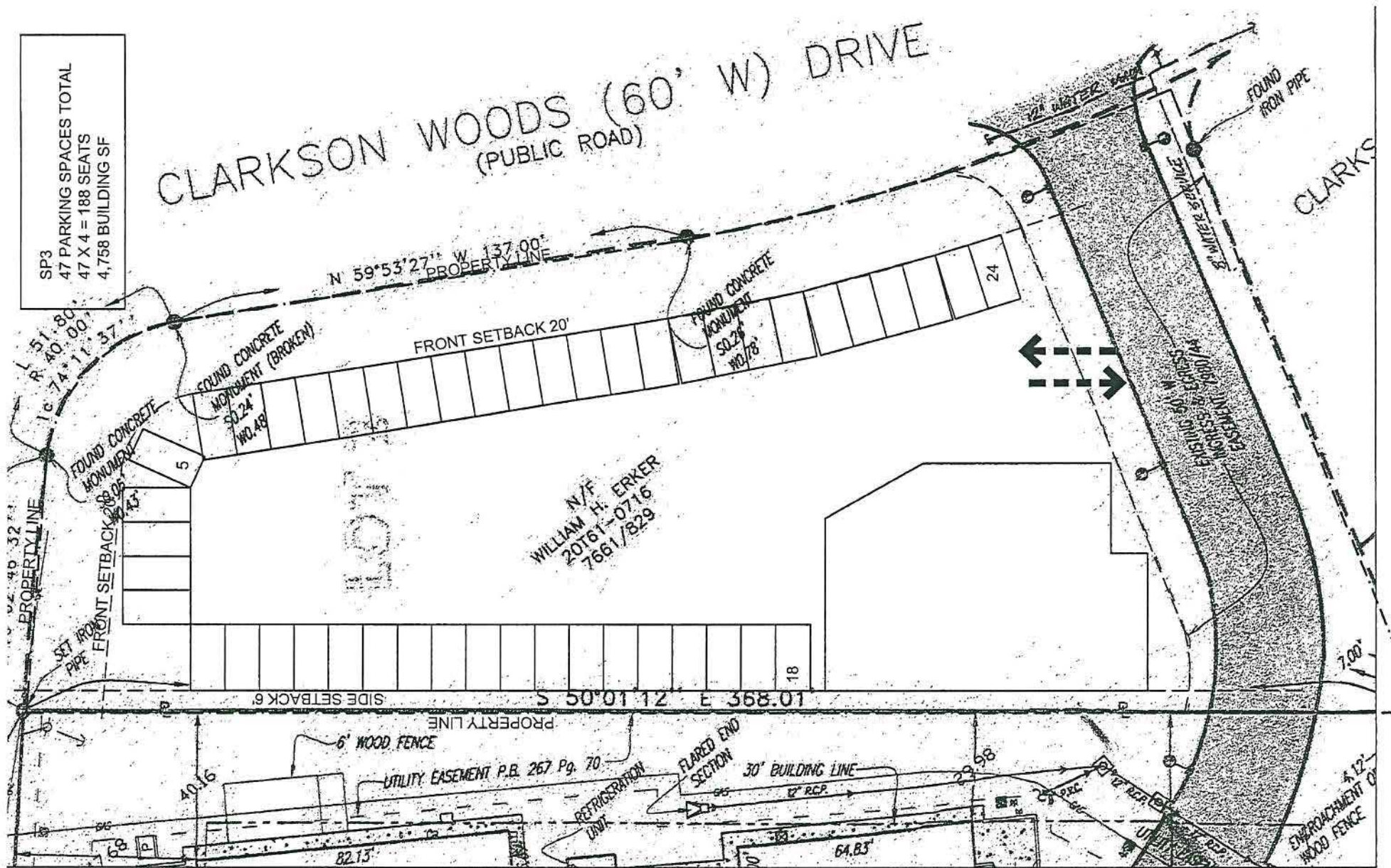
Potential "R4" Site Plan  
For Demonstration and Discussion Purposes Only





Potential "R4" Site Plan  
For Demonstration and Discussion Purposes Only





Potential "R4" Site Plan  
For Demonstration and Discussion Purposes Only

## MEMO

**To:** Clarkson Wilson Investors, LLC (owners of Clarkson Wilson Shopping Center)  
**From:** Dustin Riechmann, PE, PTOE  
**Date:** July 10, 2020  
**Subject:** Traffic Assessment  
Rezoning Along Clarkson Woods Drive  
Lochgroup Project 520-0086-00T

As requested, Lochmueller Group has completed a traffic assessment related to a proposed future development in the southeast quadrant of Clarkson Road and Clarkson Woods Drive in Chesterfield. This site is approximately 0.9 acres in size, and access would likely be limited to the north-south drive that currently provides access to the Clarkson Wilson shopping center from Clarkson Woods Drive.

Rezoning is being proposed for the parcel, and it is our understanding that the applicant is requesting a change from predominantly R-2 (with a small portion of commercial zoning) to R-4 zoning. At this time, no specific use or site plan has been submitted; however, the City has established allowable land uses with minimum lot sizes for each of the R-2 and the R-4 zoning classifications.

Per the City's process, a traffic impact study is typically not required until a preliminary site plan has been submitted for review. Consequently, a rezoning request would not typically trigger the need for traffic or parking reviews.

However, in this specific case, there is concern that the change to R-4 zoning could allow a use that would meet all City site plan requirements, while presenting conflicts with surrounding uses due to considerably increased density and associated traffic/parking demands.

The purpose of this assessment was to review the potential traffic and parking demands of permitted assembly uses under R-4 zoning to determine if additional consideration should be given to these concerns before rezoning is approved.

### **Permitted Uses Under R-4 Zoning**

Given the relatively small lot size and limited frontage on Clarkson Road, many of the uses identified under R-4 zoning would not be permitted on this parcel. At 0.9 acres in size, the permitted uses would include churches and other places of worship, day care center, nursery school, public utility facility, or a single-family or group home.

It appears that all of these uses would also be permitted under the existing R-2 zoning with the exception of "churches and other places of worship," which requires a minimum lot size of 3 acres under R-2 but only ½ acre under R-4 zoning.



It is important to note that Clarkson Woods Drive provides primary access to a large residential subdivision. Some of the permitted uses under R-4 zoning could be complementary to the neighborhood with traffic patterns that complement existing commuter flows into and out of Clarkson Woods Drive. Again, these potentially complementary uses would also be permitted under R-2 zoning.

The “places of worship” use would be expected to draw most of its traffic from Clarkson Road. Depending on the specific use, a place of worship may host weekday evening or weekend services, or it could serve as a community center with visitors throughout the day. Places of worship also typically host events (weddings, funerals, etc.) that may take place at various times throughout the week.

#### **Example Use – Place of Worship**

Given that a place of worship can be a dense assembly use and could generate traffic patterns that differ significantly from the existing land uses, an assessment of how much traffic and parking may be associated with that use under R-4 zoning was prepared.

Clarkson Wilson Investors, LLC asked their design professionals to create conceptual site plans that attempted to estimate the size of a place of worship that could be accommodated on the parcel while meeting the City’s site plan requirements (setbacks, parking, access, etc.). Based on one of these concept plans, it was estimated that a place of worship with approximately 240 seats could potentially be constructed on the parcel, as shown in **Figure 1**.

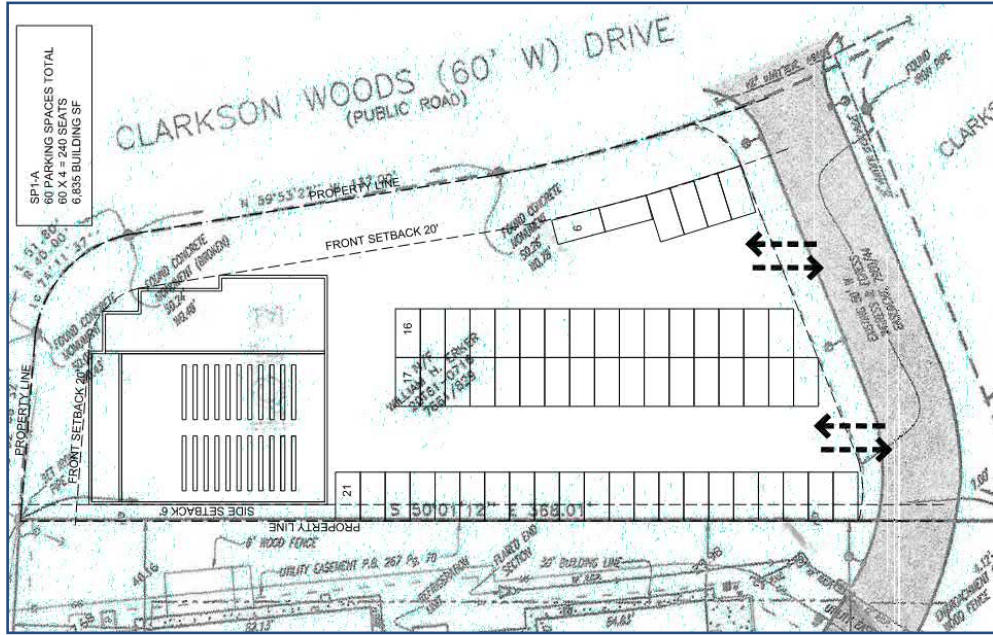
#### **Review of Traffic Demands**

In order estimate potential traffic demands under R-4 zoning, data was reviewed from the Institute of Transportation Engineers (ITE) [Trip Generation Manual](#), 10<sup>th</sup> Edition. This manual, which is a standard resource for transportation engineers, is based on a compilation of nationwide studies documenting the characteristics of various land uses.

The Trip Generation Manual provides traffic data for several different houses of worship, though the most data is available for the Church use. ITE data shows that for weekend services, each attendee generates approximately 1.09 trips during the peak hour.

In the example of a 240-seat place of worship, a full service or event would be expected to generate 262 trips – or 131 vehicles in and 131 vehicles out (approximately two people per vehicle on average). Given the nature of a service or event, the trips would be condensed to a short time with most inbound vehicles arriving just prior to the event and most outbound vehicles leaving shortly after the event.

As previously noted, as a result of the location of the subject parcel, access would likely be limited to the north-south drive that currently provides access to the Clarkson Wilson Center from Clarkson Woods Drive. Vehicles exiting after a service would be required to turn left onto the north-south access drive, turn left onto Clarkson Woods Drive and then use the signal at Clarkson Road.



**Figure 1: Example Use Under R-4 Zoning (240-Seat House of Worship)**

The left- and right-turn lanes on Clarkson Woods at Clarkson are only long enough to accommodate approximately two vehicles each. Therefore, the potential exists for the turn bays to fill and traffic to queue back along Clarkson Woods Drive following a worship service or event.

If this becomes a repeated issue, visitors could choose to access Clarkson Road by “cutting through” the neighborhood by turning right onto Clarkson Woods Drive and using Federal Way/Country Ridge Drive or by traveling through the Clarkson Wilson Shopping Center.

## Review of Parking Demands

Based on the City's development requirements, a "church and other place of worship" must provide one parking space for every four seats in the largest assembly area. In the concept shown in Figure 1, 60 parking spaces are provided for a 240-seat house of worship.

Similar to the traffic review, ITE's Parking Generation Manual, 5<sup>th</sup> Edition, was reviewed to quantify potential parking demands under R-4 zoning. Data is provided both for "Seats" and for "Attendees" with the Attendees rate being roughly half the Seats rate. In other words, the data implies that the average church service was approximately half empty.

In the current example, a half-empty service would be accommodated by the required parking. However, anything greater would exceed the on-site parking provisions. In the case of a fully-seated event, ITE would estimate the need to accommodate 115 parked vehicles.

Moreover, places of worship sometimes accommodate additional visitors through temporary seating or “standing room only” accommodations, particularly during holidays or larger events. These circumstances could create parking demands in excess of 115 vehicles.

The location of the parcel would make it problematic to accommodate any overflow parking. If parking were full on-site, visitors would presumably attempt to park within the Clarkson Wilson Shopping Center and/or on the neighborhood streets.

### **Conclusions**

Based on the preceding, it was concluded that there are uses within the R-4 zoning classification that could likely meet subsequent site plan requirements but still create meaningful traffic and parking concerns. In particular, the rezoning from R-2 to R-4 would allow a place of worship to be built on the site since R-2 zoning requires a minimum lot size of 3 acres, but R-4 zoning reduces the minimum lot size to only ½ acre.

As demonstrated through the example site plan, a house of worship could create significant traffic and parking requirements before/after services and events. Given the parcel’s limited means of ingress/egress and adjacency to a residential neighborhood, the resulting impacts could be significant.

Given these concerns, **it is our professional opinion that it would be prudent to require a traffic impact study and parking study prior to considering a rezoning of this particular site based on the unique characteristics of its size, location, access and the potential increased density allowed under R-4 zoning.**

Please do not hesitate to contact our office with any questions you may have regarding this assessment.

# Appendix E

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

|                                          |   |              |
|------------------------------------------|---|--------------|
| CLARKSON-WILSON INVESTORS, L.L.C.        | ) |              |
| a Missouri limited liability company,    | ) |              |
|                                          | ) |              |
| Plaintiff,                               | ) |              |
|                                          | ) | Cause No.    |
| v.                                       | ) |              |
|                                          | ) | Division No. |
|                                          | ) |              |
| BTR, P.C.,                               | ) |              |
|                                          | ) |              |
| <u>Serve:</u>                            | ) |              |
| Mark Z. Schraier, Register Agent         | ) |              |
| 7700 Forsyth Blvd Suite 1100, St. Louis, | ) |              |
| Missouri, 63105                          | ) |              |
|                                          | ) |              |
| and                                      | ) |              |
|                                          | ) |              |
| AVI RUBENFELD,                           | ) |              |
|                                          | ) |              |
| <u>Serve:</u>                            | ) |              |
| 2122 Park Forest Drive                   | ) |              |
| Chesterfield, MO 63017                   | ) |              |
|                                          | ) |              |
| Defendants.                              | ) |              |

**VERIFIED PETITION**

COMES NOW Plaintiff Clarkson-Wilson Investors, L.L.C, a Missouri limited liability company, by and through its undersigned counsel, and for its Petition states as follows:

**INTRODUCTION**

1. This case involves Defendants’ threats and attempts to access Plaintiff’s property through a fraudulent Easement Deed. Such access is necessary because Defendants seek to re-zone their property and use it in a way that the size and layout of the property simply does not support.

2. Plaintiff, by this action, seeks to quiet title in Plaintiff's name, and seeks a declaration that the Easement Deed at issue is invalid.

### **PARTIES**

3. Plaintiff Clarkson-Wilson Investors, L.L.C ("Plaintiff") is a Missouri limited liability company with its principal place of business in St. Louis, Missouri.

4. Upon information and belief, Defendant BTR, P.C. ("BTR") is a Professional Corporation in good standing, created under the laws of the State of Missouri, with its principal place of business located in St. Louis County, Missouri.

5. Upon information and belief, Defendant Avi Rubinfeld is an individual and resident of St. Louis County, Missouri.

6. BTR and Rubinfeld are collectively referred to as "Defendants" herein.

### **JURISDICTION AND VENUE**

7. This action is brought pursuant to Mo. Rev. Stat. § 527.150, which allows any person claiming any title, estate or interest in real property to institute an action against any person or persons having or claiming to have any title, estate or interest in such property to determine the estate, title and interest of said parties, respectively, in such real estate, and to define and adjudge by its judgment or decree the title, estate and interest of the parties severally in and to such real property.

8. Venue is proper in this Court pursuant to Mo. Rev. Stat. § 508.030 as the causes of action set forth herein arise from the ownership of real property located within St. Louis County.

## **FACTUAL BACKGROUND**

### ***A. Plaintiff's Shopping Center***

9. Plaintiff is the owner of an approximately 5.16-acre property located at 2 Clarkson Wilson Center through 90 Clarkson Wilson Center in Chesterfield, Missouri. For over thirty years, the property has been used as a shopping center (the "Shopping Center").

10. Plaintiff purchased the Shopping Center in the 1990's from a Missouri limited liability partnership, Clarkson Centre Associates (the "Prior Owner") and has owned it continuously since that time.

11. The Shopping Center has over 42,000 square feet of retail and commercial space, several retail tenants and a parking lot with just enough spaces to meet the City's parking requirements.

### ***B. The vacant lot.***

12. Directly adjacent to the Shopping Center to the north, is a .99-acre vacant, undeveloped parcel of land owned by BTR (the "Parcel").

13. Upon information and belief, BTR purchased the lot in 2017.

14. The Parcel is also situated adjacent to the entrance to the Clarkson Woods subdivision, a residential development of more than 280 homes.

15. Since at least the 1980's, the Parcel has been dual-zoned "R2" and "C-8". Upon information and belief, the Parcel is predominantly "R2."

16. Plaintiff has an easement on the easternmost portion of the Parcel running north to south.

17. On the easement, there is a road maintained by Plaintiff that allows ingress-egress to the Shopping Center from Clarkson Woods Drive (the "Easement Road").

18. The easement and Easement Road have existed for decades and visitors to the Shopping Center use Clarkson Woods Road to access the Easement Road and Shopping Center

19. The Shopping Center, Easement Road and Lot are depicted below:



***C. A sale of the Lot is pending.***

20. Upon information and belief, the Parcel is currently under contract for sale to Defendant Rubenfeld.

21. Plaintiff has been advised that upon closing on the purchase of the Parcel, Rubenfeld intends to build a place of worship / community center on the Parcel.

22. Under the Parcel's current "R2" zoning, however, the Parcel cannot be used as a place of worship. This is because per the Chesterfield Zoning Ordinances, a church or other place of worship is only permitted on a land parcel of at least 3-acres.

23. As a result, Defendant Rubenfeld has applied to the City of Chesterfield to rezone the Parcel to "R4" Residential District.

24. Defendant Rubenfeld continues to pursue the rezoning of the Parcel to “R4.”

25. If the Parcel was to be rezoned “R4,” as Rubenfeld seeks, a permitted use of the Parcel would include a place of worship, a community center, because “R4” zoning permits a use as a church or place of worship on at least ½-acre.

***D. Defendants incorrectly assert a right to use the Shopping Center’s parking lot.***

26. After some neighbors of the Clarkson Woods subdivision learned that Defendant Rubenfeld was pursuing a rezoning of the Parcel for a place of worship, many expressed serious concerns about the proposed rezoning.

27. Specifically, certain neighbors expressed concerns and objected to the rezoning because the Parcel, at less than an acre, was unquestionably too small to accommodate parking for those visiting the place of worship. As a result, neighbors feared that the visitors would resort to street parking in the Clarkson Woods subdivision, something that the neighbors found objectionable.

28. Rubenfeld and other proponents of the the rezoning met with certain neighbors of the Clarkson Woods subdivision to discuss concerns related to the proposed rezoning of the Parcel.

29. Defendant Rubenfeld told those neighbors that visitors to the place of worship would not utilize their street for parking in the Clarkson Woods subdivision because, as owner of the Parcel, he had an easement on the Shopping Center which permitted him the right to utilize the Shopping Center’s parking lot.

30. In making the assertion that there was an easement for parking, Defendant Rubenfeld relies on a purported Easement Deed dated September 12, 1986 (the “Easement”) whereby the Prior Owner of the Shopping Center purportedly granted the prior owner of the



Parcel an easement for “ingress, egress and parking” for the benefit of the Parcel. A true and accurate copy of the Easement has been attached hereto as **Exhibit A**.

31. The Easement purports to have been executed by Gary Mestman, a partner of the Prior Owner. **Exh. A**.

32. Mr. Mestman states that the signature on the Easement, however, is not his signature. A true and accurate copy of the affidavit of G. Mestman is attached hereto as **Exhibit B**.

33. Therefore, the Easement is invalid as the signature contained thereon is inauthentic.

34. Neither Mr. Mestman, nor anyone else on behalf of the Prior Owner, have ever granted the owners of the Parcel an easement for parking, nor ingress and egress.

35. Additionally, Plaintiff has never granted an easement for parking or any other purpose for the Parcel.

36. As such, BTR, as current owner of the Lot, and Rubenfeld, as the potential future owner of the Lot, do not have and will not have the right to any parking, ingress or egress in the Shopping Center.

***E. If the owner of the Lot is permitted to use the Shopping Center Parking lot, the Easement will be overburdened and Plaintiff will be harmed.***

37. When the Easement was purportedly granted, the Lot was dual-zoned “R2” and “C-8” and was under 1-acre. Upon information and belief, the Parcel is predominantly “R2.”

38. Under that zoning, which still exists today, given the size of the Parcel and the uses permitted by “R2” and “C-8” any permitted use of the Parcel would necessarily be a low-density, low-intensity use.

39. The “R4” rezoning of the Parcel currently pursued by Rubenfeld, however, permits a drastically different use than that contemplated at the time the Easement was purportedly granted.

40. Defendants’ proposed rezoning amounts to unlawful spot zoning, the improper practice of a reclassification or rezoning of a land parcel for a use out of harmony with the classification of the surrounding areas and without regard to the public welfare.

41. The “R4” zoning and resulting assembly use allowed under the “R4” zoning on the Parcel represents a significantly more dense and intense use of the Parcel. Further, it is inevitable that if permitted to use the Shopping Center’s parking lot, the Shopping Center will be greatly overburdened by parkers as well as traffic.

42. Notably, the Chesterfield City Council recently denied – in an 8-0 vote – a request to rezone the Parcel for a less dense use. Defendants requested zoning threatens the viability of the Shopping Center as well as destroys the character of the Clarkson-Woods subdivision. In fact, the City has never permitted anything even remotely similar to this proposed place of worship on any land parcel comparable to the Parcel.

43. Undoubtedly, rezoning a .99-acre lot “R4” is a trigger that allows high density and high intensity uses on residential-sized lots now or in the future at the entrance to a residential neighborhood.

44. Further, given its small size, the Parcel is unable to accommodate an adequate number of parking spots needed to accommodate a house of worship.

45. Defendants’ use of the purported Easement for parking in the Shopping Center and ingress and egress will deprive Plaintiff of its enjoyment of its own property by

overburdening parking and access ways at the Shopping Center and increasing traffic on surrounding subdivision streets.

## **COUNT I**

### **(Quiet Title)**

46. Plaintiff incorporates by reference paragraphs 1 through 45 of this Petition as if fully set forth herein.

47. By virtue of the Easement, Defendants claim an interest in the Shopping Center parking lot that conflicts with Plaintiff's ownership.

48. Because the Easement is not signed by Mr. Mestman or any other agent of the Prior Owner, the Easement is invalid and Defendants have no interest in the Shopping Center.

49. An inauthentic deed does not give rise to any property rights and such a document can not be used by a party to gain an advantage.

50. Plaintiff has superior title.

51. Plaintiff is, therefore, entitled to an order (1) determining that Plaintiff exclusively holds a valid interest in the Shopping Center, (2) declaring the Easement is null and void and (3) granting Plaintiff its attorneys' fees and costs under Mo. Rev. Stat. § 527.100.

WHEREFORE, Plaintiff prays that this Court enter judgment in its favor and against Defendants and issue an order quieting title of the Shopping Center in favor of Plaintiff, and award Plaintiff any damages, attorneys' fees and court costs to which it is entitled, and for any other relief the Court deems just and proper.

## **COUNT II**

### **(Declaratory Judgment)**

52. Plaintiff incorporates by reference paragraphs 1 through 51 of this Petition as if fully set forth herein.

53. Currently, Defendant Rubenfeld seeks to rezone the Parcel “R4” in order to use the Parcel for a house of worship or a community center.

54. Rezoning the Lot as “R4” is completely improper and would allow high density and high intensity uses now and in the future at the entrance to a residential neighborhood. Such “R4” zoning with a building that can accommodate at least 240 visitors (which is permitted under “R4”) suggest that 131 separate vehicles could be present during gatherings or assemblies.

55. The Parcel cannot possibly accommodate that number of vehicles in its own parking lot.

56. As such, it is inevitable that more than 50 to 70 vehicles will:

(a) illegitimately park in the Shopping Center’s parking lot, which will overburden the parking lot and threaten the businesses operating there,

(b) overwhelm any lawfully permitted street parking in Clarkson Woods the subdivision,

(c) create an unsafe traffic conflict at the signalized intersection of Clarkson Woods Drive and Clarkson Road, and

(d) cause excess traffic leaving the Parcel to traverse through the Clarkson Woods subdivision and use the Shopping Center as a thoroughfare to find alternative ways to access Clarkson Road.

57. Further, the rezoning will create an unsafe traffic conflict at the signalized intersection of Clarkson Woods Drive and Clarkson Road, and cause excess traffic leaving the Lot to traverse through the Clarkson Woods subdivision and use the Shopping Center as a thoroughfare to find alternative ways to access Clarkson Road.

58. Defendants' only claim to any interest in the parking lot of the Shopping Center is by way of the Easement.

59. As outlined herein, the signature the Easement is not signed by Mr. Mestman or any other agent of the Prior Owner.

60. As such, the Easement is invalid and Defendants have no interest in the Shopping Center on the Easement is inauthentic. **Exh. B.**

61. Even if the Easement were valid – and it is not – it cannot be enforced in this case because such enforcement would cause harm to the Plaintiff and other property owners in the area by overburdening Shopping Center parking and access ways, take the parking lot out of compliance with the with the City's ordinances and increasing traffic on surrounding subdivision streets.

62. An easement holder may not misuse, overburden, or deviate from the easement.

63. Permitting a place of worship with its assembly usages on a parcel of land of this size in a residential area is completely at odds with the surrounding area and would result in damaging economic and devastating operational consequences for Plaintiffs. Specifically, Defendants' proposed rezoning of the Parcel will allow uses of the Parcel which will greatly increase traffic and parking on the Shopping Center such that the purported Easement will become overburdened.

64. The incongruent nature of Defendants' proposed zoning is demonstrated by the fact that no other church or house of worship in the City is zoned "R4."

65. The public gatherings that would occur in the place of worship represent overburden and overuse of any alleged implied easement right of ingress and egress held by the Parcel.

66. Plaintiff has a legally protectable interest in the ability to exclusively own the Shopping Center and prohibit Defendants from using or overburdening its parking lot.

67. A ripe and justiciable controversy exists between the parties as to which Plaintiff has a legally protectable interest at stake.

68. Plaintiff has no adequate remedy at law and requires an Order declaring the parties' rights.

WHEREFORE, Plaintiff request an Order declaring that the Easement is invalid or, in the alternative, an Order declaring that the Easement should not be enforced as it would cause undue hardship to Plaintiff.

Respectfully submitted,

CARMODY MacDONALD P.C.

By: /s/ Kevin M. Cushing  
Kevin M. Cushing, #27930  
Meghan M. Lamping, #59987  
Candace E. Johnson, #70152  
120 South Central Avenue, Suite 1800  
St. Louis, Missouri 63105  
(314) 854-8600 (telephone)  
(314) 854-8660 (facsimile)  
kmc@carmodymacdonald.com  
mml @carmodymacdonald.com  
cej@ carmodymacdonald.com

*Attorneys for Plaintiff*

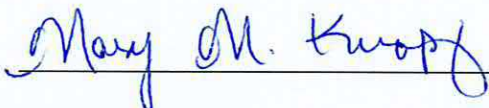
**VERIFICATION**

STATE OF MISSOURI                    )  
                                                  ) SS  
ST. LOUIS COUNTY                    )

I, John Hutkin, managing member of the Plaintiff Clarkson-Wilson Investors, L.L.C herein and based upon information provided to me by Plaintiff Clarkson-Wilson Investors, L.L.C, duly authorized to make this affidavit and file this statement, being duly sworn, states that I have read the foregoing Verified Petition and the facts therein are true.

  
\_\_\_\_\_

Subscribed and sworn to before me this 13th day of July, 2020.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:



## Easement Deed

County Fee 1.00  
 State User Fee \$3.00  
 Total 4.00

*This Deed* Made and entered into this 11<sup>th</sup> day of  
 September nineteen hundred and eighty six, by and between  
 Clarkson Centre Associates, a Missouri General Partnership

of the County of St. Louis State of Missouri  
 party of the first part, and William H. Erker

of the County of St. Louis State of Missouri  
 party of the second part.

*Witnesseth*, that the said party of the first part, for and in consideration of the sum of One Hundred Dollars and other valuable consideration paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents *Grant* unto the said party of the second part,

*An Easement* for the following purposes:

Ingress, egress and parking for the benefit of the tract of land described on Exhibit B attached hereto.

over 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 half of Section 21, Township 45 North, Range 4 East, St. Louis County, Missouri and being the area depicted as driveways, curb cuts and parking area on the Final Development Plan for Clarkson Village dated January 21, 1986, Revised February 10, 1986 and recorded in Plat Book 245 Page 8 of the County records and on any subsequent Development Plan approved by St. Louis County.

778

STATE OF MISSOURI  
 COUNTY OF ST. LOUIS  
 FILED FOR RECORD

1986 SEP 12 PM 3:18

ST. LOUIS COUNTY, MO

*To Have and to Hold* the said *Easement*, together with all rights and appurtenances to the same belonging, unto the said party of the second part, and to his

heirs and assigns forever.

*In Witness Whereof*, the said party of the first part has executed these presents the day and year first above written.

Clarkson Centre Associates

By: Gary R. Mostman  
 Gary R. Mostman, Partner

EXHIBIT  
 A



State of Missouri, } ss. On this 11<sup>th</sup> day of September, 1936,  
County of St. Louis }  
before me personally appeared Gary A. Mostman

as a Partner of Clarkson Centre Associates  
to me known to be the person described in and who executed the foregoing instrument, and acknowl-  
edged that he executed the same as the free act and deed of said Partnership

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in  
the County and State aforesaid, the day and year first above written.

My term expires 12/25/38

*Clara M. Neske*  
Notary Public.  
ANNE M. NESKE

State of Missouri, } ss. On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
of \_\_\_\_\_ }  
before me appeared \_\_\_\_\_  
to me personally known, who, being by me duly sworn, did say that he is the  
of \_\_\_\_\_  
a Corporation of the State of \_\_\_\_\_, and that the seal affixed to the foregoing instru-  
ment is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf  
of said corporation, by authority of its Board of Directors; and said  
acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in  
the \_\_\_\_\_ and State aforesaid, the day and year first above written.

My term expires \_\_\_\_\_  
Notary Public.

EASEMENT DEED  
FROM \_\_\_\_\_  
TO \_\_\_\_\_

EXHIBIT B

A tract of land in the North half of Section 21, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a point reached by the following courses and distances:

Beginning at a concrete monument marking the Southwestern corner of Clarkson Woods, Plat 2, as recorded in Plat Book 167 Page 66 of the St. Louis County Records, and also being a point on the Northern line of Clarkson Woods South - Plat 1 as recorded in Plat Book 166 Pages 94 and 95 of the said St. Louis County Records, thence South 27 degrees, 44 minutes 50 seconds West along the Northern line of said Clarkson Woods South, South, Plat 1, a distance of 3.00 feet to a point; thence South 89 degrees, 48 minutes 58 seconds West continuing along the said North line of Clarkson Woods South, Plat 1, a distance of 420.73 feet to a point said point being the Northwest corner of said Clarkson Woods South, Plat 1 and also being a point on the Eastern Right of Way line of Clarkson Road, 60 feet wide; thence along the said Eastern line of Clarkson Road, along a curve to the right, having a radius of 1,402.69 feet, an arc distance of 705.00 feet to a point; said point being the actual Point of Beginning; thence continuing Northeastwardly along said Southeast line of Clarkson Road, 60 feet wide, along a curve to the right whose radius point bears South 46 degrees 52 minutes 50 seconds East 1402.69 feet from the last mentioned point, a distance of 68.00 feet to a point in the South line of Clarkson Woods Drive, 60 feet wide; thence Eastwardly along said South line of Clarkson Woods Drive the following courses and distances: along a curve to the right whose radius point bears South 44 degrees 06 minutes 11 seconds East 40.00 feet from the last mentioned point, a distance of 51.81 feet, South 59 degrees 53 minutes 27 seconds East 137 feet, and along a curve to the left whose radius point bears North 30 degrees 06 minutes 33 seconds East 475.00 feet from the last mentioned point, a distance of 151.74 feet to a point; thence along a curve to the left whose radius point bears South 11 degrees 48 minutes 19 seconds West 20.00 feet from the last mentioned point, a distance of 29.60 feet to a point; thence South 17 degrees 01 minute 17 seconds West 150.00 feet to a point; thence South 27 degrees 44 minutes 50 seconds West 12.44 feet to a point; thence North 50 degrees 01 minutes 12 seconds West along the North line of the existing C-8 zoning as established by ordinance #6227 dated 1972, St. Louis County, Missouri, 368.01 feet to the actual point of beginning.

END OF DOCUMENT

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

CLARKSON-WILSON INVESTORS,  
L.L.C.

)  
)

a Missouri limited liability company,

)

Plaintiff,

)

)

Cause No.

v.

)

)

Division No.

)

BTR, P.C. and RABBI RAVI RUBENFELD,

)

)

Defendants.

)

)

)

**AFFIDAVIT OF GARY MESTMAN**

I, Gary M. Mestman, being duly sworn, state the following:

1. I am over the age of 18 and competent to testify as to the matters set forth herein.
2. I have personal knowledge with respect to the matters herein.
3. I was a partner of Clarkson Centre Associates, a Missouri General Partnership.
4. I am familiar with the property located at 2 Clarkson Wilson Center through 90 Clarkson Wilson Center, Chesterfield, Missouri (the "Shopping Center").
5. The Shopping Center was owned by Clarkson Centre Associates in 1986.
6. In 1999, the Shopping Center was sold to Clarkson-Wilson Investors, L.L.C.

**EXHIBIT**  
**B**

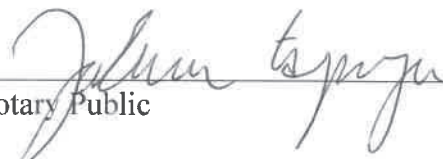
7. I am also familiar with the undeveloped, vacant lot to the north of the Shopping Center at 2264 Clarkson Road, Chesterfield, Missouri (the "Lot").
8. In 1986, the owner of the Lot granted Clarkson Centre Associates and its successors and assigns a perpetual and non-exclusive right and easement to construct, reconstruct, use, and maintain a roadway over the Lot. A true and accurate copy of that easement is attached hereto as **Exhibit 1**.
9. I have reviewed the purported Easement Deed attached hereto as **Exhibit 2** and purportedly recorded on September 12, 1986.
10. The Easement Deed attached hereto as **Exhibit 2** purports to be signed by Clarkson Centre Associates, by Gary A. Mestman, Partner.
11. To the best of my knowledge, the signature on **Exhibit 2** is not my signature.
12. At no time did I, or anyone else on behalf of Clarkson Centre Associates, grant an easement to the owners of the Lot as depicted on **Exhibit 2**.
13. I am not aware of anyone granting an easement to the owners of the Lot as depicted on **Exhibit 2**.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Gary A. Mestman

STATE OF Arizona )  
 ) ss  
COUNTY OF Maricopa)

Sworn and subscribed to before me this 8 day of July, 2020

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 5/5/23



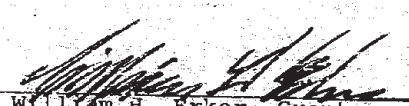
EASEMENT

WILLIAM H. ERKER, a single person, of the County of St. Louis, Missouri (hereafter "Grantor"), for valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to Clarkson Centre Association, of the County of St. Louis, Missouri, its successors, assigns, licensees, agents, lessees, contractors, subcontractors and tenants (hereafter "Grantee") the perpetual and non-exclusive right and easement to construct, reconstruct, use, and maintain a roadway on, over and across the land described on Exhibit A hereto (which such Exhibit is incorporated herein by reference) located in St. Louis County, Missouri; with the further right to grant easements and licenses to others for the purpose of installing, re-installing, constructing, reconstructing, using, operating and maintaining telecommunications facilities, electrical power facilities, sewage and water lines, and other utilities in, on and under the easternmost ten feet of the easement herein granted; and with the further right of ingress and egress to and over the adjacent 15 feet of the premises of the Grantor adjoining the said easement for the sole and exclusive purpose of constructing, the roadway and curbs to be constructed on the said easement.

The Grantor hereby reserves to himself, and his heirs, successors, assigns, licensees, agents, lessees, contractors, subcontractors and tenants the right to ingress and egress through and over the premises described on Exhibit A hereto; and further reserves the right to construct a connecting road joining the property described on Exhibit A along the western boundary thereof.

Grantor, for himself, his heirs, successors and assigns, does hereby warrant and covenant unto Grantee that he is the owner of the above-described land and has full right and authority validly to grant this easement.

IN WITNESS WHEREOF, WILLIAM H. ERKER has executed this instrument this 11th day of September, 1986.

  
William H. Erker, Grantor

State of Missouri )  
County of St. Louis) ss

On this 11th day of September, 1986

before me personally appeared William H. Erker to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

My term expires:

12/25/88

Anne M. Neske  
Notary Public

STATE OF MISSOURI  
COUNTY OF ST. LOUIS  
FILED FOR RECORD

1986 SEP 12 PM 3:18

ST. LOUIS COUNTY, MO.



An ingress and egress easement over a tract of land in the North Half of Section 21, Township 45 North, Range 4 east, St. Louis County, Missouri and being more particularly described as follows:

**Monument**  
Commencing at a concrete monument marking the Southwestern Corner of Clarkson Woods, Plat 2, as recorded in Plat Book 167, Page 66, of the St. Louis County Records, and also being a point on the Northern Line of Clarkson Woods South-Plat 1 as recorded in Plat Book 166, Pages 94 and 95, of the said St. Louis County Records; thence North 27 degrees 44 minutes 50 seconds East, along the Western Line of the aforementioned Clarkson Woods, Plat 2, a distance of 419.45 feet to a point, said point being the "True Point of Beginning" of the herein described ingress and egress easement; thence North 50 degrees 01 minutes 12 seconds West, along the North Line of the C-B zoning as established by Ordinance Number 6227, dated 1972, St. Louis County, Missouri, a distance of 60.00 feet to a point; thence North 39 degrees 58 minutes 48 seconds East along the West Line of the ingress and egress easement a distance of 19.39 feet to a point; thence North 17 degrees 01 minutes 17 seconds along the West Line of the ingress and egress easement a distance of 120.99 feet to a point of curvature; thence along a curve to the left, having a radius of 20.00 feet, an arc distance of 29.61 feet to a point of reverse curvature, said point being on the South Line of Clarkson Woods Drive, 60 feet wide, as established on the plat of Clarkson Woods, Plat 1, as recorded in Plat Book 161, Pages 80 thru 83 of the St. Louis County, Missouri Records; thence eastwardly along said South Line of Clarkson Woods Drive, 60 feet wide, being a curve to the left having a radius of 475.00 feet, an arc distance of 86.48 feet to a point, said point being a point on the South Line of Clarkson Woods Drive, and also being a northwestern corner of Lot 207 of the said Clarkson Woods, Plat 1; thence along the Western Line of said Clarkson Woods, Plat 1 and the aforementioned Lot 207 along a curve to the left having a radius of 20.00 feet, an arc distance of 29.60 feet to a point; thence continue along the said Western Line of Clarkson Woods, Plat 1, and the Western Line of the aforementioned Clarkson Woods, Plat 2 South 17 degrees 01 minutes 17 seconds West, a distance of 150.00 feet to a point; thence continue along the Western Line of Clarkson Woods, Plat 2, South 27 degrees 44 minutes 50 seconds West, a distance of 12.44 feet back to the Point of Beginning.

EXHIBIT A

END OF DOCUMENT

**Easement Deed**
 County Fee 1.00  
 State User Fee \$3.00  
 Total 4.00

*This Deed* Made and entered into this 11th day of  
 September nineteen hundred and eighty six, by and between  
 Clarkson Centre Associates, a Missouri General Partnership

of the County of St. Louis State of Missouri  
 party of the first part, and William H. Erker

of the County of St. Louis State of Missouri  
 party of the second part.

*Witnesseth*, that the said party of the first part, for and in consideration of the sum of One Hundred Dollars and other valuable consideration paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents *Grant* unto the said party of the second part,

*An Easement* for the following purposes:

Ingress, egress and parking for the benefit of the tract of land described on Exhibit B attached hereto.

over 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 half of Section 21, Township 45 North, Range 4 East, St. Louis County, Missouri and being the area depicted as driveways, curb cuts and parking area on the Final Development Plan for Clarkson Village dated January 21, 1986, Revised February 10, 1986 and recorded in Plat Book 245 Page 8 of the County records and on any subsequent Development Plan approved by St. Louis County.

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 STATE OF MISSOURI )  
 COUNTY OF ST. LOUIS )  
 FILED FOR RECORD

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 RECORDED  
 ST. LOUIS COUNTY, MO.

*To Have and to Hold* the said *Easement*, together with all rights and appurtenances to the same belonging, unto the said party of the second part, and to his

heirs and assigns forever.

*In Witness Whereof*, the said party of the first part has executed these presents the day and year first above written.

Clarkson Centre Associates

By:

Gary A. Mestman, Partner



State of Missouri, }  
County of St. Louis } ss. On this 11<sup>th</sup> day of September, 1986.  
before me personally appeared Gary A. Mestman  
as a Partner of Clarkson Centre Associates  
to me known to be the person described in and who executed the foregoing instrument, and acknowl-  
edged that he executed the same as the free act and deed of said Partnership

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in  
the County and State aforesaid, the day and year first above written.

My term expires 12/25/88

*Anne M. Neske*  
Notary Public  
ANNE M. NESKE

State of Missouri, }  
of } ss. On this day of , 19  
before me appeared  
to me personally known, who, being by me duly sworn, did say that he is the  
of  
a Corporation of the State of , and that the seal affixed to the foregoing instru-  
ment is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf  
of said corporation, by authority of its Board of Directors; and said  
acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in  
the and State aforesaid, the day and year first above written.

My term expires

Notary Public

EASEMENT DEED

FROM

TO

## EXHIBIT B

A tract of land in the North half of Section 21, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a point reached by the following courses and distances:

Beginning at a concrete monument marking the Southwestern corner of Clarkson Woods, Plat 2, as recorded in Plat Book 167 Page 66 of the St. Louis County Records, and also being a point on the Northern line of Clarkson Woods South - Plat 1 as recorded in Plat Book 166 Pages 94 and 95 of the said St. Louis County Records, thence South 27 degrees, 44 minutes 50 seconds West along the Northern line of said Clarkson Woods South, South, Plat 1, a distance of 3.00 feet to a point; thence South 89 degrees, 48 minutes 58 seconds West continuing along the said North line of Clarkson Woods South, Plat 1, a distance of 420.73 feet to a point said point being the Northwest corner of said Clarkson Woods South, Plat 1 and also being a point on the Eastern Right of Way line of Clarkson Road, 60 feet wide; thence along the said Eastern line of Clarkson Road, along a curve to the right, having a radius of 1,402.69 feet, an arc distance of 705.00 feet to a point; said point being the actual Point of Beginning; thence continuing Northeastwardly along said Southeast line of Clarkson Road, 60 feet wide, along a curve to the right whose radius point bears South 46 degrees 52 minutes 50 seconds East 1402.69 feet from the last mentioned point, a distance of 68.00 feet to a point in the South line of Clarkson Woods Drive, 60 feet wide; thence Eastwardly along said South line of Clarkson Woods Drive the following courses and distances: along a curve to the right whose radius point bears South 44 degrees 06 minutes 13 seconds East 40.00 feet from the last mentioned point, a distance of 51.81 feet, South 59 degrees 53 minutes 27 seconds East 137 feet, and along a curve to the left whose radius point bears North 30 degrees 06 minutes 33 seconds East 475.00 feet from the last mentioned point, a distance of 151.74 feet to a point; thence along a curve to the left whose radius point bears South 11 degrees 48 minutes 19 seconds West 20.00 feet from the last mentioned point, a distance of 29.60 feet to a point; thence South 17 degrees 01 minute 17 seconds West 150.00 feet to a point; thence South 27 degrees 44 minutes 50 seconds West 12.44 feet to a point; thence North 50 degrees 01 minutes 12 seconds West along the North line of the existing C-8 zoning as established by ordinance #6227 dated 1972, St. Louis County, Missouri, 368.01 feet to the actual point of beginning.

END OF DOCUMENT

## Appendix F

### Background

#### **A.     *The Parcel.***

2264 Clarkson Road is an irregularly shaped, .99-acre land parcel located at the southeast corner of the intersection of Clarkson Road and Clarkson Woods Drive (the “*Parcel*”). The Parcel is vacant and undeveloped. Since the 1980’s, the Parcel has been designated with a dual-zoning “R2” and “C-8”. We understand that the Parcel is currently owned by BTR, P.C. (“BTR”), but is under a contract for sale to Rabbi Avi Rubinfeld.

Clarkson-Wilson owns the approximately 5.16-acre land parcel improved with a 42,037 square-foot shopping center, directly adjacent to and south of the Parcel, occupied by multiple commercial and retail tenants (the “*Shopping Center*”). The Shopping Center was built in the 1980’s and has supported small businesses and enjoyed a mutually beneficial relationship with its neighbors for decades.

Prior to 1986 (before the Shopping Center and Parcel were annexed by Chesterfield in the mid 1990's), the Parcel and the Shopping were one parcel. In 1986, the owner of that approximately 6.15-acre tract of land subdivided it into two parcels. One parcel was the approximately 5.16-acres which the Shopping Center was built upon. The second parcel is the 0.99-acre Parcel located at the entrance of, and within the Clarkson Woods subdivision.

At the time the property that now consists of the Parcel and Shopping Center was being subdivided and "platted" for the Shopping Center, a second ingress and egress point (in addition to the curb cut on Clarkson) was required. The owner of the property at the time, in order to be able to sell the 5.16-acres to the developer of the future Shopping Center, provided an ingress and egress easement over the easternmost portion of the Parcel running north and south which allows ingress and egress to and from the Shopping Center from Clarkson Woods Drive (the “Easement Road”). The Easement Road travels across the Parcel and adjoins the Shopping Center, and it is a permanent easement (for the benefit of the Shopping Center property) that allows for traffic to enter and exit the Shopping Center parking areas to access the stoplight at Clarkson Road and Clarkson Woods Road.

The Parcel is directly east of the entrance of the Clarkson Woods subdivision which has over 280 homes.

#### **B.     *The City rejected the prior attempt to rezone the Parcel.***

As the City is undoubtedly aware, the Parcel has been the subject of much controversy over the past few years. In 2018, BTR requested that the Parcel be rezoned as a Planned Commercial District “PC.” At that time, the owner sought to rezone the Parcel for use as a veterinary clinic.<sup>1</sup> Numerous neighbors from the Clarkson Woods subdivision objected to and expressed considerable

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<sup>1</sup>Clarkson-Wilson did not specifically object to the requested rezoning because the proposed use appeared to be a relatively low-density use of the Parcel.

concern with the proposed rezoning. These concerns are well-documented and included, among other issues, increased traffic on both Clarkson Road and Clarkson Woods Road, increased noise, and unauthorized street parking in the subdivision.

Several Councilmembers shared these concerns with the denser use of the Parcel. Specifically, according to the Planning & Public Works Committee Meeting Summary from June 21, 2018, Councilmember Hurt noted that his main concern with the Parcel was zoning and that “this particular parcel is completely surrounded by residential and had concerns about the proposals [sic] impact on the character of the community.”<sup>2</sup> Councilmember Mastorakos stated that allowing the proposed rezoning “to go forward is against the City’s Code.”<sup>3</sup> Additionally, Chair Ohley noted that the Committee “needs to be cognizant of the fact that the surrounding areas is mostly residential and not commercial.”<sup>4</sup>

The City Council voted against the rezoning application in an 8-0 vote in September 2018. Soon after the rezoning application was denied, BTR sued the City in 2019. That lawsuit is still pending in the Circuit Court of St. Louis County. *See BTR, P.C. v. City of Chesterfield, Missouri*, Cause No. 19SL-CC00656.

***C. Less than a year after the City Council denied the request to rezone, a new applicant requested the Parcel be rezoned for an even greater density use of the Parcel than what was rejected by the City Council in an 8-0 vote.***

In 2019, another application to rezone the Parcel was filed with the City. This time, the applicant, Rabbi Rubinfeld, requested that the entire Parcel be rezoned “R4” Residential. The requested rezoning would permit, among other uses, a church or other place of worship on a minimum parcel size of ½-acre.

At the January 13, 2020 Planning Commission meeting, Rabbi Rubinfeld presented his application to the Planning Commission. He informed the Commission that he wanted to use the Parcel for a Chabad house. After several requests by Clarkson-Wilson, Rabbi Rubinfeld has not produced or shared any concrete plans of the proposed Chabad house. Both before and after the January 13, 2020 Planning Commission meeting, many residents of the Clarkson Woods subdivision expressed their concerns and objected to the rezoning of the Parcel which were very similar to the objections to the proposed veterinary clinic.<sup>5</sup>

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<sup>2</sup>See Planning & Public Works Committee Meeting Summary, Thursday June 21, 2018 available at [https://www.chesterfield.mo.us/webcontent/Meetings/PlanZone/06-21-2018 Planning and Public Works Committee Minutes.pdf?t=1532095040](https://www.chesterfield.mo.us/webcontent/Meetings/PlanZone/06-21-2018%20Planning%20and%20Public%20Works%20Committee%20Minutes.pdf?t=1532095040).

<sup>3</sup>See Planning & Public Works Committee Meeting Summary, Thursday June 21, 2018 available at link listed above.

<sup>4</sup>See Planning & Public Works Committee Meeting Summary, Thursday June 21, 2018 available at link listed above.

<sup>5</sup>It is undeniable that others have written in support of the Chabad house and Rabbi Rubinfeld. While some of those supporters are residences of Chesterfield or the Clarkson Woods subdivision, it is certainly notable that much support has been provided by entities and individuals who reside outside of Chesterfield, outside of Missouri and even outside of the United States. The rezoning of the Parcel would have no real impact on those individuals and entities.

Rabbi Rubinfeld's application was considered on January 13, 2020 and the Planning Commission recommended approval. The issue of whether the Parcel should be rezoned is now before the City Council.

July 13, 2020

**VIA EMAIL and U.S. MAIL**

City of Chesterfield, Missouri  
Attn: City Councilors, Mayor Nation  
690 Chesterfield Pkwy W  
Chesterfield, MO 63017

***Re: P.Z. 18-2019 to Rezone 2264 Clarkson Road***

Dear Councilors and Mayor Nation:

This law firm represents Clarkson-Wilson Investors, L.L.C. (“**Clarkson-Wilson**”), owner of the 42,037 square-foot retail center (the “**Shopping Center**”) adjacent to 2264 Clarkson Road (the “**Parcel**”).<sup>1</sup> P.Z. 18-2019 proposes to rezone the Parcel from its current dual zoning (“R2” and “C8”) to “R4” so the Parcel can be used as a house of worship and a community center. Clarkson-Wilson strongly objects to rezoning the Parcel, at the entrance of a residential neighborhood, to “R4” from its current zoning.<sup>2</sup> The requested rezoning of the Parcel is not a benign request. While on the surface “R4” zoning appears to be just another residential designation, it is not. “R4” zoning allows for a very dense, highly trafficked development that could allow for hundreds of attendees on a very small parcel of land, all at one time.

The density allowed under the proposed rezoning, if such zoning is enacted, will result in extremely destructive economic and operational consequences for the Shopping Center, as well as serious hardships and negative consequences for the Clarkson Woods subdivision. The overly dense development allowed under “R4” would seriously curb tenant demand for the Shopping Center, would cause substantial operational difficulties for existing tenants and potentially reduce demand for future home buyers for the Clarkson Wood subdivision.

The requested rezoning of the Parcel represents spot zoning. Spot zoning – which is improper under Missouri law – denotes a reclassification or rezoning of a lot “for a use out of harmony with the classification of the surrounding areas and without regard to the public welfare.”

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<sup>1</sup>A diagram showing the Parcel and Shopping Center is attached hereto as Appendix A.

<sup>2</sup>Clarkson-Wilson has not opposed or provided strong opinions regarding some of the previously considered projects because it felt the density levels of those projects were not unreasonable and generally within what the current “R2” zoning would have manifested.



Strandberg v. Kansas City, 415 S.W.2d 737, 746 (Mo. 1967). It is simply impossible to harmonize a place of worship permitted under the “R4” zoning, with its assembly usage and hundreds of attendees, to be located on a residential street at the entrance of a residential subdivision, and in this case a subdivision with over 280 homes. The Parcel has been subject to its current zoning classification since it was platted in 1986. The density limitations under the current zoning are well established, appropriate for the character of the Parcel, and have been fully comprehended by all previous and more current applicants. Indeed, the City Council recently denied a rezoning request that would have involved a proposed use that was significantly less dense than the current proposal. The City has been consistent in denying dense rezoning requests for the Parcel since the Parcel was annexed from St. Louis County, and the same result should follow here. Allowing an indiscriminate exception for the Parcel is contradictory and threatens the viability of the Shopping Center, as well as changing the character of, and placing an excessive and unreasonable burden on the Clarkson Woods subdivision.

Not only is spot zoning generally unlawful, this type of rezoning puts at risk every other residential neighborhood in Chesterfield that is in proximity to a vacant land parcel. Rezoning the Parcel to “R4” establishes a “green light” for future applicants seeking rezoning for dense developments on parcels adjoining neighborhoods. Further, if this rezoning is approved, the City will set a precedent that it is a proper exercise of legislative discretion and acceptable in a residential neighborhood to depart from low-density, residential uses in order to accommodate large gatherings and assemblies to the detriment of the surrounding neighborhood. We suspect the citizens of Chesterfield would adamantly oppose such a precedent and see no reason why the City would allow such a harmful precedent.

This rezoning request – to rezone a .99-acre parcel in a residential neighborhood to be used for assemblies and gatherings – is extraordinary. To our knowledge, of the approximately twenty-four places of worship in the City of Chesterfield, not one place of worship is zoned “R4.” Further, all of those places of worship in the City are situated on lots of greater than 3-acres<sup>3</sup>. The City has never approved a house of worship on a lot comparable to this Parcel, and to our knowledge it does not exist anywhere else in the City. It is arbitrary for the City to approve this rezoning application.

The fact there are no places of worship situated on a land parcel zoned “R4” in the City is not unusual or unexpected. In fact, it is indicative of sound land use planning. Rezoning a .99-acre parcel “R4” is a trigger that allows for a high density and high intensity use on residential-sized lots adjacent to and at the entrance of a residential neighborhood. If the Parcel were to be rezoned to “R4”, any applicant now, or in the future, would be permitted under the “R4” zoning to create a high-density development on the Parcel. Appendix C includes three potential site plans which each meet the requirements of “R4” zoning and which show the density and massive assembly use that can be built on the Parcel.<sup>4</sup> The City certainly has site plan review authority,

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<sup>3</sup>Appendix B attached hereto includes a listing of the City’s houses of worship, the zoning of each lot and the size of each lot. The SLCC Church which is situated on 2.49 acres, but also utilizes an adjacent 2.55 acre parcel.

<sup>4</sup>Each site plan includes the type of building square footage, parking lot requirements and attendee numbers permitted under the “R4” zoning.



but if the Parcel were rezoned to “R4,” the City would be obligated to allow any of the attached examples because they generally fit the requirements of “R4” zoning. Under “R4” zoning, a building in excess of 7,300 square-feet, with 240 attendees and 60 parking spaces would be allowed at the front door of the Clarkson Woods subdivision with access provided by Clarkson Woods Drive, a residential street.

Dustin Riechmann, PE, PTOE, a well-known and respected traffic engineer with Lochmueller Group, a nationally-recognized engineering firm, analyzed the Parcel as if it were zoned “R4” with a building that can hold at least 240 visitors (which is permitted under “R4”).<sup>5</sup> He determined, using standard traffic trip and parking generation data, that 115 to 131 separate vehicles could be present during gatherings or assemblies. The Parcel cannot possibly accommodate that number of vehicles in its own parking lot. Inevitably, more than 50 to 70 vehicles will (i) illegitimately park in the Shopping Center’s parking lot, which will overburden the parking lot and threaten the businesses operating there, (ii) overwhelm any lawfully permitted street parking in Clarkson Woods subdivision, (iii) create an unsafe traffic conflict at the signalized intersection of Clarkson Woods Drive and Clarkson Road, and (iv) cause excess traffic leaving the Parcel to traverse through the Clarkson Woods subdivision and use the Shopping Center as a thoroughfare to find alternative ways to get to Clarkson Road.

Further, we must dispel the baseless claim that the owner of the Parcel has an easement or a property right for “overflow” parking on the Shopping Center’s parking lot. This suggestion has been made by the applicant to assuage neighbors’ understandable and legitimate concerns and assure the City that overflow parking needs will not spill into the subdivision. Clarkson-Wilson strongly denies that the applicant, or any owner of the Parcel, has *any* easement or other right to use the Shopping Center’s parking lot.

To that end, Clarkson-Wilson filed a lawsuit to quiet title and to obtain a declaration that its parking lot may not be used for any parking or ingress/egress by the owner of the Parcel.<sup>6</sup> In the lawsuit, Clarkson-Wilson alleges that (i) any easement is invalid and the result of an inauthentic signature and (ii) that even if valid, the easement should be declared invalid because it would overburden the Shopping Center and take it out of compliance with the City’s ordinances.

Any additional cars trying to access the Shopping Center parking lot will be doing so without rights. Not only will this be hazardous for tenants and visitors to the Shopping Center, it will immediately put the Shopping Center in non-compliance with the City’s parking requirements, which will carry significant consequences. The City’s parking requirements are meant to provide safe site conditions for the public, and adequate parking for each business in the Shopping Center when at capacity. Permitting the Parcel’s visitors to swoop in and use any of the Shopping Center’s parking spaces will lead to inadequate parking for the customers, employees, shoppers, clients and visitors of the Shopping Center. Losing access to adequate parking threatens the business operations of the retailers and service businesses located in the Shopping Center.

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<sup>5</sup>The traffic assessment is attached hereto as Appendix D.

<sup>6</sup>A courtesy copy of that lawsuit is attached hereto as Appendix E.



# Carmody MacDonald

The consequences of the rezoning do not end with parking. As demonstrated in the traffic assessment by Mr. Riechmann, the proposed usage of the Parcel permits assemblies and gatherings where congregants, employees and vendors arrive and depart the property at or near the same time, creating dangerous traffic conflicts. Access to the Parcel is on Clarkson Woods Drive, a residential road. That road and its traffic light were not meant for the expected surge in volume of traffic caused by large assemblies and gatherings. The increased vehicle traffic on the access road that connects to Clarkson Woods Drive will inevitably, without rights, find its way to the Shopping Center's parking lot adding a level of congestion and inconvenience that will threaten the viability of the businesses in the Shopping Center causing irreversible economic damage and unsafe traffic conflicts for the Shopping Center and the residents and visitors of Clarkson Woods subdivision.

The permanent harm to the Shopping Center, its tenants and the surrounding residential neighbors caused by this rezoning cannot be overstated: (1) exceptional traffic and congestion in the parking lot, and the ingress and egress points; (2) the introduction of additional vehicles such that the parking lot and the street parking will be completely overburdened, (3) adverse impacts on retailers and businesses as their patrons will have impaired access and inadequate parking, (4) an unsafe traffic conflict at the signalized intersection of Clarkson Woods Drive and Clarkson Road and trapping residents in the subdivision, and (5) excess traffic from the Parcel traveling through and over the Clarkson Woods neighborhood streets and the Shopping Center, as an alternative to access Clarkson Road.

Respectfully, it is inconceivable, given the decades-long precedent of the City protecting the neighborhood and its residents, that the City would approve the proposed "R4" zoning which would allow for a large, assembly use type of development that is overwhelmingly more dense than the current zoning and other plans the City has previously rejected for the Parcel.

For all of these reasons, the City should deny the application to rezone the Parcel.<sup>7</sup>

Very truly yours,



Kevin M. Cushing

KMC/ajc  
Enclosures

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<sup>7</sup>As the City is undoubtedly aware, the Lot has been the subject of previous zoning attempts and is even the subject of a pending lawsuit. Appendix F included herewith contains a brief background regarding the Lot and its zoning history.

**From:** Mike Geisel  
**Sent:** Tuesday, July 14, 2020 4:51 PM  
**To:** Justin Wyse; Annisa Kumerow  
**Subject:** FW: Rezoning of 2264 Clarkson Road

**From:** Debbie Rowan <[drowan@sds-usa.com](mailto:drowan@sds-usa.com)>  
**Sent:** Tuesday, July 14, 2020 4:11 PM  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>; Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>; cityofficials <[cityofficials@chesterfield.mo.us](mailto:cityofficials@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning of 2264 Clarkson Road

Please see email received below.

----- Forwarded message -----

**From:** Nancy Lindley <[nalindley329@gmail.com](mailto:nalindley329@gmail.com)>  
**Date:** Tue, Jul 14, 2020 at 4:01 PM  
**Subject:** Rezoning of 2264 Clarkson Road  
**To:** <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>

Dear Board,

My husband and I are adamantly opposed to the rezoning of 2264 Clarkson Road. The proposed Chabad will present traffic problems as well as parking problems for the public visiting the facility. Hutkin Development has notified our Clarkson Woods subdivision that they will not allow any parking in their adjacent parking lot behind the Chabad House. We hope that the Chesterfield City Council will deny the proposal for rezoning by Rabbi Rubinfeld. It will be a huge problem for all of the homeowners in Clarkson Woods.

Thank you very much,

Nancy and Stuart Lindley

--

*Debbie Rowan*

"There is no limit to what you can accomplish as long as you do not care who gets the credit."

**From:** Justin Wyse  
**Sent:** Wednesday, July 15, 2020 8:05 AM  
**To:** Annisa Kumerow  
**Subject:** FW: Rezoning Clarkson Woods Subdivision

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**From:** Michelle Ohley  
**Sent:** Wednesday, July 15, 2020 7:29 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: Rezoning Clarkson Woods Subdivision

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Candise Uhles <[candiseuhles@gmail.com](mailto:candiseuhles@gmail.com)>  
**Date:** July 15, 2020 at 12:19:50 AM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>, Tom DeCampi <[TDeCampi@chesterfield.mo.us](mailto:TDeCampi@chesterfield.mo.us)>, "[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)" <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** Rezoning Clarkson Woods Subdivision

To Whom It May Concern,

My name is Candise Uhles and I am a resident of Clarkson Woods Subdivision. I live on Hunters Way Ct with my family and I would like to take this opportunity to inform you of my position on the rezoning of Clarkson Woods Subdivision. I oppose the rezoning of this subdivisions for several reasons.

Rabbi Rubinfeld did not answer questions regarding the rezoning of this property adequately. The existing residential area requires three acres for a place of worship and th area has not changed. A place of worship will typically involve large gatherings with many vehicles and the spillover parking would impede residents of Clarkson Woods. Alternatives to parking on the streets in Clarkson Woods do not exist and the following should also be considered: parking on the shoulder of Clarkson Road is not possible due to traffic, turn lanes, and general safety. The lot does not have adequate size for parking. Clarkson Wilson Center adjoins the property, but the shopping center denies parking rights have been granted to the current owner.

I oppose the change to R4 zoning and ask that the City Council deny the application.

Thank you,  
Candise Uhles

**From:** Justin Wyse  
**Sent:** Wednesday, July 15, 2020 8:06 AM  
**To:** Annisa Kumerow  
**Subject:** FW: rezoning 2264 Clarkson Road

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**From:** Michelle Ohley  
**Sent:** Wednesday, July 15, 2020 7:27 AM  
**To:** Justin Wyse <[JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us)>; Mike Geisel <[mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us)>  
**Subject:** Fwd: rezoning 2264 Clarkson Road

For the record.

Michelle Ohley - Councilmember  
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

**From:** Walter Bilgram <[wrbilgram@gmail.com](mailto:wrbilgram@gmail.com)>  
**Date:** July 14, 2020 at 10:14:51 PM CDT  
**To:** Michelle Ohley <[MOhley@chesterfield.mo.us](mailto:MOhley@chesterfield.mo.us)>  
**Cc:** "[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)" <[cwshomeowners@gmail.com](mailto:cwshomeowners@gmail.com)>  
**Subject:** rezoning 2264 Clarkson Road

Dear Michelle

As a 30 year homeowner in Clarkson Woods, I am very concerned about the rezoning proposal for the front end of our subdivision. The traffic and parking would be dangerous and intrusive into our quiet neighborhood. I am agreeing with our HOA board and ask that you agree as well by voting no for the proposed rezoning.

Thank you for your service to our ward!

Best,

Walter Bilgram  
636.236.5562 mobile  
[wrbilgram@gmail.com](mailto:wrbilgram@gmail.com)  
<https://www.linkedin.com/in/wrbilgram>

# Memorandum

## Department of Planning



**To:** Michael O. Geisel, City Administrator  
**From:** Justin Wyse, Director of Planning *JW*  
**Date:** July 20, 2020 See Bill No. 3297

**RE:** **P.Z. 19-2019 Briarcliffe Villas (13987 & 14001 Olive Blvd)**: A request to repeal City of Chesterfield Ordinance 2213 establishing a Planned Environmental Unit over two parcels of land zoned R-3 Residence District and totaling 29.4 acres (16R340207 & 16R340151).(Ward 1)

### **Summary**

Stock & Associates Consulting Engineers, Inc. has submitted a request for a zoning map amendment from the “R-3” Residence District with a “PEU” Planned Environmental Unit to the “R-3” Residence District. The petitioner is requesting to repeal the “PEU”.

A Public Hearing was held on February 10, 2020, and there were no issues raised by the Planning Commission pertaining to this petition.

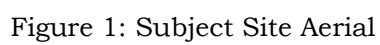
On April 13, 2020 this petition was next brought before the Planning Commission. Planning Commission made a motion to approve P.Z. 19-2019 Briarcliffe Villas (13987 & 14001 Olive Blvd). The motion passed by a vote of 9-0.

On April 23, 2020, the Planning & Public Works Committee met and discussed this petition. A motion to recommend approval was passed by a vote of 4-0.

A City Council meeting was held on May 4, 2020. At the request of the applicant, the City Council motioned to postpone consideration of P.Z. 19-2019 until June 17, 2020.

A City Council meeting was held on June 17, 2020. At the request of the applicant, the City Council motioned to postpone consideration of P.Z. 19-2019 until July 20, 2020.





**BILL NO.** 3297

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

**AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 2213 CREATING A PLANNED ENVIRONMENT UNIT PROCEDURE WITHIN AN “R-3” RESIDENCE DISTRICT FOR TWO (2) TRACTS OF LAND TOTALING 29.4 ACRES LOCATED ON OLIVE BOULEVARD (P.Z. 19-2019 BRIARCLIFFE VILLAS {13987 & 14001 Olive Blvd} 16R340207 & 16R340151).**

**WHEREAS**, the petitioner, Stock & Associates Consulting Engineers, Inc., has requested a change in zoning from “R-3” Residence District with a “PEU” Planned Environment Unit to “R-3” Residence District for a 29.4 acre tract of land located on the north side of Olive Boulevard; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on February 10, 2020; and,

**WHEREAS**, the Planning Commission, having considered said request, recommended approval of the change of zoning; and,

**WHEREAS**, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning; and,

**WHEREAS**, the City Council, having considered said request voted to approve the change of zoning request.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing an “R-3” Residence District for a 29.4 acre tract of land located on the north side of Olive Boulevard, described as follows:

TRACTS OF LAND BEING PART OF LOT 11 OF D.J. TALBOTS ESTATE SUBDIVISION, IN U.S. SURVEYS 2030 AND 206, TOWNSHIP 46 NORTH, RANGE 4 EAST, IN ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF HOG HOLLOW ROAD, 40 FEET WIDE, AT ITS INTERSECTION WITH THE SOUTH LINE OF U.S. SURVEY 2030; THENCE ALONG THE CENTER LINE OF SAID ROAD, NORTH 45 DEGREES 03 MINUTES 31 SECONDS WEST 86.69 FEET, NORTH 74 DEGREES 44 MINUTES 26 SECONDS WEST 142.55 FEET; THENCE NORTH 47 DEGREES 14 MINUTES 26 SECONDS WEST 211.20 FEET AND NORTH 28 DEGREES 14 MINUTES 26 SECONDS WEST 353.81 FEET TO A POINT; THENCE LEAVING SAID ROAD LINE AND RUNNING NORTH 59 DEGREES 31 MINUTES 48 SECONDS EAST 1,249.07 FEET TO A POINT; THENCE SOUTH 25 DEGREES 49 MINUTES 00 SECONDS EAST 1,460.05 FEET TO A POINT IN THE NORTH LINE OF OLIVE STREET ROAD, 60 FEET WIDE; THENCE ALONG THE NORTH LINE OF OLIVE STREET ROAD SOUTH 61 DEGREES 58 MINUTES 49 SECONDS WEST 294.51 FEET TO A POINT; THENCE NORTH 28 DEGREES 33 MINUTES 00 SECONDS WEST 175.96 FEET TO A POINT IN THE SOUTH LINE OF U.S. SURVEY 2030; THENCE ALONG SAID SURVEY LINE, NORTH 82 DEGREES 32 MINUTES 26 SECONDS WEST 854.19 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,282,091 SQUARE FEET OR 29.433 ACRES MORE OR LESS, ACCORDING TO CALCULATIONS BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC. ON AUGUST 11, 2004.

**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council.

**Section 3.** The City Council, pursuant to the petition filed by Stock & Associates Consulting Engineers, Inc., in P.Z. 19-2019, requesting the amendment embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 10<sup>th</sup> day of February 2020, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.



**Section 4.** This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 8 of the City of Chesterfield Unified Development Code.

**Section 5.** This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

ATTEST:

\_\_\_\_\_  
Vickie McGownd, CITY CLERK

FIRST READING HELD: 07/20/2020

**STOCK & ASSOCIATES**  
**Consulting Engineers, Inc.**

July 16, 2020

**Via Email & Hand Delivery ([mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us))**

City of Chesterfield  
690 Chesterfield Pkwy W.  
Chesterfield, MO 63017

Attention: Honorable Mayor Nation and City Councilmembers c/o Mike Geisel – City Administrator

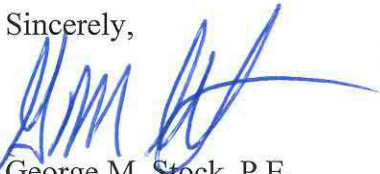
Re: Bill No. 3297 – P.Z. 19-2019 Briarcliffe Villas (13987 & 14001 Olive Blvd)  
Bill No. 3298 – P.Z. 20-2019 Briarcliffe Villas (14001 Olive Blvd)  
(Stock Project No. 219-6568)

Dear Honorable Mayor and City Councilmembers,

On behalf of “Chesterfield Management, LP”, owner & petitioner for Bill No.’s 3297, and 3298, we respectfully request that “Bill No.’s 3297 and 3298” be “Held” on Monday July 20, 2020 City Council Meeting. We request they be continued indefinitely until such time that the City Council resumes an “In Person” meeting.

Should you have any questions and/or comments please do not hesitate to call me at (314) 581-0119 or email at [George.stock@stockassoc.com](mailto:George.stock@stockassoc.com).

Sincerely,



George M. Stock, P.E.  
President

CC: Mr. Thomas Daake, Chesterfield Management LP ([tdaake@gmail.com](mailto:tdaake@gmail.com))  
Mrs. Adele Daake, Chesterfield Management LP ([azd326@gmail.com](mailto:azd326@gmail.com))  
Mr. Alex A. Daake, Chesterfield Management LP ([daakeac@yahoo.com](mailto:daakeac@yahoo.com))  
Mr. Justin Wyse, City of Chesterfield, City Planner ([JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us))  
Mr. Chris Graville, City of Chesterfield, City Attorney ([cbg@gravillelaw.com](mailto:cbg@gravillelaw.com))

# Memorandum

## Department of Planning

**To:** Michael O. Geisel, City Administrator  
**From:** Justin Wyse, Director of Planning *JW*  
**Date:** July 20, 2020 See Bill No. 3298



**RE:** **P.Z. 20-2019 Briarcliffe Villas (14001 Olive Blvd)**: A request for a change in zoning from R-3 Residence District to PUD Planned Unit Development for a maximum of 117 residential units (16R340151).

### **Summary**

Stock & Associates Consulting Engineers, Inc. has submitted a request for a zoning map amendment from the “R-3” Residence District to the “PUD” Planned Unit Development.

The “PUD” request is for a maximum of 117 lots. Typical lot exhibits have been provided in the Preliminary Plan for each of the requested uses, including single-family detached, single-family attached, and multi-family. The Preliminary Plan specifies that multi-family housing will be located a minimum of 200’ from the east property line.

A Public Hearing for this request was held on February 10<sup>th</sup>, 2020. At the Public Hearing, the Planning Commission requested additional information regarding several items, which are discussed in the attached Planning Commission Staff report. At the April 13<sup>th</sup>, 2020 Planning Commission meeting, the Planning Commission recommended approval of this change of zoning by a vote of 6-3, with the following amendments to the Attachment A:

- The addition of the minimum Lot Size of 6,000 square feet
- Revise Structure Setback from the right-of-way line of any roadway from: 20 feet to 15 feet
- Include an addendum that the site plan review process includes added design features

There was significant discussion at the April 13<sup>th</sup> meeting regarding the proposal, specifically related to Design Features as part of a future Site Development Plan submission instead of in conjunction with the establishment of the PUD.

On April 23, 2020 the Planning & Public Works Committee met and discussed the petition. A motion to recommend denial was passed by a vote of 3-1.

A City Council meeting was held on May 4, 2020. At the request of the applicant, the City Council motioned to postpone consideration of P.Z. 20-2019 until June 17, 2020.

A City Council meeting was held on June 17, 2020. At the request of the applicant, the City Council motioned to postpone consideration of P.Z. 20-2019 until July 20, 2020.

Attachments: Updated Attachment A  
Preliminary Development Plan  
Concept Landscape Plan



Figure 1: Subject Site Aerial



BILL NO. 3298

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

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R-3” RESIDENCE DISTRICT TO A “PUD” PLANNED UNIT DEVELOPMENT FOR A 29.4 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD. (P.Z. 20-2019 BRIARCLIFFE VILLAS {14001 OLIVE BLVD} 16R340151).**

**WHEREAS**, the petitioner, Stock & Associates Consulting Engineers, Inc., has requested a change in zoning from “R-3” Residence District to “PUD” Planned Unit Development located on the north side of Olive Boulevard; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on February 10, 2020; and,

**WHEREAS**, the Planning Commission, having considered said request, recommended approval of the change of zoning with amendments by a vote of 6-3; and,

**WHEREAS**, the Planning and Public Works Committee, having considered said request, recommended denial of the change of zoning; and,

**WHEREAS**, the City Council, having considered said request voted to approve the change of zoning request.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a “PUD” Planned Unit Development for a 29.4 acre tract of land located on the north side of Olive Boulevard, described as follows:

A tract of land in Lot 11 of D.J. Talbot Subdivision in U.S. Survey 2030, according to the plat thereof recorded in Plat Book 7 Page 43 of the St. Louis City (former County) Records and partly in U.S. Survey 206 Township 46 North Range 4 East in St. Louis County, Missouri more particularly described as:

Beginning at a point in the center line of Hog Hollow Road, 40 feet wide, at its intersection with the South line of U.S. Survey 2030; thence along the center line of said road, North 45 degrees 03

minutes 31 seconds West, 86.69 feet; North 74 degrees 44 minutes 26 seconds West, 142.55 feet; North 47 degrees 14 minutes 26 seconds West, 211.20 feet and North 28 degrees 14 minutes 26 seconds West, 356.40 feet and North 07 degrees 12 minutes 34 seconds East, 85.40 feet to the south right-of-way line of the Missouri Central Rail Road Company, 100 feet wide; thence along said right-of-way line the following courses and distances: North 63 degrees 04 minutes 34 seconds East, 699.83 feet to a point of curvature to the left having a radius of 5,787.48 feet, an arc length of 242.07 feet and a chord which bears North 61 degrees 52 minutes 40 seconds East, 242.06 feet and North 60 degrees 40 minutes 46 seconds East, 257.43 feet to its intersection with the northwesterly prolongation of the western line of Eagle Ridge, a subdivision according to the plat thereof as recorded in Plat Book 344, Page 175 of the St. Louis County Records; thence departing said right-of-way line along said prolongation line and the western line of Eagle Ridge, South 25 degrees 49 minutes 00 seconds East, 1,176.10 feet to the northern corner of a tract of land as conveyed to WLF Investments LLC by instrument recorded in Book 21584, Page 1944 of above said records; thence along the northwest line of said WLF Investments LLC tract, South 64 degrees 11 minutes 00 seconds West, 145.90 feet to the western corner thereof; thence South 25 degrees 49 minutes 00 seconds East, 301.42 feet to the northwestern right-of-way line of Olive Boulevard, thence along said right-of-way line, South 61 degrees 59 minutes 00 seconds West, 148.50 feet to the southeastern corner of a tract of land as conveyed to Keymer Realty and Investments, LLC by instrument recorded in Book 21422, page 725 of above said records; thence along the eastern line of said Keymer tract, North 28 degrees 33 minutes 00 seconds West, 173.94 feet to the southeastern tract of land as awarded to Harvey A. and Sandra S. Keymer under Cause No. 09SL-CC023205 filed in the Circuit Court of St. Louis County; thence along the eastern and northern lines of said cause the following courses and distances: North 75 degrees 52 minutes 59 seconds East, 3.20 feet; North 14 degrees 07 minutes 01 seconds West, 10.86 feet; North 30 degrees 56 minutes 43 seconds West, 17.06 feet to the beginning of a non-tangent curve to the left having a radius of 46.59 feet; along said curve with an arc length of 57.24 feet and a chord which bears North 83 degrees 38 minutes 06 seconds West, 53.71 feet and South 61 degrees 11 minutes 37 seconds West, 37.17 feet to the south line of above said U.S. Survey 2030; thence along said south line, North 82

degrees 32 minutes 26 seconds West, 760.09 feet to the Point of Beginning and Containing 1,281,082 square feet or 29.410 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on June 12, 2019.

**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council, which are set out in the “Attachment A” and the preliminary plan indicated as “Attachment B” which is attached hereto as and made part of.

**Section 3.** The City Council, pursuant to the petition filed by Stock & Associates Consulting Engineers, Inc., in P.Z. 20-2019, requesting the amendment embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 10<sup>th</sup> day of February, 2020, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

**Section 4.** This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 8 of the City of Chesterfield Unified Development Code.

**Section 5.** This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

ATTEST:

\_\_\_\_\_  
Vickie McGownd, CITY CLERK

FIRST READING HELD: 07/20/2020

## **ATTACHMENT A**

**All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.**

### **I. SPECIFIC CRITERIA**

#### **A. PERMITTED USES**

1. The uses allowed in this “PUD” District shall be:
  - a. Dwelling, single-family attached
  - b. Dwelling, single-family detached
  - c. Dwelling, multiple-family
2. The above uses in the “PUD” District shall be restricted as follows:
  - a. There shall be no more than one hundred seventeen (117) units.
  - b. There shall be no more than forty (40) multiple-family dwelling units.
  - c. The minimum lot size for dwelling, single-family attached and dwelling, single-family detached shall be 6,000 square feet.

#### **B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS**

1. Height

No building elevation of any dwelling, structure or building accessory to a dwelling structure shall exceed three (3) stories or forty-five (45) feet in height, whichever is less.
2. Building Requirements

A minimum of 30 percent (30%) openspace is required for this development.

#### **C. SETBACKS**

1. Structure Setbacks

No building or structure, other than: a freestanding project identification sign, light standards, or flag poles will be located within the following setbacks:

  - a. Fifteen (15) feet from the right-of-way line of any roadway.



- b. Six (6) feet of any side property line.
  - c. Fifteen (15) feet from the rear property line.
2. Multiple-Family Setbacks

No multiple-family dwelling will be located within two-hundred (200) feet from the eastern property line.

#### **D. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. No construction related parking shall be permitted within Olive Boulevard right-of-way or on any other existing roadways. All construction related parking shall be confined to the development.

#### **E. LANDSCAPE AND TREE REQUIREMENTS**

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Buffering:
  - a. A minimum of a thirty (30) foot wide buffer strip shall be provided between this development and Eagle Ridge Subdivision.
  - b. A minimum of a thirty (30) foot wide buffer strip shall be provided between this development and the commercial development to the southwest.
  - c. A minimum of a thirty (30) foot wide buffer strip shall be provided along Hog Hollow Road and Olive Boulevard

#### **F. SIGN REQUIREMENTS**

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic (or MoDOT), for sight distance considerations prior to installation or construction.

#### **G. LIGHT REQUIREMENTS**

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

## **H. ARCHITECTURAL**

1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

## **I. ACCESS/ACCESS MANAGEMENT**

1. There shall be no access to Hog Hollow from this development. Accordingly, there are no road improvements to Hog Hollow associated with this development.
2. Ingress and egress must conform to MoDOT's Access Management Guidelines and must be reviewed and approved by MoDOT. Any changes to the entrance geometrics and drainage design shall be in accordance with Missouri Department of Transportation (MoDOT) standards and shall be reviewed and approved by MoDOT.
3. Access to Olive Boulevard (State Highway 340) shall be limited to one (1) street approach. The street approach shall be located as directed by the City of Chesterfield and MoDOT.
4. No direct access to Olive Boulevard (State Highway 340) or to Hog Hollow Road will be permitted from any lot within the subdivision.
5. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance as required by the City of Chesterfield and the agency in control of the right of way off which the access is proposed.
6. Provide direct right-of-way access to the proposed internal street for 13987 Olive Boulevard.

## **J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right-of-way.

2. If a gate is installed on a street in a development, the streets within the development or that portion of the development that is gated shall be private and shall remain private forever.
3. All roadway and related improvements in each plat or phase of the development shall be constructed prior to issuance of building permits exceeding 60% for that plat or phase. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in excess of 60%.
4. Provide a 5-foot wide sidewalk, conforming to ADA standards, along the Olive Boulevard frontage of the site as approved and permitted by MoDOT. The grades for the sidewalk shall accommodate the extension of the sidewalk eastward to Eagle Manor Lane. The sidewalk may be located within MoDOT State right-of-way, if permitted by MoDOT, or within a 6-foot wide sidewalk, maintenance and utility easement.
5. Provide sidewalks along both sides of internal streets as directed by the City of Chesterfield.
6. Provide a pedestrian connection along the proposed Fire Access Road from Eagle Manor Court to the proposed internal street.
7. Provide a minimum of fifty (50) feet of right-of-way dedication along Hog Hollow Road. The right-of-way shall be centered on the centerline of the existing roadway, with a minimum of 25 feet on either side.
8. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation and the City of Chesterfield.

#### **K. TRAFFIC STUDY**

Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

#### **L. POWER OF REVIEW**

The development shall adhere to the Power of Review Requirements of the City of Chesterfield Code.

#### **M. STORMWATER**

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. The adequacy and condition of the existing downstream systems shall be verified and upgraded if necessary.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield and MSD. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty percent (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on all Site Development Plans.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by MSD and the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least thirty (30) feet horizontally from the limits of the one hundred (100) year high water.
6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and MSD.
7. Grading and stormwater systems shall be designed so as to collect all surface water from all disturbed areas along the northwestern portion of the development, parallel and adjacent to the top of the slope draining to the northwest, and convey that surface water to an adequate discharge point where extraordinary measures will be employed to dissipate energy, attenuate flows, and protect slopes from degradation. No stormwater shall be allowed to flow from an area which has been graded, to the undisturbed slope.
8. Grading and stormwater systems shall be designed so as to collect surface water from the rear of the lots on the northern side of the development and the western side of the development (those units tributary to bluffs along the Missouri River valley and the steep slopes above Hog Hollow Road) and convey that surface water to an adequate discharge point where extraordinary measures will be employed to dissipate energy, attenuate flows, and protect the slopes from

degradation. No stormwater from the aforementioned lots shall be allowed to flow to the undisturbed or reconstructed slopes, as directed by the City of Chesterfield.

9. The proposed storm sewer adjacent to Hog Hollow Road shall be designed to ensure there are no negative impacts to the existing roadside drainage swale.

#### **N. SANITARY SEWER**

Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

#### **O. ROADWAY IMPROVEMENTS AND CURB CUTS**

Obtain approval from the City of Chesterfield Department of Public Works and the Missouri Department of Transportation (MoDOT) for the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

#### **P. GEOTECHNICAL REPORT**

Prior to Site Development Plan approval, the developer shall provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of Chesterfield. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

#### **Q. MISCELLANEOUS**

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and MoDOT. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

4. Prior to Site Development Plan approval, the developer shall provide a copy of the recorded deed restriction proposed in the applicant's letter dated March 4<sup>th</sup>, 2020.
5. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration, or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
6. Retaining walls along public right-of-way shall be private and remain private forever and shall be located outside of right-of-way such that they are not necessary to support any public improvements.
7. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
8. The Site Development Plan review process shall include added design features in accordance with Section 31.03-04.K.

## **II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS**

- A.** The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C.** Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D.** Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E.** Where due cause is shown by the developer, the City Council may extend the period to submit a Site Development Plan for eighteen (18) months.

### **III. COMMENCEMENT OF CONSTRUCTION**

- A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

### **IV. GENERAL CRITERIA**

#### **A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS**

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is a separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and

rock formations, and other karst features that are to remain or be removed.

15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

## **V. RECORDING**

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

## **VI. ENFORCEMENT**

- A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.



- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D.** Waiver of Notice of Violation per the City of Chesterfield Code.
- E.** This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.



## ABBREVIATIONS

|           |   |                                  |
|-----------|---|----------------------------------|
| ATO       | - | ADJUST TO GRADE                  |
| B.C.      | - | BACK OF CURB                     |
| C.O.      | - | CLEANOUT                         |
| DB.       | - | DEED BOOK                        |
| E.        | - | ELECTRIC                         |
| ELEV.     | - | ELEVATION                        |
| EX.       | - | EXISTING                         |
| F.C.      | - | FACE OF CURB                     |
| FL.       | - | FLOWLINE                         |
| FT.       | - | FEET                             |
| FND.      | - | FOUND                            |
| G.        | - | GAS                              |
| H.W.      | - | HIGH WATER                       |
| LFB       | - | LOW FLOW BLOCKED                 |
| M.H.      | - | MANHOLE                          |
| N/F       | - | NOW OR FORMERLY                  |
| PB.       | - | PLAT BOOK                        |
| PR.       | - | PAGE                             |
| P.V.C.    | - | PROPOSED POLYVINYL CHLORIDE PIPE |
| R.C.P.    | - | REINFORCED CONCRETE PIPE         |
| R/W       | - | RIGHT-OF-WAY                     |
| SO.       | - | SQUARE                           |
| T.        | - | TELEPHONE CABLE                  |
| T.B.A.    | - | TO BE ABANDONED                  |
| T.B.R.    | - | TO BE REMOVED                    |
| T.B.R.&R. | - | TO BE REMOVED AND REPLACED       |
| TYP.      | - | TYPICALLY                        |
| U.I.P.    | - | USE IN PLACE                     |
| U.O.N.    | - | UNLESS OTHERWISE NOTED           |
| V.C.P.    | - | VITRIFIED CLAY PIPE              |
| W.        | - | WATER                            |
| (86'W)    | - | RIGHT-OF-WAY WIDTH               |

## LEGEND

|                            |  |
|----------------------------|--|
| EXISTING SANITARY SEWER    |  |
| EXISTING STORM SEWER       |  |
| EXISTING TREE              |  |
| EXISTING BUILDING          |  |
| EXISTING CONTOUR           |  |
| SPOT ELEVATION             |  |
| EXISTING UTILITIES         |  |
| FOUND 1/2" IRON PIPE       |  |
| SET IRON PIPE              |  |
| FOUND CROSS                |  |
| FOUND STONE                |  |
| FIRE HYDRANT               |  |
| LIGHT STANDARD             |  |
| BUSH                       |  |
| SH                         |  |
| NOTES PARKING SPACES       |  |
| GUY WIRE                   |  |
| POWER POLE                 |  |
| WATER VALVE                |  |
| DENOTES RECORD INFORMATION |  |
| ACCESSIBLE PARKING         |  |
| PROPOSED CONTOUR           |  |
| PROPOSED SPOT              |  |
| PROPOSED STORM             |  |
| PROPOSED SANITARY          |  |
| PROPOSED SPORT COURT FENCE |  |

## GENERAL NOTES

- BOUNDARY AND TOPOGRAPHIC SURVEY BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC.
- ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED.
- NO GRADE SHALL EXCEED 3:1 SLOPE.
- GRADING AND STORM WATER PER M.S.D., MODOT, AND THE CITY OF CHESTERFIELD.
- STORMWATER SHALL BE DISCHARGED AT ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
- ALL UTILITIES WILL BE INSTALLED UNDERGROUND.
- SITE DEVELOPMENT SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS AS OUTLINED IN THE GEOTECHNICAL REPORT AND ALL ITS SUPPLEMENTAL PROVISIONS AND ADDENDUMS.
- A PROVISION FOR COMMON OPEN SPACE SHALL BE PROVIDED IN THE PUD AT A MINIMUM OF THIRTY PERCENT (30%) OF THE TOTAL SITE ACREAGE, TO BE DISTRIBUTED THROUGHOUT THE PUD AND NOT CONCENTRATED IN ONE (1) AREA NOR SHALL IT CONTAIN ONLY THAT PORTION OF THE PROPOSED PUD THAT WOULD BE CONSIDERED UNDEVELOPABLE DUE TO TOPOGRAPHY OR ANY OTHER SITE SPECIFIC RELATED MATTER. ALL COMMON OPEN SPACE AREAS SHALL BE SHOWN ON ALL PRELIMINARY PLANS, SITE DEVELOPMENT PLANS, SITE DEVELOPMENT CONCEPT PLANS, SITE DEVELOPMENT SECTION PLANS, AND RECORD PLATS AND SHALL BE PRESERVED AND DEED RESTRICTED AS COMMON OPEN SPACE.

## STANDARD NOTES

- ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED TO CITY OF CHESTERFIELD AND/OR MODOT STANDARDS.
- NO SLOPES WITHIN CITY OF CHESTERFIELD AND/OR MODOT RIGHT-OF-WAY SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL).
- STORM WATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
- ALL PROPOSED ACCESS TO MODOT ROADS SHALL MEET MINIMUM MODOT SIGHT DISTANCE REQUIREMENTS.
- ALL GRADING AND DRAINAGE SHALL BE IN CONFORMANCE WITH CITY OF CHESTERFIELD, MODOT, AND MSD STANDARDS.

## INDEX of SHEETS

- PRELIMINARY PLAN
- SITE SECTIONS

## ST. LOUIS COUNTY BENCHMARK

BM 7-16 - ELEV. 630.22 NGVD 1929 (U.S.G.S.)  
 10' ON THE BACK OF CURB OF EAST BOUND OLIVE BLVD. ON THE CENTERLINE PRODUCED OF EAGLE MANOR LANE.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. AND THE UNDERSIGNED ENGINEER HAVE NO RESPONSIBILITY FOR SERVICES PROVIDED BY OTHERS TO IMPLEMENT THE IMPROVEMENTS SHOWN ON THIS PLAN AND ALL OTHER DRAWINGS WHERE THE UNDERSIGNED ENGINEER'S SEAL APPEARS. THE CONSTRUCTION MEANS AND METHODS ARE THE SOLE RESPONSIBILITY OF THE OWNER AND CONTRACTOR. STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. HAS NO RESPONSIBILITY TO VERIFY FINAL IMPROVEMENTS AS SHOWN ON THIS PLAN UNLESS SPECIFICALLY ENGAGED AND AUTHORIZED TO DO SO BY THE OWNER OR CONTRACTOR.

## PREPARED FOR:

CHESTERFIELD MANAGEMENT ASSOCIATES LP  
 26 PORTLAND PLACE  
 ST. LOUIS, MO 63017  
 ATTN: ADELE DAAKE  
 PHONE: (513) 461-3291  
 FAX: (314) 367-1206

## CONTRACTOR'S INSURANCE REQUIREMENTS

PRIOR TO OBTAINING A CONSTRUCTION PERMIT FROM THE METROPOLITAN ST. LOUIS SEWER DISTRICT, THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE THE DISTRICT WITH A COPY OF AN EXECUTED CERTIFICATE OF INSURANCE INDICATING THAT THE PERMITTEE HAS OBTAINED AND WILL CONTINUE TO CARRY COMMERCIAL GENERAL LIABILITY AND COMPREHENSIVE AUTO LIABILITY INSURANCE. THE REQUIREMENTS AND LIMITS SHALL BE AS STATED IN THE "RULES AND REGULATIONS AND ENGINEERING DESIGN REQUIREMENTS FOR SANITARY AND STORMWATER DRAINAGE FACILITY", SECTION 10.090 (ADDENDUM).

## UTILITY NOTE:

UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND INFORMATION, AND, THEREFORE DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NON-EXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE FACILITIES, STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS. THE UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319 RSMo.

# PRELIMINARY PLAN FOR 14001 OLIVE BOULEVARD, R-3 TO P.U.D.

A TRACT OF LAND BEING IN LOT 11 OF D.J. TALBOT SUBDIVISION IN IN U.S. SURVEY 2030 AS RECORDED IN PLAT BOOK 7 PAGE 43, TOWNSHIP 46 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

## DENSITY CALCULATIONS:

TOTAL SITE: 1,281,082 S.F.  
 LANDSCAPE BUFFERS: 115,982  
 BUILDABLE AREA (TOTAL SITE - LANDSCAPE BUFFER): 1,165,100 S.F.  
 R3 LOT SIZE: 10,000 S.F.  
 DENSITY: (1,165,100 S.F.) / (10,000 S.F.) = 117 LOTS

CITY OF CHESTERFIELD  
 PLANNED DISTRICT ORDINANCE  
 ATTACHMENT B

## LOCATION MAP

(NOT TO SCALE)

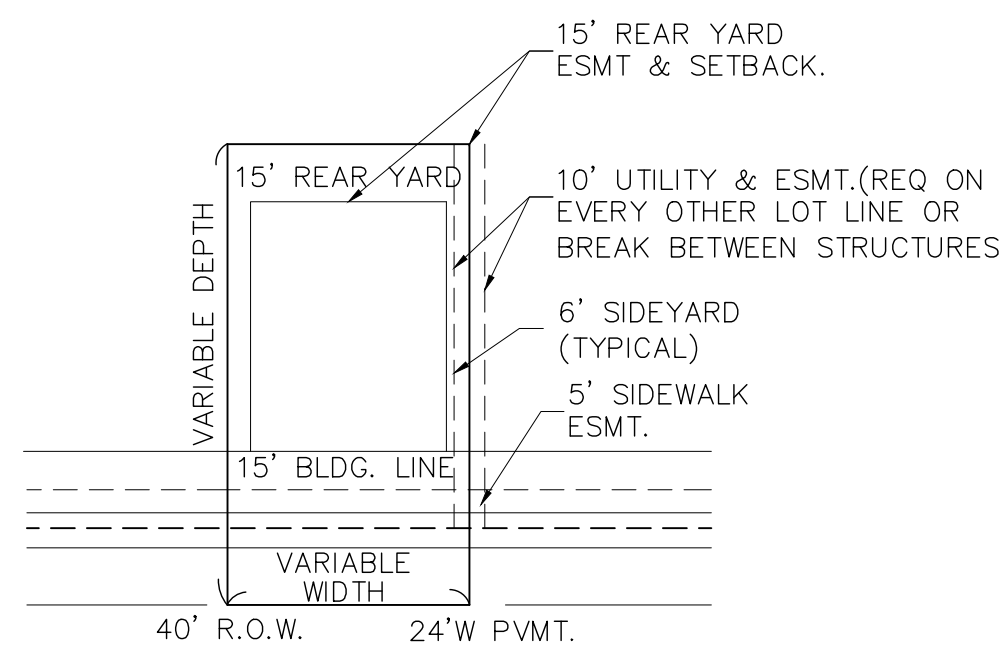
## PERTINENT DATA

OWNER: CHESTERFIELD MANAGEMENT ASSOCIATES LP  
 LOT AREA: 29.410 Acres ±  
 EXISTING ZONING: P.U.E. WITHIN A "R3" (ORD. #2213)  
 SITE ADDRESS: 14001 OLIVE BLVD.  
 LOCATOR NO: 16R340151  
 WUNNERBERG'S: PG. 22, GRID 16BB & 17BB  
 FIRE DISTRICT: MONARCH FIRE PROTECTION DISTRICT  
 SCHOOL DISTRICT: PARKWAY  
 SEWER DISTRICT: METROPOLITAN ST. LOUIS SEWER DIST.  
 WATER SHED: MISSOURI RIVER  
 FEMA MAP: 2918BC0170K, FEB 4, 2015  
 ELECTRIC COMPANY: AMEREN UE  
 GAS COMPANY: SPIRE INC  
 PHONE COMPANY: AT&T  
 WATER COMPANY: MISSOURI AMERICAN WATER COMPANY

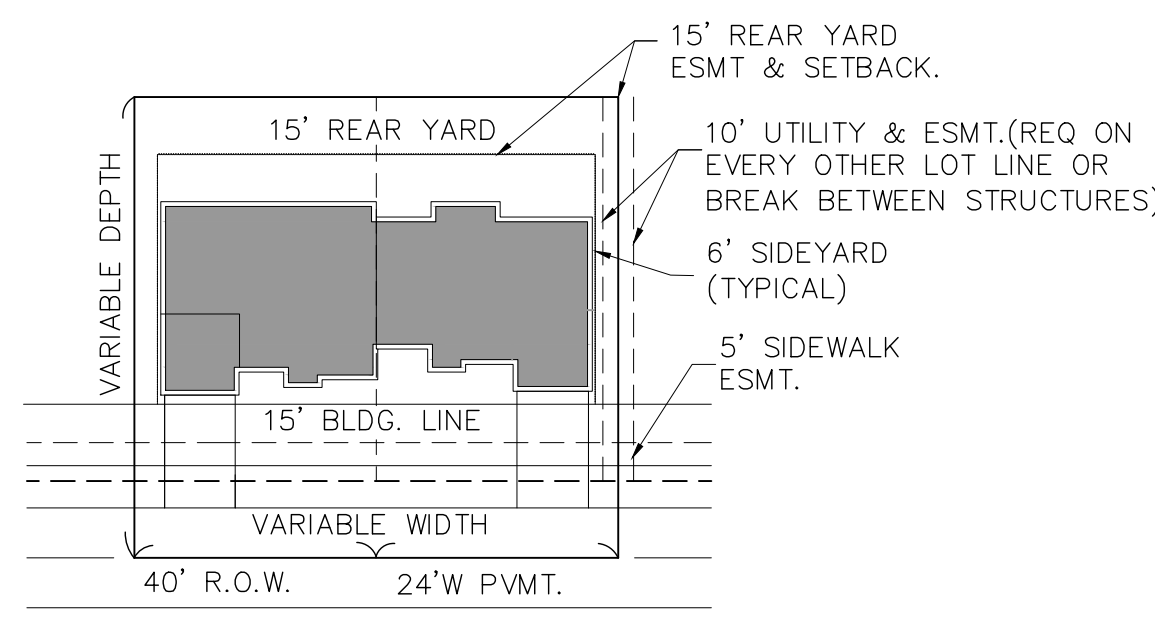
## PROPERTY DESCRIPTION

A TRACT OF LAND IN LOT 11 OF D.J. TALBOT SUBDIVISION IN U.S. SURVEY 2030, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7 PAGE 43 OF THE ST. LOUIS CITY (FORMER COUNTY) RECORDS AND PARTLY IN U.S. SURVEY 206 TOWNSHIP 46 NORTH RANGE 4 EAST IN ST. LOUIS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS:

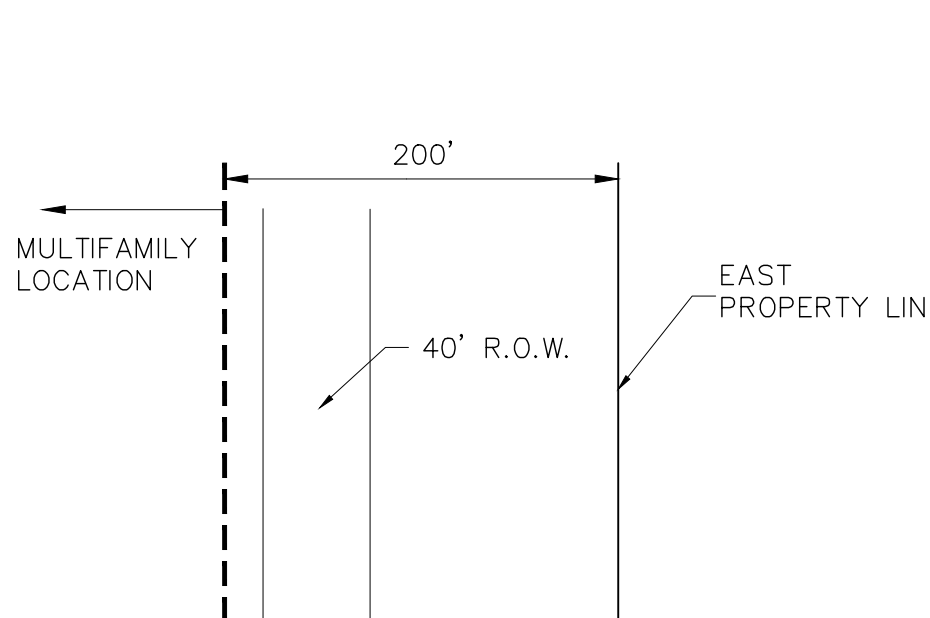
BEGINNING AT A POINT IN THE CENTER LINE OF HOG HOLLOW ROAD, 40 FEET WIDE, AT ITS INTERSECTION WITH THE SOUTH LINE OF U.S. SURVEY 2030; THENCE ALONG THE CENTER LINE OF SAID ROAD, NORTH 45 DEGREES 03 MINUTES 31 SECONDS WEST, 86.69 FEET; NORTH 74 DEGREES 44 MINUTES 26 SECONDS WEST, 142.55 FEET; NORTH 47 DEGREES 14 MINUTES 26 SECONDS WEST, 211.20 FEET AND NORTH 28 DEGREES 14 MINUTES 26 SECONDS WEST, 356.40 FEET AND NORTH 07 DEGREES 12 MINUTES 34 SECONDS EAST, 85.40 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE MISSOURI CENTRAL RAIL ROAD COMPANY, 100 FEET WIDE; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 83 DEGREES 04 MINUTES 34 SECONDS EAST, 699.83 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 5,787.48 FEET, AN ARC LENGTH OF 242.07 FEET AND A CHORD WHICH BEARS NORTH 61 DEGREES 52 MINUTES 40 SECONDS EAST, 242.06 FEET AND NORTH 60 DEGREES 46 SECONDS EAST, 257.43 FEET TO ITS INTERSECTION WITH THE NORTHWESTERLY PROLONGATION OF THE WESTERN LINE OF EAGLE RIDGE, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 344, PAGE 175 OF THE ST. LOUIS COUNTY RECORDS; THENCE DEPARTING SAID RIGHT-OF-WAY LINE ALONG SAID PROLONGATION LINE AND THE WESTERN LINE OF EAGLE RIDGE, SOUTH 25 DEGREES 49 MINUTES 00 SECONDS EAST, 1,176.10 FEET TO THE NORTHERN CORNER OF A TRACT OF LAND AS CONVEYED TO WLF INVESTMENTS LLC BY INSTRUMENT RECORDED IN BOOK 21584, PAGE 1944 OF ABOVE SAID RECORDS; THENCE ALONG THE NORTHWEST LINE OF SAID WLF INVESTMENTS LLC TRACT, SOUTH 64 DEGREES 11 MINUTES 00 SECONDS WEST, 145.90 FEET TO THE WESTERN CORNER THEREOF; THENCE SOUTH 25 DEGREES 49 MINUTES 00 SECONDS EAST, 301.42 FEET TO THE NORTHWESTERN RIGHT-OF-WAY LINE OF OLIVE BOULEVARD; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 61 DEGREES 52 SECONDS WEST, 148.50 FEET TO THE SOUTHEASTERN CORNER OF A TRACT OF LAND AS CONVEYED TO KEYMER REALTY AND INVESTMENTS, LLC BY INSTRUMENT RECORDED IN BOOK 21422, PAGE 725 OF ABOVE SAID RECORDS; THENCE ALONG THE EASTERN LINE OF SAID KEYMER TRACT, NORTH 28 DEGREES 33 MINUTES 00 SECONDS WEST, 173.84 FEET TO THE SOUTHEASTERN TRACT OF LAND AS AWARDED TO HARVEY A. AND SANDRA S. KEYMER UNDER CAUSE NO. 09SL-C0023205 FILED IN THE CIRCUIT COURT OF ST. LOUIS COUNTY; THENCE ALONG THE EASTERN AND NORTHERN LINES OF SAID CAUSE THE FOLLOWING COURSES AND DISTANCES: NORTH 75 DEGREES 52 MINUTES 59 SECONDS EAST, 3.20 FEET; NORTH 14 DEGREES 07 MINUTES 01 SECONDS WEST, 10.86 FEET; NORTH 30 DEGREES 56 MINUTES 43 SECONDS WEST, 17.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 46.59 FEET WITH AN ARC LENGTH OF 37.24 FEET AND A CHORD WHICH BEARS NORTH 83 DEGREES 38 MINUTES 06 SECONDS WEST, 53.71 FEET AND SOUTH 61 DEGREES 11 MINUTES 37 SECONDS WEST, 37.17 FEET TO THE SOUTH LINE OF ABOVE SAID U.S. SURVEY 2030; THENCE ALONG SAID SOUTH LINE, NORTH 82 DEGREES 32 MINUTES 28 SECONDS WEST, 760.09 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,281,082 SQUARE FEET OR 29.410 ACRES MORE OR LESS ACCORDING TO CALCULATIONS PERFORMED BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. ON JUNE 12, 2019.



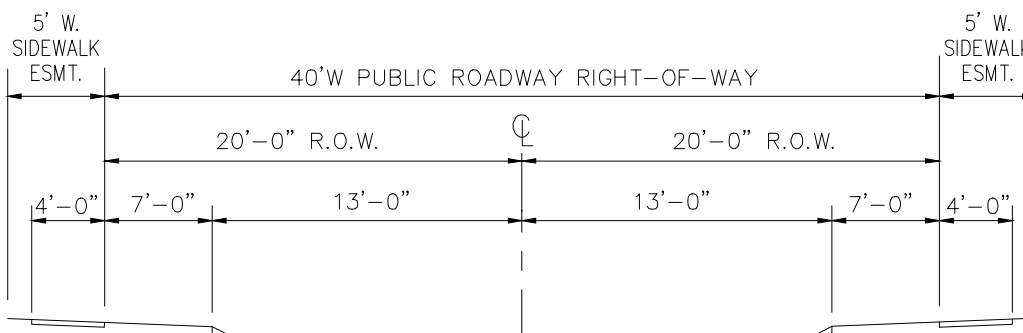
## TYPICAL LOT - DETACHED



## TYPICAL LOT - ATTACHED



## TYPICAL - MULTIFAMILY LOCATION



## TYPICAL STREET SECTION

INTERNAL STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ARTICLE 04-09 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD.

PREPARED BY:

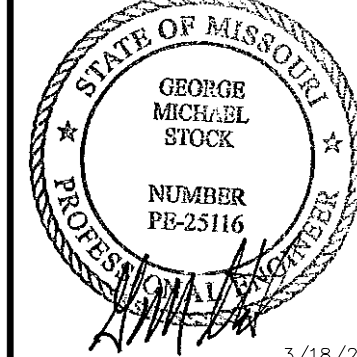
2527 Chesterfield Business Parkway  
 St. Louis, MO 63005  
 PH: (636) 558-9100  
 FAX: (636) 558-9100  
 e-mail: general@stockandassociates.com  
 Web: www.stockandassociates.com

PRELIMINARY PLAN FOR:

14001 OLIVE BOULEVARD, R-3 TO P.U.D.  
 PREVIOUSLY KNOWN AS BRARCLIFFE VILLAS

14001 OLIVE BLVD  
 CHESTERFIELD, MO 63017

DATE:



3/18/20  
 GEORGE M. STOCK E-25116  
 CIVIL ENGINEER  
 CERTIFICATE OF AUTHORITY  
 NUMBER: 200996

## REVISIONS:

1. CITY COMMENTS 01/14/20  
 2. CITY COMMENTS 03/04/20  
 3. CITY COMMENTS 03/18/20

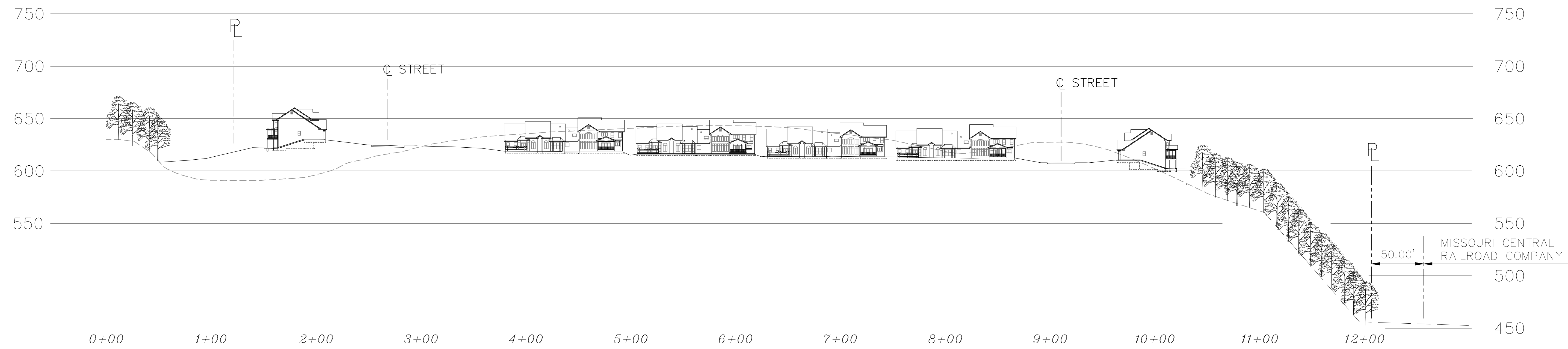
DRAWN BY: K.S.G. CHECKED BY: K.S.G.  
 DATE: 11/12/2019 JOB NO: 219-6568  
 M.S.D. # 16R340151 RACE MAP # 16R  
 S.L.C. HAT # # HAT S.U.P. # #  
 M.D.N.R. # #  
 M.O.R.A. # #  
 SHEET FILE:

PRELIMINARY PLAN

SHEET NO:  
 C1.0

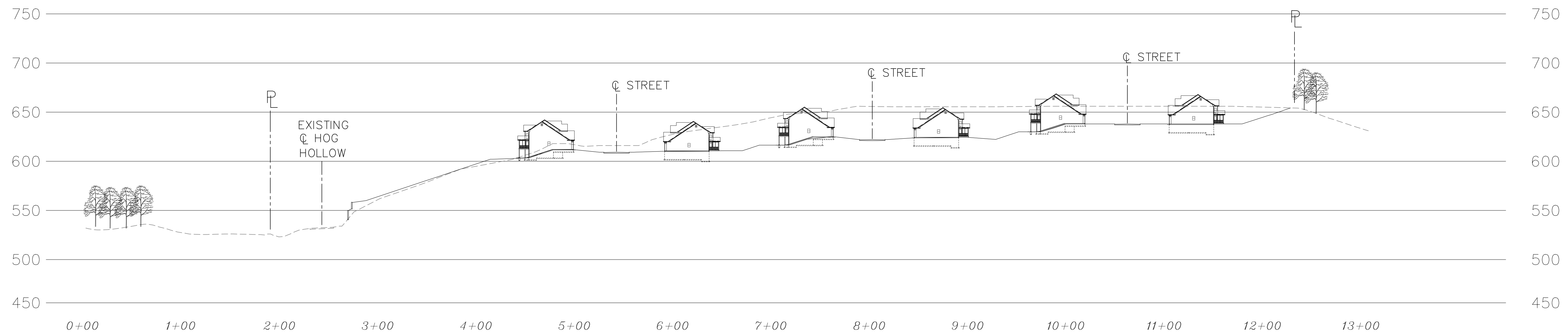


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City of Chesterfield  
Mar 19 2020  
Department of Public Services



SECTION A-A

SCALE: HORIZ. 1"=50'  
VERT. 1"=50'



SECTION B-B

SCALE: HORIZ. 1"=50'  
VERT. 1"=50'

PREPARED BY:  
**STOCK & ASSOCIATES**  
Consulting Engineers, Inc.  
257 Chesterfield Business Parkway  
St. Louis, MO 63005  
PH: (636) 536-9100  
FAX: (636) 536-9100  
e-mail: general@stockassoc.com  
Web: www.stockassoc.com

PRELIMINARY PLAN FOR:  
**14001 OLIVE BOULEVARD, R-3 TO P.U.D.**  
PREVIOUSLY KNOWN AS BRIARCLIFFE VILLAS

14001 OLIVE BLVD  
CHESTERFIELD, MO 63017

DATE: 3/18/20  
GEORGE M. STOCK E-25116  
CIVIL ENGINEER  
CERTIFICATE OF AUTHORITY  
NUMBER: 000996

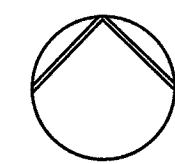
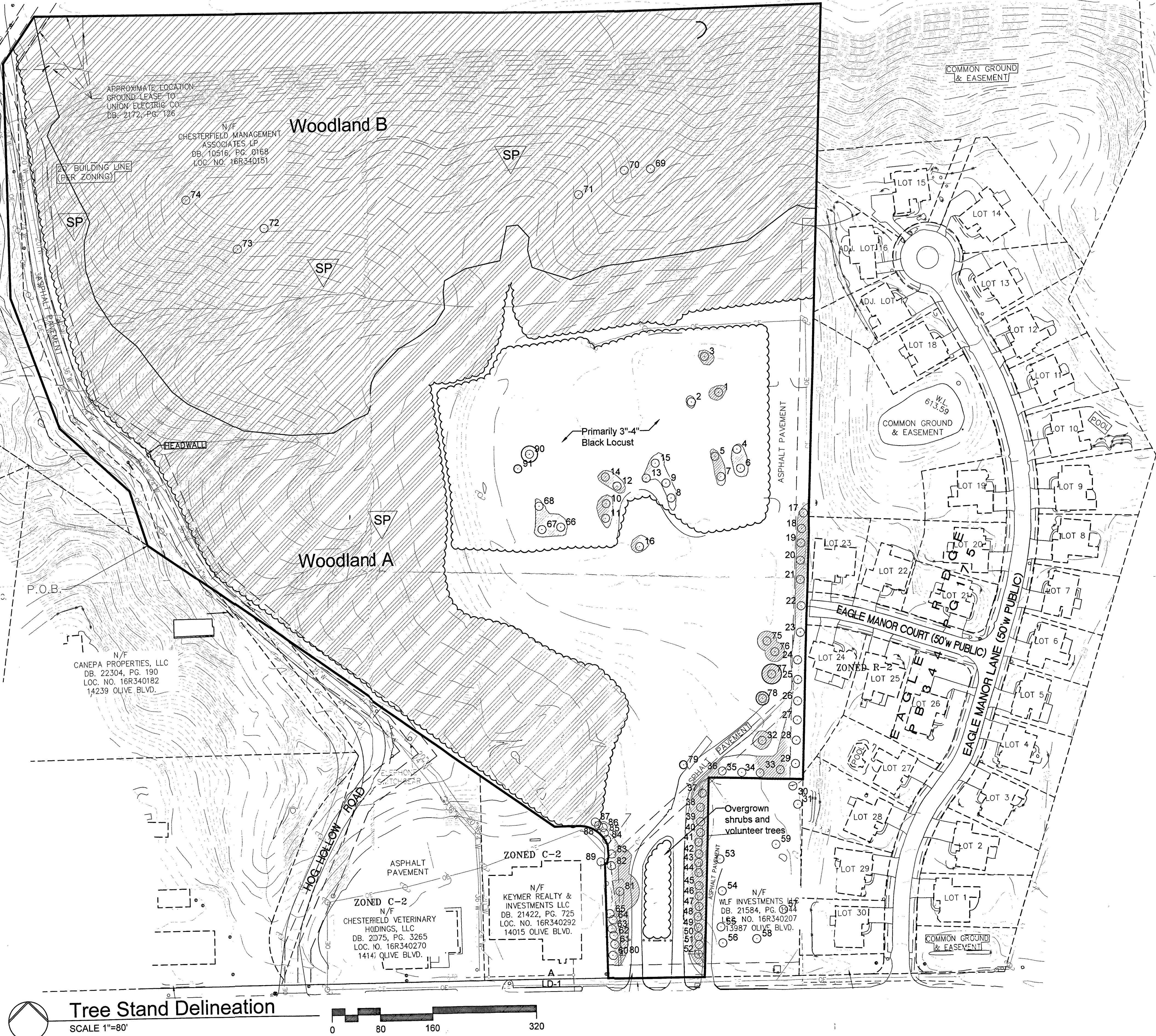
REVISIONS:  
1. CITY COMMENTS 01/14/20  
2. CITY COMMENTS 03/04/20  
3. CITY COMMENTS 03/18/20

DRAWN BY: K.S.G. CHECKED BY: G.M.S.  
DATE: 11/12/2019 JOB NO: 219-0568  
K.S.G. P. # RAGE MAP: #  
S.L.C. HAT: # HAT S.U.P. #  
M.D.N.R. #  
MORA

SITE SECTIONS

SHEET NO: C2.0





Tree Stand Delineation

SCALE 1"=80'

Legend:

| Symbol | Description                              |
|--------|------------------------------------------|
| ○#     | Existing Individual Trees/ Monarch Trees |
| △SP    | Location of Sample Plots                 |
| —      | Woodland Delineation                     |

Zoning Designation:  
Present Zoning: R-2, CUP

Total Site Area: 29.41 acres

Floodplain Number:  
Area is outside of 500-year floodplain  
Fema Map # = 29189C0145

| Woodland Data |                   |               |                                                  |                      |                  |                            |                                              |                                                      |
|---------------|-------------------|---------------|--------------------------------------------------|----------------------|------------------|----------------------------|----------------------------------------------|------------------------------------------------------|
| Woodland      | Forest Type       | Area (sq.ft.) | Dominant and Co-dominant Species                 | Density (Trees/acre) | Average Diameter | Average Overstory Diameter | Frequency of Occurrence for Dominant Species | Understory Species                                   |
| A             | Successional/Edge | 311,265.00    | Black locust / Cottonwood / Sycamore / Hackberry | 110                  | 2.5"             | 10"                        | 60 / 10 / 10 / 5                             | Black Cherry / American Elm / Boxelder / Honeysuckle |
| B             | Mixed Hardwoods   | 489,964.00    | Green Ash / Red Oak / Sugar Maple / Walnut       | 80                   | 4"               | 12"                        | 20 / 20 / 20 / 10                            | Sugar Maple / Pawpaw                                 |

TREE NOTES:

A) Woodland A is primarily composed of successional species such as black locust and cottonwood. This area has the most potential for disturbance due to the close proximity to Olive Blvd. and Hog Hollow Road.  
B) Trees especially valuable to the site are those located along the north facing slope. This woodland is comprised of a mixture of high quality hardwoods.

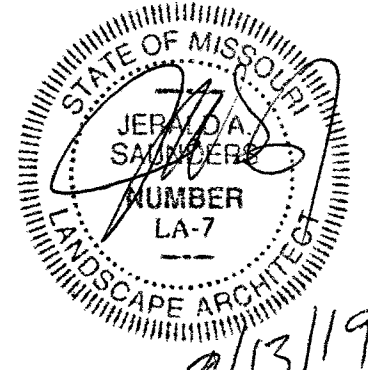
WOODLAND = 854,425 sq.ft.  
INDIVIDUAL TREES = 41,055 sq.ft.  
TOTAL SQ.FT. OF EXISTING CANOPY = 895,480 sq.ft.

| Tree Inventory |                  |        |           |                                     |
|----------------|------------------|--------|-----------|-------------------------------------|
| Tree #         | Species          | Inches | Rating    | Comments                            |
| 1              | Common Apple     | 12     | Fair      |                                     |
| 2              | Sweetgum         | 24     | Good      |                                     |
| 3              | Sweetgum         | 20     | Good      |                                     |
| 4              | Sweetgum         | 20     | Good      |                                     |
| 5              | Sweetgum         | 23     | Good      |                                     |
| 6              | Sweetgum         | 22     | Good      |                                     |
| 7              | Sweetgum         | 22     | Good      |                                     |
| 8              | Crabapple        | 10     | Poor      |                                     |
| 9              | Crabapple        | 9      | Poor      |                                     |
| 10             | Crabapple        | 12     | Poor      |                                     |
| 11             | Crabapple        | 12     | Poor      |                                     |
| 12             | Bradford Pear    | 14     | Good      |                                     |
| 13             | Bradford Pear    | 13     | Good      |                                     |
| 14             | Alder            | 22     | Fair      |                                     |
| 15             | Alder            | 21     | Excellent |                                     |
| 16             | Crabapple        | 12     | Poor      |                                     |
| 17             | Oak, Pin         | 18     | Poor      | Under Wires                         |
| 18             | Oak, Pin         | 28     | Poor      | Under Wires                         |
| 19             | Oak, Pin         | 28     | Poor      | Under Wires                         |
| 20             | Oak, Pin         | 32     | Fair      | Monarch                             |
| 21             | Oak, Pin         | 30     | Fair      | Monarch                             |
| 22             | Oak, Pin         | 28     | Fair      |                                     |
| 23             | Oak, Pin         | 30     | Fair      | Monarch                             |
| 24             | Oak, Pin         | 29     | Poor      |                                     |
| 25             | Oak, Pin         | 30     | Fair      |                                     |
| 26             | Oak, Pin         | 30     | Fair      | Monarch                             |
| 27             | Oak, Pin         | 30     | Poor      |                                     |
| 28             | Oak, Pin         | 30     | Fair      | Monarch                             |
| 29             | Oak, Pin         | 32     | Good      | Monarch                             |
| 30             | Maple, Silver    | 36     | Fair      | Offsite; Monarch                    |
| 31             | Maple, Silver    | 38     | Fair      | Offsite; Monarch                    |
| 32             | Pine, Austrian   | 15     | Poor      |                                     |
| 33             | Oak, Pin         | 26     | Poor      |                                     |
| 34             | Oak, Pin         | 38     | Poor      |                                     |
| 35             | Oak, Pin         | 38     | Fair      | Hazard                              |
| 36             | Oak, Pin         | 36     | Good      | Monarch                             |
| 37             | Pine, White      | 18     | Good      | Monarch                             |
| 38             | Pine, White      | 24     | Excellent |                                     |
| 39             | Mulberry         | 24     | Poor      |                                     |
| 40             | Pine, White      | 24     | Good      | Monarch                             |
| 41             | Pine, White      | 15     | Excellent |                                     |
| 42             | Pine, White      | 18     | Excellent |                                     |
| 43             | Pine, White      | 18     | Fair      |                                     |
| 44             | Pine, White      | 20     | Good      |                                     |
| 45             | Pine, White      | 18     | Good      |                                     |
| 46             | Pine, White      | 26     | Good      | Monarch                             |
| 47             | Pine, White      | 24     | Good      | Monarch                             |
| 48             | Pine, White      | 28     | Good      | Monarch                             |
| 49             | Pine, White      | 18     | Good      |                                     |
| 50             | Pine, White      | 28     | Excellent | Monarch                             |
| 51             | Pine, White      | 13     | Fair      |                                     |
| 52             | Pine, White      | 28     | Excellent | Monarch                             |
| 53             | Pecan            | 38     | Excellent | Offsite; Monarch                    |
| 54             | Maple, Sugar     | 26     | Excellent | Offsite                             |
| 55             | Maple, Sugar     | 32     | Good      | Offsite; Monarch                    |
| 56             | Spruce, Colorado | 16     | Good      | Offsite                             |
| 57             | Spruce, Colorado | 20     | Good      | Offsite                             |
| 58             | Oak, Pin         | 36     | Fair      | Offsite; Disease                    |
| 59             | Tuliptree        | 26     | Good      | Offsite                             |
| 60             | Pine, White      | 22     | Fair      | 30' canopy size                     |
| 61             | Pine, White      | 18     | Fair      | 30' canopy size                     |
| 62             | Pine, White      | 14     | Fair      | 20' canopy size                     |
| 63             | Pine, White      | 18     | Fair      | 20' canopy size                     |
| 64             | Pine, White      | 18     | Fair      | 20' canopy size                     |
| 65             | Pine, White      | 24     | Fair      | 20' canopy size; Utility pruning    |
| 66             | Sweetgum         | 18     | Good      |                                     |
| 67             | Sweetgum         | 20     | Good      |                                     |
| 68             | Sweetgum         | 20     | Good      |                                     |
| 69             | Black Oak        | 36     | Good      | Monarch                             |
| 70             | Red Oak          | 28     | Fair      | Monarch                             |
| 71             | Red Oak          | 24     | Good      | Monarch                             |
| 72             | Chinkapin Oak    | 25     | Good      | Monarch                             |
| 73             | Chinkapin Oak    | 24     | Good      | Monarch                             |
| 74             | American Elm     | 26     | Good      | Monarch                             |
| 75             | Linden           | 14     | Fair      | 30' canopy size                     |
| 76             | Linden           | 14     | Fair      | 30' canopy size                     |
| 77             | Silver Maple     | 14     | Good      | 30' canopy size                     |
| 78             | Linden           | 12     | Fair      | 20' canopy size                     |
| 79             | Boxelder         | 7      | Poor      | 12' canopy size                     |
| 80             | Pine, White      | 24     | Fair      | 20' canopy size                     |
| 81             | Silver Maple     | 28     | Fair      | 60' canopy size                     |
| 82             | Pine, White      | 9      | Fair      | 22' canopy size                     |
| 83             | Pine, White      | 18     | Fair      | 25' canopy size                     |
| 84             | Pine, White      | 15     | Poor      | 20' canopy size                     |
| 85             | Pine, White      | 18     | Poor      | 18' canopy size                     |
| 86             | Pine, White      | 18     | Poor      | Twin                                |
| 87             | Silver Maple     | 20     | Poor      | Dead; Twin                          |
| 88             | Silver Maple     | 36     | Fair      | 60' canopy size                     |
| 89             | Silver Maple     | 24     | Fair      | Offsite; 40' canopy size; Utilities |
| 90             | Cottonwood       | 26     | Poor      |                                     |
| 91             | Cottonwood       | 12     | Poor      |                                     |

Tree Stand Delineation based on plans prepared by SKA Forestry and Associates and Loomis Associates in September 2005

Tree Stand Delineation Prepared under the direction of:  
Brian Bage

Certified Arborist MVE 5635AD  
DEC 17 2019  
City of Chesterfield  
Department of Public Services



Jerald Saunders - Landscape Architect  
MO License # LA-007

Consultants:

TEXT ORDINANCE AMENDMENT TO ORD. 2213  
PREVIOUSLY KNOWN AS BRIARCLIFFE VILLAS

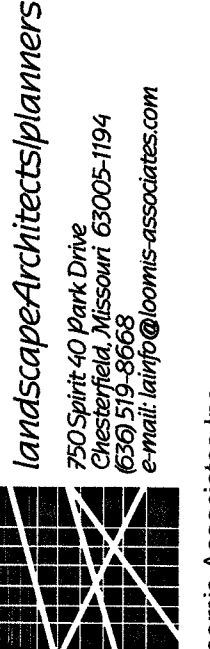
Chesterfield, Missouri

Revisions:

| Date | Description | No. |
|------|-------------|-----|
|      |             |     |
|      |             |     |
|      |             |     |
|      |             |     |
|      |             |     |
|      |             |     |
|      |             |     |
|      |             |     |
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Drawn: KP  
Checked: RS

loomisAssociates



Sheet Title:

Tree Stand Delineation

Sheet No:

TSD

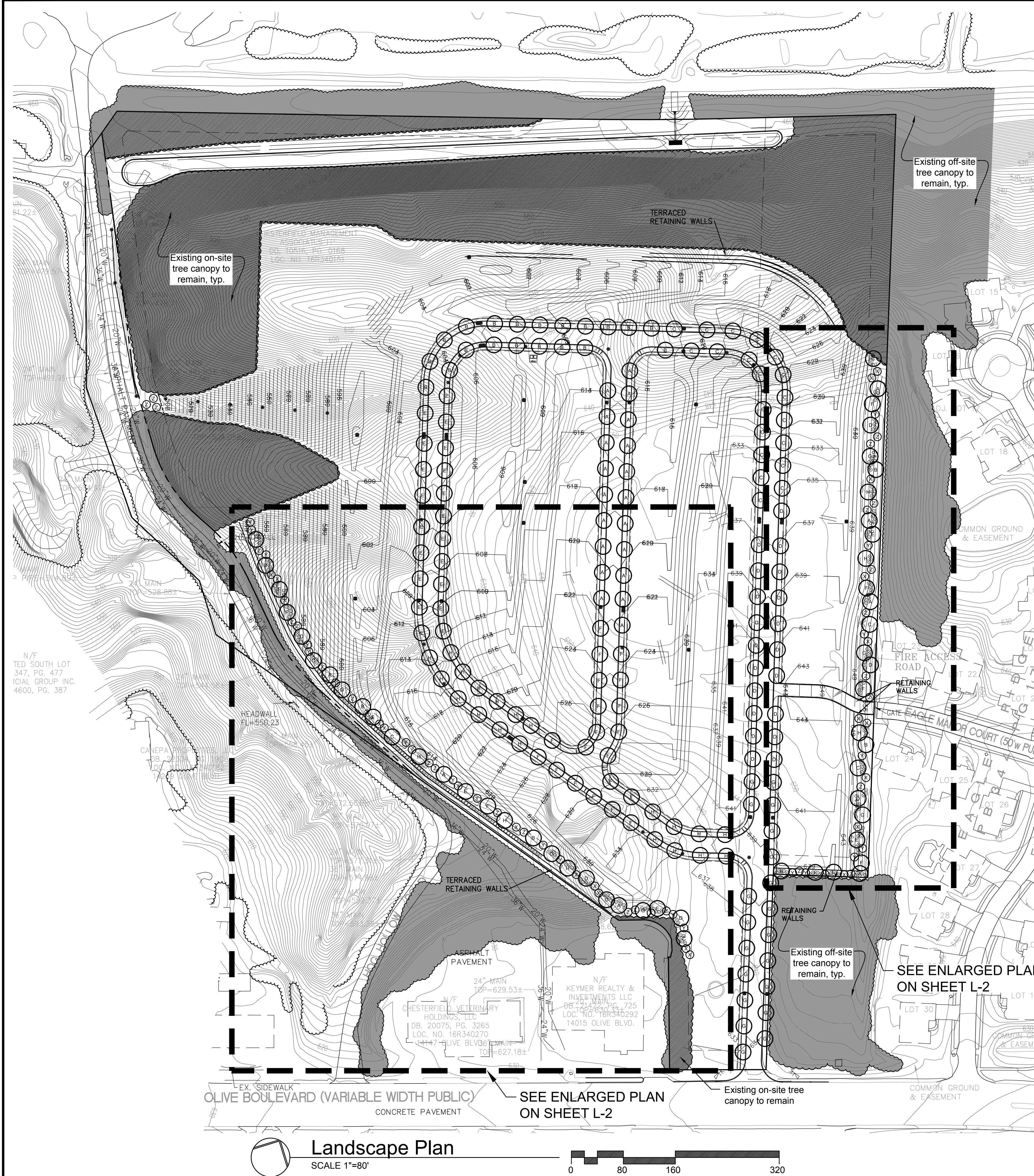
Date:

8/13/19

Job #:

813.080





LANDSCAPE CALCULATIONS:

B) Street Trees

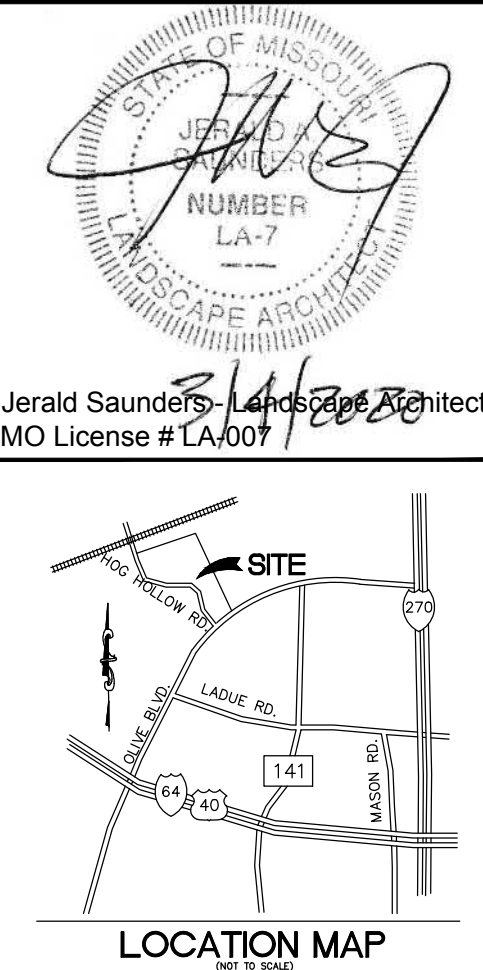
1 Street trees shall be installed for every 40 Lin. Ft. of proposed lot frontage.

6,390 Lin. Ft. = 159.75 or 160 Street Trees @ 2 1/2" Caliper  
40 Lin. Ft.

NOTE:

160 Street Trees required per Landscape Guidelines, 149 street trees proposed to be installed. Remaining 11 street trees are proposed to be installed within the common ground areas due to conflicts with required utilities and driveways.

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Mar 19 2020  
Department of Public Services



| PLANTING SCHEDULE |          |                                              |                                             |          |         |
|-------------------|----------|----------------------------------------------|---------------------------------------------|----------|---------|
| CANOPY TREES      |          |                                              |                                             |          |         |
| SYMBOL            | QUANTITY | BOTANICAL NAME                               | COMMON NAME                                 | SIZE     | REMARKS |
| A                 | 27       | Acer rubrum 'Red Sunset'                     | Red Sunset Maple                            | 2.5" cal | B&B     |
| B                 | 26       | Acer x freemanii 'Jeffersred'                | Autumn Blaze Maple                          | 2.5" cal | B&B     |
| C                 | 29       | Ginkgo biloba 'Autumn Gold'                  | Autumn Gold Ginkgo                          | 2.5" cal | B&B     |
| D                 | 25       | Nyssa sylvatica                              | Blackgum                                    | 2.5" cal | B&B     |
| E                 | 27       | Platanus x acerifolia 'Morton Circle'        | Exclamation! London Planetree               | 2.5" cal | B&B     |
| F                 | 27       | Quercus acutissima                           | Sawtooth Oak                                | 2.5" cal | B&B     |
| G                 | 26       | Quercus bicolor                              | Swamp White Oak                             | 2.5" cal | B&B     |
| H                 | 26       | Ulmus 'Homestead'                            | Homestead Elm                               | 2.5" cal | B&B     |
| EVERGREEN TREES   |          |                                              |                                             |          |         |
| X                 | 24       | Pinus strobus                                | Eastern White Pine                          | 8' ht    | B&B     |
| Y                 | 24       | Picea abies                                  | Norway Spruce                               | 8' ht    | B&B     |
| Z                 | 24       | Picea pungens                                | Colorado Blue Spruce                        | 8' ht    | B&B     |
| SHRUBS            |          |                                              |                                             |          |         |
| a                 | 70       | Viburnum prunifolium                         | Blackhaw Viburnum                           | 24"      | Cont.   |
| b                 | 139      | Ilex x meserveae 'Blue Prince/Blue Princess' | Blue Prince/Blue Princess Holly (1:9 ratio) | 24"      | Cont.   |
| c                 | 60       | Hamamelis vernalis                           | Ozark Witchhazel                            | 24"      | Cont.   |

NOTES:

- ALL STREET TREES WILL BE LOCATED AT LEAST 3' FROM PROPOSED CURB.
- ALL STREET TREES WILL BE LOCATED AT LEAST 10' FROM ALL HYDRANTS AND STORM SEWER STRUCTURES.
- MULCH TO BE DOUBLE GROUND BARK MULCH.
- ALL TURF AREAS TO BE SEEDED.
- ALL 3:1 OR STEEPER SLOPES SHALL BE SEEDED AND HAVE EROSION CONTROL BLANKET.
- TOPSOIL IN ALL DISTURBED LAWN AREAS AT 6" DEPTH.
- SOIL MIX IN ALL SHRUB BEDS AT 8" DEPTH.
- PROVIDE UNDERGROUND IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE DESIGN-BUILD DRAWINGS FOR REVIEW BY LANDSCAPE ARCHITECT.

Revisions:

| Date   | Description  | No. |
|--------|--------------|-----|
| 3/4/20 | Plan Changes |     |
|        |              |     |
|        |              |     |
|        |              |     |
|        |              |     |
|        |              |     |
|        |              |     |
|        |              |     |
|        |              |     |
|        |              |     |

Drawn: LWH  
Checked: JAS

**loomisAssociates**

landscapeArchitects/planners

750 Spirit of the West Drive  
Chesterfield, Missouri 63005-1194  
636.514.5653  
e-mail: info@loomis-associates.com

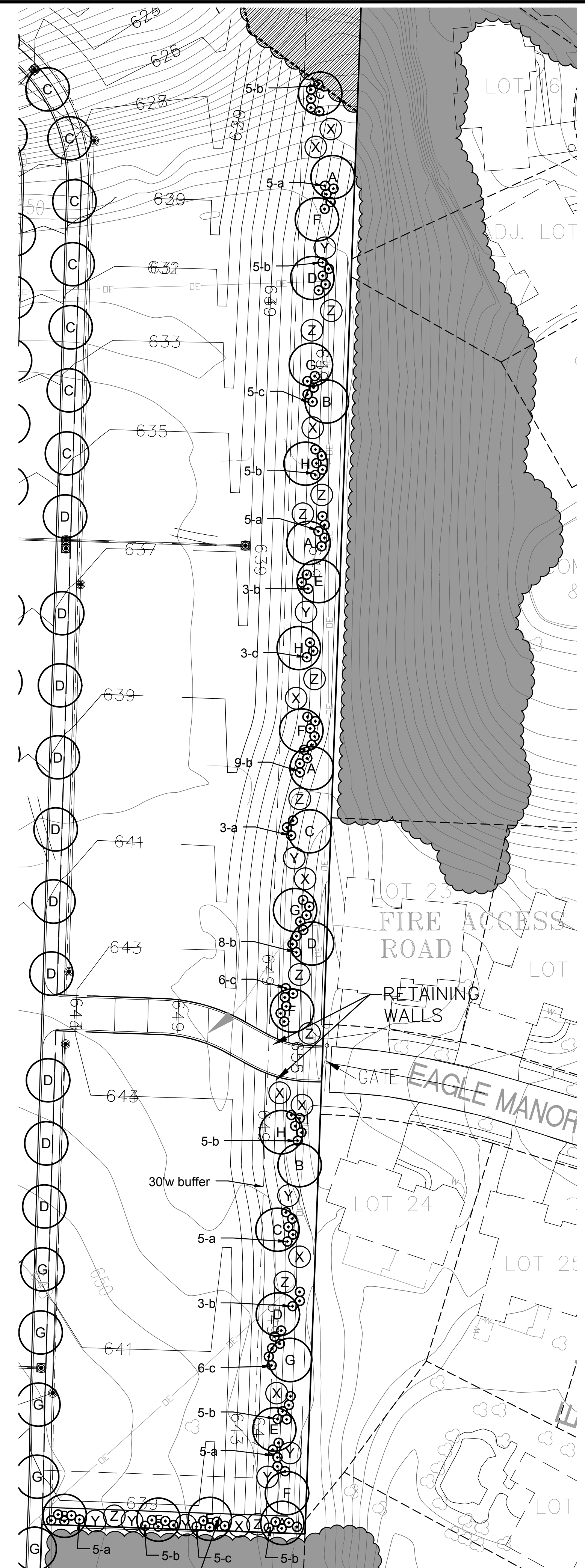
Loomis Associates Inc.  
Missouri State Certificate of Authority #: LAC #00010191

|              |                |
|--------------|----------------|
| Sheet Title: | Landscape Plan |
| Sheet No:    | L-1            |
| Date:        | 8/13/19        |
| Job #:       | 813.080        |





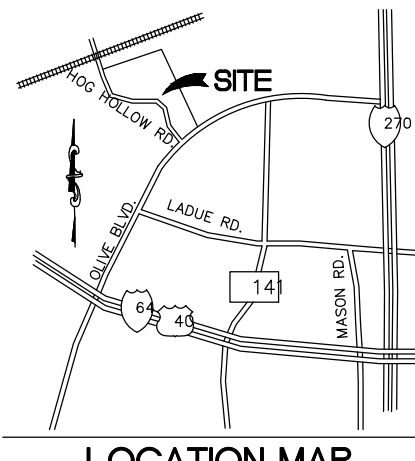
**Landscape Plan - West Bufferyard**  
SCALE 1"=40'



**Landscape Plan - East Bufferyard**  
SCALE 1"=40'



Jerald Saunders, Landscape Architect  
MO License #LA-00111000



LOCATION MAP

**RECEIVED**  
City of Chesterfield  
Mar 19 2020  
Department of Public Services

**14001 Olive Blvd.**  
Chesterfield, Missouri

Revisions:

| Date   | Description  | No. |
|--------|--------------|-----|
| 3/4/20 | Plan Changes |     |
|        |              |     |
|        |              |     |
|        |              |     |
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|        |              |     |
|        |              |     |
|        |              |     |

Drawn: LWJH  
Checked: JAS

**loomisAssociates**

landscapeArchitectsPlanners  
750 Spirit of the West Drive  
Chesterfield, Missouri 63005-1194  
P: 636.571.5653  
E: info@loomis-associates.com

Loomis Associates Inc.  
Missouri State Certificate of Authority #: LAC #0000191

Sheet Title: Landscape Plan

Sheet No: **L-2**

Date: 8/13/19  
Job #: 813.080



**STOCK & ASSOCIATES**  
**Consulting Engineers, Inc.**

July 16, 2020

**Via Email & Hand Delivery ([mgeisel@chesterfield.mo.us](mailto:mgeisel@chesterfield.mo.us))**

City of Chesterfield  
690 Chesterfield Pkwy W.  
Chesterfield, MO 63017

Attention: Honorable Mayor Nation and City Councilmembers c/o Mike Geisel – City Administrator

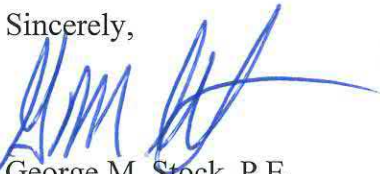
Re: Bill No. 3297 – P.Z. 19-2019 Briarcliffe Villas (13987 & 14001 Olive Blvd)  
Bill No. 3298 – P.Z. 20-2019 Briarcliffe Villas (14001 Olive Blvd)  
(Stock Project No. 219-6568)

Dear Honorable Mayor and City Councilmembers,

On behalf of “Chesterfield Management, LP”, owner & petitioner for Bill No.’s 3297, and 3298, we respectfully request that “Bill No.’s 3297 and 3298” be “Held” on Monday July 20, 2020 City Council Meeting. We request they be continued indefinitely until such time that the City Council resumes an “In Person” meeting.

Should you have any questions and/or comments please do not hesitate to call me at (314) 581-0119 or email at [George.stock@stockassoc.com](mailto:George.stock@stockassoc.com).

Sincerely,



George M. Stock, P.E.  
President

CC: Mr. Thomas Daake, Chesterfield Management LP ([tdaake@gmail.com](mailto:tdaake@gmail.com))  
Mrs. Adele Daake, Chesterfield Management LP ([azd326@gmail.com](mailto:azd326@gmail.com))  
Mr. Alex A. Daake, Chesterfield Management LP ([daakeac@yahoo.com](mailto:daakeac@yahoo.com))  
Mr. Justin Wyse, City of Chesterfield, City Planner ([JWyse@chesterfield.mo.us](mailto:JWyse@chesterfield.mo.us))  
Mr. Chris Graville, City of Chesterfield, City Attorney ([cbg@gravillelaw.com](mailto:cbg@gravillelaw.com))

**BILL NO.** 3300

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

**AN ORDINANCE ADOPTING AND ENACTING THE BUILDING, EXISTING BUILDING, MECHANICAL, RESIDENTIAL, EXISTING BUILDING, ELECTRICAL, PLUMBING, PROPERTY MAINTENANCE, SWIMMING POOL AND SPA, AND EXPLOSIVES CODES OF THE CITY OF CHESTERFIELD, MISSOURI.**

**WHEREAS**, it is necessary for the protection of the health, safety and welfare of the citizens of the City of Chesterfield, Missouri (the “City”) to adopt and update minimum requirements and standards for the construction, use and occupancy of buildings and structures, the installation of mechanical, electrical and plumbing systems, fixtures and equipment, the proper maintenance of buildings, structures and properties, and the safe use of blasting agents for excavations and related construction (the “Technical Codes”); and

**WHEREAS**, Since November 21, 1988 the City has maintained an inter-governmental agreement with St. Louis County, Missouri (the “County”) pursuant to the authority granted under § 70.220 RSMo for the administration and enforcement of the Technical Codes (the “Agreement”); and

**WHEREAS**, the County has recently amended its technical codes including Building, Existing Building, Mechanical, Residential, Existing Building, Electrical, Plumbing, Swimming Pool and Spa, and Property Maintenance Codes (the “Technical Code Amendments”); and

**WHEREAS**, the Agreement requires the City to adopt the Technical Codes and the Technical Code Amendments (Collectively, the “City Technical Codes”); and

**WHEREAS**, §67.280 RSMo requires copies of the City Technical Codes to be filed with the City Clerk for a period of ninety days prior to adoption by the City; and

**WHEREAS**, the Planning and Public Works Committee has reviewed the City Technical Codes and recommends adoption by ordinance; and,

**WHEREAS**, the City Council of the City of Chesterfield, after consideration of the recommendation of the Planning and Public Works Committee, hereby adopts the City Technical Codes.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** Section 2-263 of the City Code is hereby repealed in its entirety.



**Section 2.** Section 07-36 is hereby created as follows:

Section 07-36 Building Code

- a) Adoption. A certain document, one (1) copy of which is on file in the office of the City Clerk, being marked and designated as the International Building Code, 2015 edition, including "APPENDIX C - GROUP U - AGRICULTURAL BUILDINGS" and "APPENDIX H - SIGNS" as published by the International Code Council, is hereby adopted as the Building Code of the City of Chesterfield, Missouri for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said International Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.
- b) General Administrative Definitions. Throughout the International Building Code, 2015 edition, whenever the term "jurisdiction" appears it shall be deemed to mean "City of Chesterfield." Likewise, whenever the term "Department of Building Safety" appears it shall be deemed to mean "City of Chesterfield Department of Planning." Whenever the terms "Code Official" or "building official" appear they shall mean the Director of Planning or the Director's duly authorized representative; and when the terms "code," "this code," or "Building Code" appear they shall be deemed to mean the International Building Code, 2015 edition as adopted herein with the additions, deletions and changes as prescribed in this section.
- c) References to Other Adopted Codes. Throughout this section and the International Building Code, 2015 edition, wherever a reference appears to the "International Residential Code" it shall mean the "Residential Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Existing Building Code" it shall mean the "Existing Building Code" as adopted. Wherever a reference appears to the "International Mechanical Code" it shall mean the "Mechanical Code" as adopted. Wherever a reference appears to the "International Fuel Gas Code" it shall mean the "Mechanical Code" as adopted.

Wherever a reference appears to "NFPA 70" it shall mean the "Electrical Code" as adopted. Wherever a reference appears to the "International Plumbing Code" it shall mean the "Plumbing Code" as adopted. Wherever a reference appears to the "International Private Sewage Disposal Code" it shall mean the "Plumbing Code" as adopted. Wherever a reference appears to the "International Property Maintenance Code" it shall mean the "Property Maintenance Code" as adopted.

- d) Amendments. The provisions attached as Attachment 'A' hereby amend Chapter 1 Scope and Administration in the International Building Code, 2015 edition. Each code section that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth in Attachment 'A'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 3.** Section 07-37 is hereby created as follows.

Section 07-37 Residential Code

- a) Adoption. A certain document, one (1) copy of which is on file in the office of the City Clerk, being marked and designated as the International Residential Code for One- and Two-Family Dwellings, 2015 edition, including "APPENDIX K - SOUND TRANSMISSION," as published by the International Code Council, is hereby adopted as the Residential Code of the City of Chesterfield, Missouri, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as here-in provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said International Residential Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes as prescribed in this section.
- b) General Administrative Definitions. Throughout the International Residential Code for One- and Two-Family Dwellings, 2015 edition, whenever the term "jurisdiction" appears it shall be deemed to mean "the City of Chesterfield." Likewise, whenever the term "Department of Building Safety" appears it shall be deemed to mean "City of Chesterfield Department of Planning" whenever the terms "Code Official" or "building official" appear it shall mean the Director of

Planning or the Director's duly authorized representative and when the terms "code," "this code," or "Residential Code" appear it shall be deemed to mean the International Residential Code for One- and Two-Family Dwellings, 2015 edition as adopted herein with the additions, deletions and changes as prescribed in this chapter.

- c) References to Other Adopted Codes. Throughout this section and the International Residential Code, 2015 edition, wherever a reference appears to the "International Building Code" it shall mean the "Building Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Existing Building Code" it shall mean the "Existing Building Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Mechanical Code" it shall mean the "Mechanical Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Fuel Gas Code" it shall mean the "Mechanical Code" as adopted as amended with the additions, deletions and changes prescribed therein. Wherever a reference appears to "NFPA 70" it shall mean the "Electrical Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Plumbing Code" it shall mean the "Plumbing Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Private Sewage Disposal Code" it shall mean the "Plumbing Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Property Maintenance Code" it shall mean the "Property Maintenance Code" as adopted with the additions, deletions and changes prescribed therein.
- d) Amendments. The provisions attached as Attachment 'B' hereby amend the International Residential Code, 2015 edition. Each code section that corresponds to one of the attached provisions is hereby deleted where so noted or amended to read as set forth in Attachment 'B'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 4.** Section 07-38 is hereby created as follows.

Section 07-38 Existing Building Code

- a) Adoption. That a certain document, one (1) copy of which is on file in the office of the City Clerk, being marked and designated as the

International Existing Building Code, 2015 edition, including "APPENDIX A - GUIDELINES FOR SEISMIC RETROFIT OF EXISTING BUILDINGS (GSREB)" as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Chesterfield, Missouri, for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said International Existing Building Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in this section.

- b) General Administrative Definitions. Throughout the International Existing Building Code, 2015 edition, whenever the terms "jurisdiction" or "local jurisdiction" appear it shall be deemed to mean "the City of Chesterfield," likewise whenever the term "department of building safety" appears it shall be deemed to mean "Department of Planning," wherever the terms "Code Official" or "building official" appear it shall mean the Director of Planning or the Director's duly authorized representative and whenever the terms "code," "this code," or "Existing Building Code" appear it shall be deemed to mean the International Existing Building Code, 2015 edition, as adopted herein with the additions, deletions and changes as prescribed in this chapter.
- c) References to Other Adopted Codes. Throughout this chapter and the International Existing Building Code, 2015 edition, wherever a reference appears to the "International Building Code" it shall mean the "Building Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Residential Code" it shall mean the "Residential Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Mechanical Code" it shall mean the "Mechanical Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Fuel Gas Code" it shall mean the "Mechanical Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to "NFPA 70" it shall mean the "Electrical Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Plumbing Code" it shall mean the "Plumbing Code" as adopted with the additions, deletions and changes prescribed therein. Wherever a reference

appears to the "International Private Sewage Disposal Code" it shall mean the "Plumbing Code" as adopted as amended with the additions, deletions and changes prescribed therein. Wherever a reference appears to the "International Property Maintenance Code" it shall mean the "Property Maintenance Code" as adopted as amended with the additions, deletions and changes prescribed therein.

- d) Amendments. The provisions attached as Attachment 'C' hereby amend the International Existing Building Code, 2015 edition. Each code section that corresponds to one of the attached provisions is hereby deleted where so noted or amended to read as set forth in Attachment 'C'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 5.** Section 07-39 is hereby created as follows.

Section 07-39 Mechanical Code

- a) Adoption. Certain documents, one (1) copy of which is filed in the Office of the City Clerk, said copies being marked and designated as the International Mechanical Code, 2015 Edition, as published by the International Code Council, Inc., including Appendix A are hereby adopted as the Mechanical Code of the City of Chesterfield, Missouri for the regulation of mechanical equipment as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said code are hereby referred to, adopted and made a part hereof, as if fully set out herein with the additions, deletions and changes as prescribed in this section.
- b) General Administrative Definitions. Throughout the International Mechanical Code, 2015 Edition, wherever the terms "Name of Jurisdiction" or "Local Jurisdiction" appear it shall be deemed to mean "City of Chesterfield, Missouri." Likewise, wherever the term "Department of Mechanical Inspection" or "Mechanical Inspection Department" appears it shall be deemed to mean "City of Chesterfield Department of Planning", whenever the terms "Code Official" or "Building Official" appear it shall mean the Director of Planning or the Director's duly authorized representative and wherever the terms "code", "this code" or "Mechanical Code" appears it shall mean the International Mechanical Code, 2015 Edition with the additions, deletions and changes prescribed in this Chapter.
- c) References to Other Adopted Codes. Throughout the International Mechanical Code 2015 Edition, wherever a reference appears to the

"International Plumbing Code" or "plumbing code" it shall mean "The Plumbing Code" as adopted with the additions, deletions and changes prescribed by that section. Wherever a reference appears to the "International Electrical Code" or "electrical code" it shall mean "The Electrical Code" as adopted with the additions, deletions and changes prescribed by that section. Wherever a reference appears to the "International Building Code" or "building code" it shall mean "The Building Code" as adopted with the additions, deletions and changes prescribed by that section.

- d) Amendments. The provisions attached as Attachment 'D' hereby amend the International Mechanical Code, 2015 edition. Each code section that corresponds to one of the attached provisions is hereby deleted where so noted or amended to read as set forth in Attachment 'D'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 6.** Section 07-40 is hereby created as follows.

Section 07-40 Electrical Code

- a) Adoption. Certain documents, one (1) copy of which is filed in the Office of the City Clerk, said copies being marked and designated as "National Electrical Code, 2014 as published by the National Fire Protection Association, are hereby adopted as the Electrical Code of the City of Chesterfield, Missouri for the regulation of electrical equipment as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said code are hereby referred to, adopted and made a part hereof as if fully set out herein with the additions, deletions and changes as prescribed in this chapter.
- b) General Administrative Definitions. Throughout the National Electrical Code 2014, wherever the terms "Name of Jurisdiction" or "Local Jurisdiction" appear it shall be deemed to mean "City of Chesterfield, Missouri." Likewise, wherever the term "Department of Electrical Inspection" appears it shall be deemed to mean "City of Chesterfield Department of Planning" and wherever the term "code" appears it shall mean the National Electrical Code 2014, as adopted herein with the additions, deletions and changes as prescribed in this chapter.
- c) Amendments. The provisions attached as Attachment 'E' hereby amend the National Electric Code, 2014 edition. Each code section that corresponds to one of the attached provisions is hereby deleted

where so noted or amended to read as set forth in Attachment 'E'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 7.** Section 07-41 is hereby created as follows.

Section 07-41 Plumbing Code

a) Adoption.

a. Certain documents, one (1) copy of which is filed in the Office of the City Clerk, said copy being marked and designated as the "Uniform Plumbing Code, 2015 (hereinafter "UPC") Edition" "IAPMO/ANSI UPC 1-2015," including Appendices A through G and I through L, as published by the International Association of Plumbing and Mechanical Officials, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, deletions, insertions and changes prescribed by the following sections herein; provided that should any conflict of interpretations or requirements occur between the provisions of the aforementioned documents and the City of Chesterfield Ordinances, then said City of Chesterfield Ordinances shall apply and prevail. Whenever the term "this Code" is used in this chapter or in the Uniform Plumbing Code, it shall mean the Uniform Plumbing Code with the additions, deletions, and changes prescribed in this section.

b. The "Uniform Swimming Pool, Spa, and Hot Tub Code", 2015 (hereinafter "USPSHTC") and the "Uniform Solar Energy Code", 2015 (hereinafter "USEC"), as published by the International Association of Plumbing and Mechanical Officials, are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter.

b) Amendments. The provisions attached as Attachment 'F' hereby amend the International Plumbing Code, 2015 edition. Each code section that corresponds to one of the attached provisions is hereby deleted where so noted or amended to read as set forth in Attachment 'F'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 8.** Section 07-42 is hereby created as follows.

Section 07-42 Property Maintenance Code

- a) Adoption. A certain document, one (1) copy of which is on file in the Office of the City Clerk, said copy being marked and designated as the ICC International Property Maintenance Code, year 2015 edition ("Code" or "code"), as published by the International Code Council, Inc., shall be and is hereby adopted as the Property Maintenance Code of the City of Chesterfield, Missouri, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes prescribed in this chapter.
- b) General Administrative Definitions. Throughout the code, whenever the terms "Name of Jurisdiction" or "Local Jurisdiction" appear it shall be deemed to mean "City of Chesterfield, Missouri." Likewise, whenever the term "Department of Building Inspection" appears it shall be deemed to mean "City of Chesterfield Department of Planning" and whenever the term "Code" or "code" appears it shall mean the ICC International Property Maintenance Code, year 2015 edition, as adopted herein.
- c) Amendments. The provisions attached as Attachment 'G' hereby amend the International Property Maintenance Code, 2015 edition. Each code section that corresponds to one of the attached provisions is hereby deleted where so noted or amended to read as set forth in Attachment 'G'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 9.** Section 07-43 is hereby created as follows.

Section 07-43 Swimming Pool and Spa Code

- a) Adoption.

That a certain document, one (1) copy of which is on file in the Office of the City Clerk, being marked and designated as the International Swimming Pool and Spa Code, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Swimming Pool and Spa Code of the City of Chesterfield, in the State of Missouri, for regulating and governing the construction, alteration, replacement, repair, equipment, location, and demolition of swimming pools and spas, as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of



said International Swimming Pool and Spa Code on file in the Office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in this section.

- b) General Administrative Definitions. Throughout the International Swimming Pool and Spa Code, 2015 edition, whenever the terms "jurisdiction" or "local jurisdiction" appear it shall be deemed to mean "City of Chesterfield," likewise whenever the term "department of building safety" appears it shall be deemed to mean "Department of Planning," wherever the terms "Code Official" or "building official" appear it shall mean the Director of Planning or the Director's duly authorized representative and whenever the terms "code," "this code," or "Swimming Pool and Spa Code" appear it shall be deemed to mean the International Swimming Pool and Spa Code, 2015 edition, as adopted herein with the additions, deletions and changes as prescribed in this chapter.
- c) Amendments. The provisions attached as Attachment 'H' hereby amend the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one of the attached provisions is hereby deleted where so noted or amended to read as set forth in Attachment 'H'. Each provision set out in the attached without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

**Section 10.** Section 07-44 is hereby created as follows.

Section 07-44 Explosives Code

- a) The City of Chesterfield hereby adopts the 1997 Explosives Code as adopted by St. Louis County Ordinance 18,693 dated November 6, 1997, as detailed in Attachment 'I' as the Explosives Code for the City of Chesterfield.

**Section 11.** Enforcement and Penalties. Enforcement and penalties for this ordinance are subject to Section 31-08 of the City of Chesterfield Code.

**Section 12.** The Mayor and City Clerk are authorized and directed to evidence the approval of the said technical codes by affixing their signatures and the official seal of the City of Chesterfield as required on the said document.

**Section 13.** The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_,  
2020.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

ATTEST:

\_\_\_\_\_  
Vickie McGownd, CITY CLERK

FIRST READING HELD: 05/04/2020

## **Attachment 'A'**

### **Amendments to the International Building Code, 2015 Edition—**

Chapter 1 Scope and Administration. The following provisions amend Chapter 1 Scope and Administration in the International Building Code, 2015 edition. Each code section that corresponds to one of the following 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.

101.1 *Title.* These regulations shall be known as the Building Code of Chesterfield, hereinafter referred to as "this code."

101.2 *Scope.* The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

#### *Exceptions:*

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height, shall comply with the International Residential Code.
2. The provisions of the International Existing Building Code shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

101.4 *Applicability of Chesterfield, Missouri codes and ordinances.* Throughout this code, whenever the terms NFPA 70, International Plumbing Code, International Mechanical Code, International Property Maintenance Code, International Building Code, International Residential Code, International Existing Building Code, International Swimming Pool and Spa Code, Zoning Ordinance or Floodplain Management Regulations Ordinance appears it shall be deemed to mean the codes adopted by Chesterfield as listed in Chapter 07 of the City Code, as amended, respectively.

101.4.1 *Gas.* - Delete.

101.4.2 *Mechanical.* - Delete.

101.4.3 *Plumbing.* - Delete.

101.4.4 *Property maintenance.* - Delete.

101.4.5 *Fire prevention.* - Delete.

101.4.6 *Energy.* - Delete.

101.4.7 *Existing buildings.* - Delete.

101.5 *Code.* When the phrase "this code" is used in Sections 102 through 118, the phrase shall mean the applicable Chesterfield Building Code, Residential Code for One- and Two-Family Dwellings, Existing Building Code or the Swimming Pool and Spa Code containing the origin of the reference to Sections 102 through 118.

101.6 *Correction of violations of other codes.* Repairs or alterations mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this code unless the code requiring such repair or alteration so provides.

101.7 *Appendices.* Provisions in the appendices shall not apply unless specifically adopted.

102.2.1 *Licensing.* Applicable licensing provisions of the Mechanical Code, the Electrical Code and the Plumbing Code shall apply to work regulated under this code.

102.2.2 *Compliance with zoning and other applicable codes and ordinances.* Subject to the provisions of this code, neither the granting of a permit, nor the approval of construction documents, nor inspections made by the building official, or the building official's authorized representative, during the erection, movement or demolition of a building or 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 Zoning Ordinance, or other applicable laws. Provided, however, that nothing in this code shall be construed to subject any land or structure owned or controlled by Chesterfield to any municipal zoning or other ordinances.

102.4 *Referenced codes and standards.* The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 through 102.4.3.

*Exception:* Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

102.4.3 *Standards and guidelines for structural evaluation.* The building official shall allow structural evaluation, condition assessment, and rehabilitation of buildings, structures, or individual structural members based on this code's appendix chapters, referenced standards, guidelines, or other approved standards and procedures.

102.6 *Existing structures.* The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change,

except as is specifically covered in this code, the International Existing Building Code, the International Property Maintenance Code or the International Fire Code, where the International Fire Code is referenced by this code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

104.1.1 *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.

104.2 *Applications and permits.* The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, change of occupancy and inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.2.2 *Preliminary meeting.* When requested by the permit applicant, the building official shall meet with the permit applicant and the registered design professional prior to the application for a construction permit to discuss plans for the proposed work or change of occupancy in order to establish the specific applicability of the provisions of this code.

104.2.3 *Authorization to proceed.* The building official may authorize the commencement of construction prior to issuance of a building permit, when it can be shown that:

1. The project is in compliance with the applicable regulations of Chesterfield for that portion of the work to be performed; and
2. The applicant agrees to proceed at their own risk.

All necessary inspections shall be performed as required by this code.

104.2.4 *Building evaluation.* The building official is authorized to require a structure to be investigated and evaluated by a registered design professional to determine the existence of any potential nonconformance with the provisions of this code.

104.6.1 *Disasters.* In the event of a disaster such as a windstorm, tornado, flood, fire, earthquake, bomb blast, explosion or similar natural or man-made type event the building official is hereby authorized to enter and inspect structures within the affected areas, subject to constitutional restrictions on unreasonable searches and seizures. When, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official shall take emergency measures in accordance with this code. If the building official

determines, after inspection, that a structure is unfit, the building official shall declare it a public nuisance, cause a report to be prepared and notify the affected parties in accordance with this code.

104.6.1.1 *Post-disaster inspections.* 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.

104.10 *Modifications.* Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon written application of the owner or owner's authorized agent, provided that the building official shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety. A copy of the application and the final decision of the building official shall be distributed to the Building Code Review Committee and the Building Commission.

104.10.1 *Flood hazard areas.* The building official shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 without the granting of a variance by the Board of Zoning Adjustment (BZA) and unless a determination has been made that:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 in appropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

105.1 *Required.* Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or install or alter a ground level paved parking lot other than those lots serving a single-family dwelling, or establish a new or relocated lot line that affects an existing structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

105.1.1 *Disaster damage repair permit required.* It shall be unlawful to repair a structure when such repair is due to a disaster without first registering and filing an application with the building official in writing and obtaining a Disaster Damage Repair Permit. Disaster Damage Repair Permits may be obtained at discounted or no cost at the discretion of the building official if issued within 90 days after the end of a disaster, where such date is determined by the building official, and shall authorize the work indicated therein to be completed within one year of the date of issuance. The building official may extend the 90 day period with justifiable cause. For the purposes of this section, the cost of disaster damage repair shall be defined in accordance with the Federal Emergency Management Agency (FEMA) or Missouri State Emergency Management Agency (SEMA) regulations and definitions.

105.1.1.1 *Disaster contractor registration required.* It shall be unlawful for anyone other than the property owner to make repairs as defined in Section 105.1.1 unless this person is registered with the building official. The building official shall not register an applicant and/or issue a permit hereunder to any person, firm, or corporation, except the property owner, unless the following information is obtained: name, current address, permanent address, social security number or tax identification number, copy of driver's or operator's license, height, weight, eye color, hair color, race, build, at least two work references, and whether applicant is insured or bonded.

105.1.2 *Reroofing.* Permits are required for the recovering or replacement of an existing roof covering when either of the following conditions apply.

1. Permits are required for reroofing of roofs with a slope of less than 4:12. Plans and specifications are only required when reroofing a slope less than  $\frac{1}{4}$  unit vertical in 12 units horizontal.
2. Permits, plans and specifications are required for all changes in a roof covering system regardless of the roof slope.

105.1.3 *Temporary buildings and structures.* No temporary building or structure, either mobile or stationary, shall be erected, operated, used or maintained for any purpose without first obtaining a temporary structures permit. All temporary buildings and structures shall meet the requirements of section 3103 Temporary Structures in the International Building Code.

105.1.4 *Integrated permits.* The building official may issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application.

105.1.4.1 *Applicant responsibility.* The integrated permit applicant shall be responsible for the return to the Department of Transportation and Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate sub-contractor. Any change in the identity of the named sub-contractor after issuance of the permit shall result in the assessment of a transfer fee in the amount specified in Chapter 1100, SLCRO 1974, as amended.

105.1.5 *Separate permits.* Permit applicants may submit separate applications for building, mechanical, electrical, or plumbing permits. As a condition of approval the owner or owner's agent shall agree to assume full responsibility for the coordination of all applicable code requirements relating to these permits.

105.1.6 *Additional approval requirements.* If Chesterfield contracts with the County for the enforcement of their Building, Residential, Existing Building Codes, all plans for the construction or use of buildings and structures regulated by this code shall be reviewed and approved by the Department of Planning for compliance with the zoning or other regulatory ordinances or provisions prior to issuance of a permit under this code by St. Louis County.

The building official may issue a partial permit in accordance with section 107.3.3 when clearances pertaining to the scope of the work requested are obtained from the applicable municipality. The holder of such partial permit shall proceed at the owner's own risk without assurance that outstanding reviewing municipality final approvals can be obtained or that a permit for the entire structure will be granted.

105.1.7 *Addendums to permits.* Once a permit is issued all addendums submitted, as an amendment to the approved construction documents, shall be charged an additional review fee as specified in Chapter 1100, SLCRO 1974 as amended and in accordance with this code.

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. "Repair" work in compliance with requirements of Section 105.2.2 does not require a permit provided such required "repair" work is not the result of a disaster or lack of on-going routine maintenance. Damage repair permits are required for these situations per Sections 105.1.1 and 118.5.1. regardless of the nature of repair required.



2. Work by "Public service agencies" as specified in Section 105.2.3 does not require a permit.
3. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>).
4. New fencing or replacement of existing fencing not more than 7 feet (2134 mm) in height, except when enclosing swimming pools, spas, or hot tubs, in the rear or side yards.

*Exception:* Fences of any height, which utilize electrified components or barbed wire, razor ribbon, and like material are not exempt from permit requirements. See Section 3111 of the International Building Code for permits and regulations for electrified fences and fences utilizing barbed wire, razor ribbon or like material.

5. Retaining walls which are not over 3 feet (914 mm) in height measured from the finished grade on 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, in which case the wall shall not be over 2 feet (610 mm) in height. A building permit is required if the wall is located less than or equal to its height from the property line or if the total height of the retaining wall and guard or fence on top of the wall exceeds 6 feet (1828 mm). Total height is measured from the top of the proposed finished grade at the non-retained side of the wall to the top of the guard or fence. Refer to Section 1807.2.4 for guard requirements.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools accessory to one- and two-family dwellings, townhouses and Group R-3 occupancies which have a maximum water depth of 24 inches (610 mm), a maximum water volume of 5,000 gallons (18925 L) and are installed entirely above ground.
8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support when attached to one- and two-family dwellings, townhouses and Group R-3 occupancies.
9. Movable cases, counters and similar fixtures not over 5 feet 9 inches (1753 mm) in height.
10. Clothes poles, arbors, garden trellises, basketball goals and standards, and other similar minor structures accessory to one- and two-family dwellings, townhouses and Group R-3 occupancies.

*Electrical:* Any work exempted from permits by NFPA 70.

*Gas:* Any work exempted from permits by the International Mechanical Code.

*Mechanical:* Any work exempted from permits by the International Mechanical Code.

*Plumbing:* Any work exempted from permits by the International Plumbing Code.

105.3.1.1 *Unpaid fees and prior violations.* If the building official determines that an applicant for a permit governed by this code has failed to pay any permit fees or related charges, the building official shall not issue such permit until the applicant pays such fees and related charges. If the building official determines that an applicant has failed to correct violations of this code, the building official shall not issue permits related to this code to such applicant except to correct such violations.

105.3.1.2 *Substantially improved or substantially damaged existing buildings located in flood hazard areas.* For applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in flood hazard areas, the building official shall examine or cause to be examined the construction documents and cost of construction consisting of labor and material costs provided by the applicant. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its pre-damage condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the entire building or structure shall comply with the International Building Code, the International Residential Code, or the International Existing Building Code, as applicable, as well as the Floodplain Management Regulations Ordinance and the Zoning Ordinance.

105.3.1.2.1 *Decisions by the Board of Zoning Adjustment honored.* Decisions or variances granted by the Board of Zoning Adjustment under the Floodplain Management Regulations and/or Zoning Ordinance regarding the reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in flood hazard areas shall be honored under this code without the applicant also having to appeal the same issues to the Board of Building Appeals. The building official may require alternative safety measures under this code relative to construction, equipment, or systems located below the flood plain elevation.

105.3.1.3 *Application transfers prohibited.* The transfer of an application for building permits from one lot to another shall be prohibited. When relocation is necessary the original application shall be canceled and a new application submitted.

105.3.1.4 *Federal, state or county entities.* The building official may withhold issuance of a permit on any site if any federal, state or other public entity determines that such facility or site is in violation of any code or regulation of such entity.

105.3.2 *Time limitation of application.* An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued. The building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. An extension fee equal to the permit application extension fee in the amount specified in Chapter 1100, SLCRO 1974, as amended, shall be paid for each additional extension period of 90 days beyond the initial 180 days allowed after the date of filing. An additional inspection fee may be charged for an inspection to verify that work has not started. The extension shall be requested in writing and justifiable cause demonstrated. The building official shall notify delinquent applicants in writing and give 14 days notice prior to abandonment of the application and destruction of the plans.

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. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*Exceptions:*

1. Demolition permits shall expire as set out in Section 105.5.1.
2. Repair permits for rehabilitating an unfit structure shall expire as set out in Section 118.5.1.1.

105.5.1 *Expiration of demolition permits.* Permits for demolition work shall become invalid if permitted work is not started within 30 days after the date of issuance of a permit or if the permitted work is not completed within 90 days of such issuance date. The building official may, after receiving a written request from the applicant, extend the permit expiration date for one or more additional 30 day period(s) if the permit applicant presents evidence of justifiable cause.

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

105.8 *Responsibility.* It shall be the duty of every person who performs work for the installation or repair of a building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.

107.1 *General.* The application for permit shall be accompanied by not less than four sets of construction documents. The construction documents and site plans for new construction, alteration, repairs, expansion, addition or modification for structures shall be prepared by a registered design professional. 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, the date and original ink signature of the registered design professional for each discipline on the front sheet of each discipline within each set of construction documents; or, on the cover sheet of each set of construction documents. In addition, all other sheets of the construction documents other than specifications or calculations shall bear the original embossed, wet ink, or mechanically reproduced seals of the registered design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear an original seal and signature of the registered design professional. Such changes shall be clearly indicated. The construction documents shall include the name and address of the design professional and shall be signed, sealed and dated by the registered design professional.

*Exceptions:*

1. Miscellaneous structures accessory to one- and two-family dwellings and townhouses, such as carports, garages, sheds and other similar structures.
2. Room additions or an aggregation of additions to one- and two-family dwellings and townhouses where the total floor area of the addition does not exceed 50 percent of the existing total floor area or 1,000 square feet (92.9 m<sup>2</sup>). The total floor areas shall include all finished space.
3. Construction documents for the relocation of less than 5 automatic sprinkler heads.
4. Site plans for one- and two-family dwellings, townhouses, and R-2 Use Classification where all of the following occurs:
  - 4.1. The site contains no flood hazard areas.
  - 4.2. The site contains fill in the area of the proposed construction and there is a soils report sealed by a Missouri Professional Engineer on file with the building official.
  - 4.3. Individual site plans for R-2 Use Classification buildings when the entire site plan for the R-2 Use Classification development bearing the seal of a Missouri Registered Design Professional is on file with the building official.
5. Work of a minor nature approved by the building official.

107.2.1 *Information on construction documents.* Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted where approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and

regulations, as determined by the building official. The work areas shall be shown.

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 including the path of the exit discharge to the public way in compliance with the provisions of this code. The construction documents shall designate the number of occupants to be accommodated in every work area of every floor, and in all affected rooms and spaces.

107.2.4 *Exterior wall envelope.* Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

107.2.5.1 *Information for construction in flood hazard areas.* For buildings and structures in flood hazard areas, construction documents shall include:

1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the design flood elevation, as appropriate;
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade; and
3. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V Zone); and
4. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

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

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

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 "Approved For Issuance." Two sets of construction documents so reviewed shall be retained by the building official. The other two sets shall be returned to the applicant. At least one set of the Site Plan, and Building, Electrical, Plumbing, Mechanical and Grading construction drawings and documents, that

have been marked by the building official with the "Approved For Issuance" stamp, may be kept at the site of work or shall be made available at the time of inspection and shall be open to inspection by the building official or a duly authorized representative.

107.3.3.1 *Mechanical, electrical and plumbing phased approval.* The building official is authorized to issue mechanical, electrical and plumbing permits prior to the review, approval and/or issuance of other applicable permit applications normally required prior to such issuance subject to the conditions provided for in the respective Mechanical, Electrical and Plumbing codes.

107.3.4 *Design professional in responsible charge.* Where it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner or the owner's authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased submittal items, for compatibility with the design of the building.

Where structural observation is required by Section 1704.6, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in Section 1704).

107.3.4.1 *Deferred Submittals* - Delete.

107.4 *Compliance with construction documents.* Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

108.1 *General.* No temporary building or structure, either mobile or stationary, shall be erected, operated, used or maintained for any purpose without first obtaining a temporary structures permit. All temporary buildings and structures shall meet the requirements of Section 105.1.3 Temporary buildings and structures and Section 3103 Temporary structures in the International Building Code.

108.2 *Conformance.* - Delete.

108.3 *Temporary power.* - Delete.

108.4 *Termination of approval.* - Delete.

109.1 *Payment of fees.* A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The total estimated fee for the activity to be performed by the Department of Transportation and Public Works shall be paid in advance.

109.2 *Schedule of permit fees.* The fees for plan examinations, for filing appeals, issuing permits, making inspections, issuing certificates of occupancy and other administrative enforcement activities performed by the Department of Planning, or another agency under an authorized contract, shall be paid to the Treasurer of St. Louis County in accordance with the fee schedule set forth in Chapter 1100, SLCRO 1974, as amended. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established in Chapter 1100, SLCRO 1974, as amended.

109.3 *Building permit valuations.* The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation 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. The building official is authorized to estimate the total cost of construction of a structure, building or project, by multiplying the total floor area of the structure in square feet by an appropriate square foot cost rate. Structures or projects for which it is impractical to estimate the total construction cost by said square foot cost method shall be estimated by applying current, commonly accepted unit cost figures to the various components in a commonly accepted manner. In lieu of determining the total cost of construction as outlined above, the building official may accept a bona fide contract or any affidavit of the owner of the building structure or project, in which the total cost of construction, including site improvements related to the permit, is verified by applicant and owner. Final building permit valuation shall be set by the building official.

109.4 *Work commencing before permit issuance.* Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a no permit penalty fee established by the building official in accordance with Section 114.4.1 that shall be in addition to the required permit fees.

109.5.1 *Amending permits.* After a permit has been issued and an amendment or supplemental revision is applied for, the fee or service charge shall be as follows:

1. All amendments, which involve additional or deleted work not originally applied for to complete the project, shall be charged the appropriate fee for the additional or deleted work calculated in the normal manner plus the partial permit fee. The minimum fee shall be as established in Chapter 1100, SLCRO 1974, as amended.
2. All amendments or supplements not involving additional work either by area or dollar value, shall be charged a minimum fee as a service charge even though the project dollar value or building area may decrease. See Chapter 1100, SLCRO 1974, as amended for the amount of the service charge.

109.5.2 *Partial permit.* The fee for a partial permit as described in this code shall be charged in addition to the permit fee as normally computed for that part of the work involved. See Chapter 1100, SLCRO 1974, as amended for amount of fees.

109.5.3 *Permit extension.* Permits that are extended in accordance with this code are charged an extension fee at the rate prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.4 *Pier permit.* Structures that are to be constructed upon piers shall be charged an additional fee to cover the cost of the additional inspections required. The amount of the permit fee shall be as prescribed in Chapter 1100, SLCRO 1974, as amended. If the pier permit is issued as a separate permit then the partial permit fee described in this code shall be added to the normal fee.

109.5.5 *Extra inspections.* Extra inspection fees shall apply for each preliminary inspection required and for each re-inspection that the building official must perform due to noncompliance with the approved development or site plans, construction documents or the applicable requirements of this code or work not ready or accessible for inspection when requested. The amount of such extra inspection fee shall be as prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.5.1 *Work not commenced, suspended or abandoned:* An extra inspection fee may be charged for each inspection made to determine the status of a project when work is not commenced, or is suspended or abandoned, for more than six months.

109.5.6 *Certificate of occupancy (new structures).* The certificate of occupancy described in this code shall require a permit fee to be paid before issuance. The amount of such certificate of occupancy fee shall be as prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.7 *Certificate of occupancy (existing structures).* The fee for a certificate of occupancy for existing structures as required in this code shall be based upon the normal requirement of two inspections. The amount of such certificate of occupancy fee and the additional charge for extra inspections when required



shall be as prescribed for reoccupancy permits in Chapter 1100, SLCRO 1974, as amended.

109.5.8 *Temporary certificate of occupancy.* The fee for a temporary certificate of occupancy, as permitted in this code, shall be charged at the rate prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.9 *Board of appeals filing.* All appeals filed for review by the Board of Appeals under the procedures described in this code are to be accompanied by a filing fee as prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.10 *Moving buildings and structures.* The fee for a permit to move a building or structure from one location to another shall be at the rate prescribed in Chapter 1100, SLCRO 1974, as amended. This fee shall be based upon the cost of moving the building or structure plus the cost of excavations, new footings, new foundations and all work necessary to place the structure in its completed condition in the new location. A preliminary inspection shall be made of the structure prior to moving to determine what is necessary for code compliance. The fee for the preliminary inspection shall be paid when the permit is issued.

109.5.11 *Demolition.* The fee for a permit for the demolition of a structure shall include the necessary inspections required by the building official to verify the condition of the original site of the building or structure. A physical inspection of the structure prior to any demolition is also required. The fee for such demolition permits and inspections shall be charged at the rate specified in Chapter 1100, SLCRO 1974, as amended.

109.5.12 *Sign permits.* The fees for sign permits shall be based upon the square footage of sign face area including signs where multiple faces exist. A minimum of one inspection shall be applied to each sign permit, however, where multiple signs of the same type are included on the same application and at the same location fewer inspections may be charged for at the discretion of the building official. Where unusual or complex sign structures are involved additional inspections may be charged for at the rate specified. The sign permit and inspection fees required by this code shall be charged at the rate prescribed by Chapter 1100, SLCRO 1974, as amended.

109.5.13 *Building permit.* The building permit fee shall be composed of the permit processing fee, the inspection fee, the plan review fee, and the partial permit fee, where applicable. The amount of said fee shall be at the rate prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.14 *Integrated permit.* The amount of all integrated building, plumbing, electrical and/or mechanical permits shall be at the rate prescribed by Chapter 1100, SLCRO 1974, as amended.

109.5.15 *Subcontractor transfer.* A transfer fee shall be charged whenever a subcontractor is replaced by another subcontractor for whatever reason. The

amount of the transfer fee shall be at the rate prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.16 *Parking lot permit.* The amount of a parking lot permit fee shall be at the rate prescribed in Chapter 1100, SLCRO 1974, as amended.

109.5.17 *Reroofing permit.* The permit fee for a reroofing permit in accordance with Section 105.1.2 shall be based upon the permit processing fee, plan review fee when applicable and the inspection fee. The amount of such fees shall be charged at the rate specified in Chapter 1100, SLCRO 1974, as amended. Additional inspections shall be charged at the rate specified.

109.6 *Refunds.* In the case of revocation of a permit no refund shall be permitted. Any excess fee for the incomplete work on abandoned or discontinued projects shall be returned to the permit holder upon written request received not later than 12 months after the date the permit was issued. All plan examination and permit processing fees and all 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 issued.

110.1.1 *Inspection placard.* Work requiring a permit shall not commence until the permittee or the permittee's 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 inspection placard will result in imposition of fees for additional inspections as specified in Chapter 1100, SLCRO 1974, as amended.

110.2 *Preliminary inspections.* Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. Except as stated in Section 110.2.1, fees for preliminary inspections shall be paid in accordance with Section 109.5.5.

110.2.1 *Preliminary disaster damage inspection report.* Whenever any structure damaged by disaster is vacated pursuant to this code or, when the owner of a structure or a duly authorized agent shall so request, the building official shall inspect such structure regarding its safe occupancy and shall prepare a Preliminary Disaster Damage Inspection Report at no cost.

110.3 *Required inspections.* The building official, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.14.2. These inspections may be made in conjunction with other inspections and are not necessarily required to be conducted as an individual inspection.

110.3.1 *Soil inspection.* A soil inspection shall be made after excavation for the structure is complete, and trenches for footings, column pads, spread footings, or other types of footings are ready for concrete. No concrete is to be poured without this inspection.

110.3.2 *Pier inspection.* A pier inspection shall be made where special foundations are required such as drilled and poured-in-place concrete piers, caissons and driven piles of all types. Additional inspections will be made when the building official determines that the size of the job warrants it. Reinforcing materials required in the above cases shall be placed to allow adequate inspections.

110.3.3 *Footing or foundation inspection.* Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready-mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.3.1 *Lowest floor elevation.* Any building or structure permitted to be constructed on property designated a flood hazard area, shall have an elevation certificate prepared and sealed by a registered design professional certifying the lowest floor elevation, including the basement, submitted to the office of the building official before the required foundation inspection or any subsequent inspection approval can be given.

110.3.4 *Concrete slab or under-floor inspection.* 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 *Mechanical, gas, electrical, and plumbing systems - rough-in inspections.* Rough inspection of mechanical, gas, electrical and plumbing systems shall be made by the appropriate inspection section prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

*Exception:* Residential ground-source heat pump loop systems tested in accordance with Section M2105.28 in the International Residential Code shall be permitted to be backfilled prior to inspection.

110.3.6 *Frame inspection.* Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

110.3.7 *Lath and gypsum board inspection.* Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

*Exception:* Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

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 the International Building Code or Chapter 11 of the International Residential Code, as applicable, 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 *Additional inspections.* In addition to the required inspections specified above, the building official may make other inspections, which in the building official's judgment are reasonably necessary to enforce this code and the Zoning and Land Disturbance codes. The building official shall have the authority to inspect any construction work to verify compliance with this code and to properly enforce the rules promulgated pursuant to this code. These inspections may include, but are not limited to, examinations to determine whether zoning and land disturbance code requirements are being met and may include all other phases of building construction including forms, back fill, masonry, floors, floor slabs and site grading and other land disturbance or site development work. Fees for additional inspections shall be as specified in Chapter 1100, SLCRO 1974, as amended.

110.3.11 *Special inspections.* For special inspections, see Section 1704 in the International Building Code.

110.3.12 *Mechanical, gas, electrical, and plumbing systems - final inspections.* A final inspection of mechanical, gas, electrical and plumbing systems shall be made by the appropriate inspection section after all work required by the permit issued is completed and under operational conditions.

110.3.13 *Extra inspections.* In addition to the inspections otherwise required, the building official is authorized to perform extra inspections or re-inspections which in the building official's judgment are reasonably necessary due to non-compliance with Building, Zoning and Land Disturbance Code requirements, or work not ready or accessible for inspection when requested. Fees for extra inspections shall be as specified in Chapter 1100, SLCRO 1974, as amended.

110.3.14 *Final inspection.* No permit shall be completed until all work required by the permit is completed and approved by the building official.

110.3.14.1 *Flood hazard area.* All new or substantially improved structures, as defined by the Floodplain Management Regulations Ordinance, permitted to be constructed within a flood hazard area shall have a LOMR (Letter of Map Revision) or a LOMR-F (Letter of Map Revision Based on Fill) obtained from the Federal Emergency Management Agency (FEMA) removing the new or substantially improved building or structure from the special flood hazard area. A copy of this LOMR or LOMR-F shall be submitted to the building official prior to granting occupancy of the new building or structure.

*Exceptions:*

1. Substantially damaged structures, as defined by the Floodplain Management Regulations, that have their low floor elevated at least 1 foot (305 mm) above the base flood elevation in accordance with the Floodplain Management Regulations Ordinance as part of the reconstruction, rehabilitation, or repair.
2. Non-residential substantially damaged structures, as defined by the Floodplain Management Regulations, that are flood-proofed to at least 1 foot (305 mm) above the base flood elevation in accordance with the Floodplain Management Regulations Ordinance as part of the rehabilitation or repair.
3. New non-residential structures, as defined by the Floodplain Management Regulations Ordinance, that are less than 2,000 square feet (185.8 m<sup>2</sup>) in area and either constructed with their low-floor elevated at least one foot (305 mm) above the base flood elevation or are flood-proofed to at least one foot (305 mm) above the base flood elevation.

110.5 *Inspection requests.* It shall be the duty of the holder of the permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. Failure of the permit holder to request and obtain required inspections shall constitute a violation.

110.5.1 *Duty to request final inspection.* Upon completion of the work described in the permit application, the permit holder shall request and obtain a final inspection before any occupancy of the structure except as provided in Section 111. Failure of the permit holder to request and obtain a final inspection before occupancy will constitute a violation of this code.

111.1 *Use and occupancy.* A building or structure, an altered area of a building and a relocated building shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefore as provided herein. 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 Chesterfield.

*Exception:* Certificates of occupancy are not required for work exempt from permits under Section 105.2.

111.1.1 *Existing structure certificates.* Certificates of occupancy for existing structures are required under the conditions described in Sections 111.1.1 through 111.1.3. The provisions of Sections 111.1.2 and 111.1.1.3 shall not require the removal, alteration, or abandonment or prevent the continuance of, the occupancy of a lawfully existing structure unless such is deemed to endanger public safety and welfare. Except for changes of use and occupancy

classification, as defined by this code, or as required in Conservation Districts as stipulated in the International Property Maintenance Code, the provisions of Sections 111.1.1.2 and 111.1.1.3 shall not apply to structures or portions of structures classified as individual dwelling units or sleeping units within an R-2 and R-3 residential use and occupancy classifications and structures regulated by the International Residential Code.

111.1.1.1 *Change in use and occupancy classification.* No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of the International Existing Building Code for such division or group of occupancy. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

111.1.1.2 *Change of occupant or tenant.* A change of occupant or tenant shall not be made to any structure or portion thereof without the approval of the building official and the issuance of an associated certificate of occupancy. Prior to issuance of the certificate of occupancy, the building official shall verify that:

1. The structure containing the new occupant or tenant complies with applicable provisions of the this code regarding maintenance of all equipment, systems, devices and safeguards required by this code for the applicable use and occupancy classification of the new occupant or tenant as well as applicable provisions of the International Property Maintenance Code and the Zoning Ordinance; and
2. Where the proposed change of occupancy or tenant also involves a change of use and occupancy classification as defined by this code, a permit application has been filed as prescribed by Section 105 of the International Building Code and the structure shall meet the applicable requirements of this code with regard to the newly proposed use and occupancy classification.

111.1.1.3 *Owner - tenant requests for certificates.* Upon written request from the existing occupant or tenant of an existing structure the building official shall issue a Certificate of Use and Occupancy provided that it is established after inspection and investigation that:

1. The alleged use or tenant of the structure has heretofore lawfully existed, and;
2. The structure containing the existing occupant or tenant complies with applicable provisions of this code for the use and occupancy classification of the existing occupant or tenant as well as applicable provisions of the International Property Maintenance Code and the Zoning Ordinance and;

3. There are no violations of law or orders of the building official pending.

111.1.2 *Required certificate of occupancy.* Failure of the owner or tenant of a structure to obtain a certificate of occupancy or use and occupancy as required by Section 111 and pay the applicable fees, shall be deemed a violation of this code and shall subject said owner or tenant to the penalties prescribed by this code.

111.2 *Certificate issued.* After the building official inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued. (Including tenant or business name.)
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of the International Building Code.
9. The type of construction as defined in the International Building Code.
10. The design occupant load.
11. Whether an automatic sprinkler system is provided.
12. Any special stipulations and conditions of the building permit.

111.5 *Vacating dangerous structures.* Any structure vacated by reason of disaster or because it has been determined by the building official to be dangerous as defined by this code shall be deemed unsafe and its occupancy shall be prohibited until such time as the building official shall issue a certificate of occupancy. After said structure is vacated because of a dangerous condition and until such certificate of occupancy is issued it shall be unlawful for any person to enter such structure except for the purpose of securing, making repairs or for demolishing same pursuant to applicable permits where required, unless the building official shall issue a temporary certificate of occupancy which may include conditions within the building official's discretion and then only the persons specified on said temporary certificate of occupancy may enter the said structure pursuant to said certificate.

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, the Building Commission shall act in the capacity of a Board of Appeals for this code. The board shall adopt rules of procedure for conducting its business.

113.3 *Membership of board.* The Board of Appeals shall consist of the members of the Building Commission.

113.4 *Disqualification of member.* A member shall not hear an appeal in which that member has any personal, professional or financial interest.

113.5 *Chairman, Vice Chairman and Secretary.* The Board shall select one of its members to serve as Chairman and one to serve as Vice Chairman. Both the Chairman and the Vice-Chairman will have full voting privileges on all matters to come before the board. The building official shall designate a representative of the Department of Transportation and Public Works to serve as Secretary to the Board, who shall keep a detailed record of all proceedings on file in the Department of Transportation and Public Works.

113.6 *Application.* The application for appeal shall be filed in writing on a form obtained from the building official.

113.6.1 *Time limitation and filing procedure.* All appeals shall be filed in writing with the building official. An application for appeal may not be filed more than 30 days after the affected individuals are notified of the building official's decision.

113.6.2 *Filing fee.* An application for appeal may not be filed without full payment of the filing fee prescribed in Chapter 1100, SLCRO 1974, as amended.

113.7 *Notice of hearing on appeal.* The board shall meet upon notice of the chairman and no later than 30 days after the notice of appeal is received by the building official or at stated periodic meetings if warranted by the volume of work. The board shall give notice of all appeals by one publication in a newspaper of general circulation in the City, at least seven days in advance of the hearing on that appeal.

113.8 *Postponed hearing.* When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

113.9 *Procedure.* Hearings shall be conducted in accordance with the requirements of Chapter 536 RSMo.

113.9.1 *Open hearing.* All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

113.10 *Quorum required.* A quorum for the conduct of a hearing before the Building Commission shall consist of three members of the Board.



113.11 *Notification of decision.* The Secretary of the Board shall notify the appellant of the decision of the Board in writing in a timely manner.

113.12 *Judicial review.* Decisions of the Board of Appeals are subject to judicial review pursuant to Chapter 536 RSMo.

114.2 *Notice of violation.* The building official shall notify the person responsible for violating any provision of this code, including the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. The notification shall be in writing and shall be hand delivered to the violator or the violator's legally authorized representative or mailed to the violator's last known address via Certified Mail. In the event either of the forgoing attempts at service do not result in actual service, other attempts reasonably calculated to achieve actual service shall be made, including publication in a newspaper of general circulation. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Any person having been notified that a violation exists by means other than a stop work order and who fails to promptly abate the violation after notification shall be subject to the penalties enumerated in this code.

114.4 *Violation penalties.* It shall be unlawful and deemed a violation of this code for any person, firm, corporation, limited liability company or other business entity to:

1. Fail to comply with any of the requirements of this code; or
2. Erect, construct, alter, occupy, or repair a structure in violation of the approved construction documents, a directive of the building official or a permit or certificate issued under the provisions of this code; or
3. Start any work requiring a permit without first obtaining such permit; or
4. Continue any work in or about a structure after having been served a 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
5. Maintain any structure or premises in which a violation exists or fail to timely correct any deficiencies or violations of this code after notification; or
6. Fail to request a required inspection after a permit is issued; or
7. Perform any act prohibited by this code or fail to perform any act required by this code; or
8. Fail to commence work within six months of permit issuance or suspend or abandon work for more than six months.

A violation of this code may be punished by a fine of not more than \$1,000 or by imprisonment not exceeding 90 days or by both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

114.4.1 *No-permit and no-inspection request penalties.* In addition to the penalties set out above, the following procedure shall be followed where the building official determines that work has been started prior to the acquisition of a permit required by this code or the permit holder failed to schedule the required inspection, or allowed the permit to lapse without requesting a final inspection:

1. The building official may issue a stop work order when work requiring a permit was started prior to the acquisition of that permit. The building official may issue a Notice of Violation when a required inspection was not requested.
2. The building official shall notify the holder of the license or permit of the action to be taken and allow sufficient time for response to such action if appropriate. A no-permit penalty shall not exceed the greater of \$500 or 1 percent of the cost of construction of the work involved. A no-inspection request penalty shall not exceed \$500.

If 180 days has transpired since the last inspection on record or if the permit has automatically expired, a permit extension fee shall be added to a no-inspection request penalty amount.

3. The stop work order for failure to obtain a permit or the violation for failure to request an inspection shall remain in full force and effect until such time as the penalty amount is paid and the violator has complied with all other regulations pertaining to the issuance of the required permit, or requesting the required inspection.
4. No-permit and no-inspection request penalties are appealable to the Board of Appeals in the same manner as other decisions of the building official. The building official may revise the assessment upon notice to both the Board of Appeals and the alleged violator at any time prior to the hearing. At any time prior to the hearing, the violator may accept and pay the assessed penalty amount and the hearing will be canceled.
5. At the hearing before the Board of Appeals, said Board shall afford both the building official and the alleged violator an opportunity to present any evidence or make any statements they wish to have considered.
6. Following the hearing, the Board of Appeals shall determine whether a permit or inspection was required:
  - 6.1. If the Board of Appeals determines that a permit or inspection was required, an appropriate penalty amount shall be assessed, taking into account the same considerations as noted above. The stop work

order for failure to obtain a permit or the violation for failure to request an inspection shall remain in full force and effect until such time as the penalty amount is paid and the violator has complied with all other regulations pertaining to the issuance of the required permit, or requesting the required inspection.

- 6.2. If the Board of Appeals determines that a permit or inspection was not required, the building official shall immediately cancel the stop work order for failure to obtain a permit or abate the no-inspection request violation.

114.5 *Unlawful continuance.* Any person who fails to obtain permits when required, or fails to request a required inspection, or continues any work in or about a structure or premises 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 specified in this code.

116.5 *Restoration.* Where the structure or equipment determined to be unsafe by the building official is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions and change of occupancy shall comply with the requirements of Section 105.2.2 and the International Residential Code or the International Existing Building Code, as applicable.

## SECTION EMERGENCY MEASURES

117

117.1 *Imminent danger.* When, in the opinion of the building official, there is imminent danger of failure or collapse of a building that endangers life, or when any building or part of a building has fallen and life is endangered by the occupation of the building, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases, or materials, or operation of defective or dangerous equipment, the building official is hereby authorized and empowered to order and require the occupants to vacate the premises 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 securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

117.2 *Temporary safeguards.* Notwithstanding other provisions of this code, whenever, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been

instituted; and shall cause such other action to be taken as the building official deems necessary to meet such emergency.

117.3 *Closing streets.* When necessary for 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 utilized.

117.4 *Emergency repairs.* For the purposes of this section, 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 jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

117.6 *Appeal.* Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the Board of Appeals, be afforded an appeal as described in this code.

## SECTION

118

### UNFIT STRUCTURES

118.1 *Inspections.* The building official shall inspect or cause to be inspected:

1. Any structure about which complaints are made by any person alleging that it is unfit.
2. Any structure reported by a police department, fire department or any other public agency as apparently unfit.
3. Any structure, which has been classified as apparently, unfit pursuant to any study or inspection program conducted by any City Agency or Department.

118.2 *Unfit structures.* All structures having one or more of the following defects are an unfit structure:

1. Those which are unoccupied and which have interior walls or other vertical structural members which list, lean or have buckled to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
2. Those which are unoccupied and which have exterior portions, members, appurtenances, ornamentations, or components which are likely to fail or collapse, or to become detached or dislodged, and thereby injure persons or damage property.
3. Those which are unoccupied and are open at door and window.
4. Those which are unoccupied and have been damaged by fire, wind, vandalism or other causes so as to impair the life, health, or safety of

persons who are or might reasonably be in or on neighboring structures, or rights-of-way.

5. Those which are unoccupied and are so dilapidated or unsafe as to be likely to cause injury to the health, safety, or welfare of neighbors.
6. Those which have never been lawfully occupied and for which a certificate of occupancy could not be granted by reason of non completion, where construction has been substantially abandoned for more than 18 months.
7. Those unoccupied structures which are considered to be a fire hazard by having accumulations of combustible rubbish or waste materials, or the excess storage of any combustible material, or the storage of dangerous or unlawful amounts of flammable, explosive or otherwise hazardous materials.
8. Those unoccupied structures which have been damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or other cause, or have become so dilapidated, deteriorated or decayed as to come within any one or more of the following categories as affirmed by the building official and the Office of the City Attorney:
  - 8.1. The structure may attract and result in harm to children;
  - 8.2. The structure is, or is likely to become, a harbor for vagrants, criminals or immoral persons;
  - 8.3. The building or structure enables persons to resort thereto for the purpose of committing unlawful or immoral acts.

118.3 *Notice of nuisance.* If the building official determines, after inspection, that a structure is unfit, the building official shall declare it a public nuisance and shall cause a report to be prepared stating the use of said structure and the nature or extent of the damage, deterioration, dilapidation and or hazard as defined by Section 118.2 that was used in determining the structure to be an unfit structure. Said notice shall order the nuisance abated by repair, demolition or other approved means and that work shall commence within 15 days of the service of notice. The structure shall be posted in accordance with Section 118.4 and a copy of the notice of nuisance shall be posted in a prominent location on the premises.

If the repair, demolition or other approved means of abatement ordered has not begun or is not carried forth promptly within the time period stated above, the building official or a designated Hearing Officer may, after hearing, order the structure secured or demolished and the costs, together with the expenses of administration, assessed against the property as a special tax lien. The order to demolish may be appealed by an affected party as provided by law.

118.4 *Occupancy prohibited.* Upon the determination that a structure is an unfit structure as defined by Section 118.2 or otherwise poses a threat to the

general public, a condemnation or Notice of Declaration of Nuisance placard(s) shall be immediately posted in a conspicuous place(s) on the structure as a matter of public safety ordering all persons not directly associated with the securing or permitted repair or demolition of this structure to keep out. It will be considered a violation of this code for any person to enter or occupy a structure or portion thereof after posting of these placards without specific approval from the building official.

118.4.1 *Removal of placard prohibited.* No person shall deface or remove such notice without the prior authorization of the building official or a Court having jurisdiction on review of an order of the building official. Removal of condemnation or warning placard signs shall be considered a violation of this code.

118.5 *Standards for repair or demolition of unfit structure.* The following standards shall govern the building official or Hearing Officer in determining whether to order the repair or demolition of any unfit structure.

118.5.1 *Repairs permitted.* If, at the discretion of the building official or Hearing Officer, any structure found unfit by the building official can reasonably be repaired so that it will no longer be in violation of this chapter, or any other applicable law or ordinance, it shall be ordered rehabilitated and completed within a reasonable time. The repair permit shall include a completion date as determined by the building official or Hearing Officer. The issuance of the repair permit shall result in a hold being placed on the demolition order which shall remain in effect as long as progress is made towards rehabilitating the unfit structure in a timely manner relative to meeting the rehabilitation repair completion date.

118.5.1.1 *Expiration of rehabilitation repair permit.* Repair permits for rehabilitating an unfit structure shall become invalid unless the work on site authorized by such permit is commenced within 60 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 60 days after the time the work is commenced, or if the work is not completed by the completion date established for the permit, unless an extension is authorized. The building official is authorized to grant, in writing, one or more extensions of time, for periods of 30 days each. The extension shall be requested in writing and justifiable cause demonstrated. If progress is not made towards rehabilitating the unfit structure in a timely manner relative to meeting the completion date or if the repair permit becomes invalid the building official is authorized to execute the demolition order.

118.5.2 *Demolition required.* If at the discretion of the building official or Hearing Officer, it is determined that an unfit structure cannot be reasonably repaired so that it will be in compliance with this code due to being 50 percent or more damaged, decayed or deteriorated or the cost to repair is more than 50 percent of the appraised value of the structure or it has been affirmed by the building official and the City Attorney that the structure is detrimental to the

safety, health and welfare of the community, the structure shall be ordered demolished.

118.5.2.1 *Fifty percent damaged.* Fifty percent damaged will be interpreted as meaning 50 percent of the value of the structure or 50 percent of the structural components as determined by the building official.

When making a 50 percent damaged determination in regards to the value of the structure, the cost to repair the damage will be divided by the St. Louis County Assessor's current appraised value for the improvement only. The cost to repair will be determined either by using a square foot multiplier from a nationally recognized publication multiplied by the St. Louis County Assessor's Area Under Roof square foot value, a bona fide cost estimate from a contractor approved by the building official or any other means approved by the building official.

118.5.2.2 *Multiple structures on the same lot.* When there are multiple structures on the same lot, each will be analyzed individually for possible demolition, with the exception that demolition must include all structures accessory to the main structure so as not to cause a violation of the Zoning Ordinance.

118.5.3 *Service of notice of demolition.* The notice may be served personally or by certified mail, return receipt requested. If service is had in this manner, the affected party shall have 15 days from the date of service of the notice to repair or demolish the structure, unless the building official shall extend the time period set forth in said notice. If service cannot be had upon all affected parties by either of the modes set forth above, then notice shall be given by publication, or such other means as is reasonably calculated to actually serve the notice upon the affected party. If notice is given in this manner, the affected party shall have 15 days from the date of publication of said notice to repair or demolish the structure, unless the building official shall extend the time period set forth in said notice. If, at the discretion of the building official, additional time is necessary to perform the work required by the notice, the building official may extend the time period set forth in the notice for the performance of such work by specifying in an additional written notice the date to which said extension is made.

118.5.3.1 *Failure to demolish violation.* Failure of the owner to demolish the structure within the time specified by the building official or Hearing Officer shall be a violation of this code and shall be subject to the penalties specified in this code.

118.5.4 *Subsequent purchases.* The act of subsequent purchases shall not delay the hearing of such matter and shall be an exception to the time requirements of the said notice provided herein, unless at the discretion of the building official or Hearing Officer, such hearing should be continued, or unless such subsequent purchaser shall apply for and receive written authorization from the building official to either rehabilitate or demolish such structure, and shall perform the work within the time period allowed under such authorization.

118.5.5 *Authorization of affected parties to demolish unfit structure.* If, after a structure has been declared a public nuisance by the building official and it shall be determined by the building official that said structure must be demolished, and if one or more of the affected parties shall not cause the demolition of said structure, and if all affected parties and any subsequent purchaser shall agree in writing to the demolition of said unfit structure by the City, then such matter shall immediately be placed on the building demolition docket. A hearing shall then be held relative to such structure at which time evidence shall be presented to establish the location of the structure, the physical condition of the structure, and the fact that all affected parties and any subsequent purchaser have agreed in writing to the demolition of the structure. If the Hearing Officer shall so find, the Hearing Officer shall issue written findings-of-fact and shall issue an order to demolish the structure.

118.5.6 *Cost of demolition.* If the Hearing Officer issues an order whereby the structure is demolished, the costs of such demolition plus a reasonable cost, not to exceed the amount specified in Chapter 1100, SLCRO 1974, as amended, for the administration of the provisions of this chapter shall be imposed against the property to be prepared and collected by the Collector of Revenue in the same manner as other real property taxes. At the election of the taxpayer, the tax bill may be made in equal installments over a period of not more than ten years. The tax bill shall be a lien upon the property from the date of its issuance until paid.

118.6 *Securing required.* If in the judgment of the building official or Hearing Officer a structure is less than 50 percent decayed, damaged or deteriorated and such structure could reasonably be restored to useable condition, the building official shall post the structure in accordance with Section 118.4 and send a notice by certified mail to the owner of record as identified by the Department of Revenue records that they shall have no less than 15 days from the date of the notice to secure the structure or to show cause why the structure should not be secured. All board-ups used as a means of securement shall be painted to blend with the color of the structure.

118.6.1 *Responsibility and cost of securing.* Work needed to secure a structure shall be the responsibility of the owner. If the owner is unable, unwilling or fails to secure the structure within the time specified by the building official, then the building official is authorized to have such work done and a lien to ensure payment of all expenses related thereto shall be placed on the property. Evidence of the expenses associated with securing the structure shall be presented to the building official and forwarded to the Collector of Revenue.

118.6.2 *Service of notice to secure.* The notice may be served personally or by certified mail, return receipt requested, or by such other means as is reasonably calculated to achieve actual service upon the owner of record. If service is had in this manner, the owner of record shall have 15 days from the date of service of the notice to secure the structure, unless the building official shall extend the time period set forth in said notice. If service cannot be had upon the owner of



record by either of the modes set forth above, the building official shall cause the structure to be secured.

118.6.2.1 *Failure to secure violation.* Failure of the owner to secure the structure within the time specified by the building official shall be a violation of this code and shall be subject to the penalties specified in this code.

118.7 *Notice of declaration of nuisance.* Upon the declaration of public nuisance by the building official, a notice of declaration of nuisance shall be filed and recorded in the office of the Recorder of Deeds. Such notice shall be signed by the building official, or the building official's designated representative, and shall be notarized. A copy of such recorded instrument shall be retained by the building official. Upon the completion of the work necessary to cause the structure to comply with all applicable City ordinances, and the approval thereof by the building official, or upon the satisfaction and release of any and all liens imposed pursuant to the provisions of this Chapter, the building official shall provide to the affected party a notice of said compliance or satisfaction to be filed in the office of the Recorder of Deeds. A copy of such notice shall be retained by the building official.

118.8 *Hearing.* The building official may appoint a Hearing Officer. The Hearing Officer shall be a registered design professional and shall be appropriately compensated.

118.8.1 *Duties of hearing officer.* The Hearing Officer shall preside at all hearings held pursuant to Section 118 and shall hear and receive evidence, shall make rulings relating thereto, and shall perform all other usual or necessary functions of the presiding officer in an administrative hearing, all in accordance with the Missouri Administrative Procedure and Review Act, Chapter 536 RSMo. and the City of Chesterfield demolition hearings procedures.

118.8.2 *Duties of building official.* Upon the refusal or neglect of the affected parties to commence the work of rehabilitation, completion or demolition within the time specified in the notice or upon the failure to proceed continuously with the work without unnecessary delay, the building official shall either:

1. Advise the City Attorney of all the facts, whereupon the City Attorney shall institute the appropriate legal action to compel the compliance; or
2. Set the matter on the building demolition docket for a full evidentiary hearing. All hearings shall be recorded by electronic recording device or court reporter. Prior to any such hearing, all affected parties shall be given at least 15 days written notice of the hearing, which notice may be served in the same manner as required in Section 118.5.3. Any party may be represented by counsel at such hearing, and any interested person may be heard. If the Hearing Officer finds that the structure is unfit, the Hearing Officer shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the structure to be a nuisance and detrimental to the health, safety or welfare of the residents of the City and the Hearing Officer shall order the

structure to be demolished and removed or repaired and completed. If the evidence does not support a finding that the structure is a nuisance or detrimental to the health, safety or welfare of the residents of the City of Chesterfield, no order shall be issued.

118.8.3 *Appeal*. Any party aggrieved by the Hearing Officer's order may petition for judicial review of such order as provided in Chapter 536 RSMo.

## SECTION

119

## DEMOLITION OF STRUCTURES

119.1 *Demolition of buildings or structures*. No person, firm or corporation shall demolish a building or other structure without first obtaining a demolition permit.

119.1.1 *Service connections*. Before a demolition permit is issued, the owner or agent shall provide proof that it notified all utilities having service connections within the building or structure such as water, electric, gas, sewer and other connections, and such utilities confirmed that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.

119.1.1.1 *Septic tanks*. In accordance with the Plumbing Code, abandoned individual sanitary sewage systems shall be disconnected from buildings, pumped out and the septic tank bottom shall be broken out. The septic tank shall be backfilled with crushed limestone, gravel or clean compacted dirt. Prior to issuance of a demolition permit, written verification from a licensed waste hauler which states that the septic tank has been pumped out shall be provided.

119.1.1.2 *Wells*. Wells shall be located by the demolition contractor, clearly marked and reported to the City in the demolition permit application.

119.1.1.3 *Propane tanks*. Propane tanks are the property of the company named on the tank. The demolition contractor must notify the propane tank company to have the tank properly disconnected and removed from the premises.

119.1.2 *Demolition permit fee*. The fee for a demolition permit and inspection for the demolition of any building or structure shall be as specified in Chapter 1100, SLCRO.

119.2 *Lot regulation*. Whenever a building or structure has been removed, the premises shall be maintained free from all unsafe or hazardous conditions.

119.2.1 *Slabs and foundation walls*. All on grade slabs and pavement, except public sidewalks, shall be removed unless directed otherwise by the building official. All foundation walls shall be broken down to at least two feet (610 mm) below grade and debris must not be larger than three feet (914 mm) in width and length. All concrete basement or crawl space slabs shall be broken into sections not exceeding eight feet (2438 mm) in any dimension. Cracks shall be of sufficient size to permit drainage.

119.2.3 *Grading and backfilling.* All grading and backfilling operations shall be conducted in such a manner as to provide clean, uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinder blocks and bricks. Demolition rubble, or any other rubble brought in from another site to be used as fill, shall be subject to laboratory testing for any contaminants at the discretion of the building official.

119.2.3 *Lot maintenance.* Whenever a building or structure has been demolished and no building or construction operation has been contemplated or projected in the immediate future, as evidenced by the fact that no application for a building permit has been filed with the building official, the excavation remaining after such demolition, including pavement removal, shall be immediately filled, graded and maintained in conformity with the existing grade immediately adjacent to such excavation, or stabilized as directed by the building official. The top six inches (152 mm) of fill shall be clean top soil and shall be planted with grass seed or other vegetation approved by the building official and covered with straw.

119.2.4 *Improper fill.* The building official shall be permitted to require the demolition contractor to reopen a completed excavation to determine if proper fill procedures have been followed. The cost of reopening shall be borne by the demolition contractor.

119.2.5 *Burial of debris.* On any demolition site where there is no basement or below grade crawl space, all demolition debris must be removed from the site. Excavation for the purpose of burying debris will not be allowed.

*Exception:* Demolition debris may be buried on-site in a manner and location approved by the building official.

119.2.6 *Open burning.* Open burning shall not be allowed unless permitted by the fire jurisdiction.

119.3 *Expiration of demolition permits.* Permits for demolition work shall become invalid if permitted work is not started within thirty days after the date of issuance or if the permitted work is not completed within ninety days of such issuance date. The building official, after receiving a written request from the applicant may extend the permit expiration date for one or more additional thirty day period(s) if the permit applicant presents written evidence of justifiable cause. An extension fee equal to the permit application extension fee in the amount specified in Chapter 1100, SLCRO 1974, as amended, shall be paid for each additional extension period of 30 days beyond the initial 90 days allowed after the date of filing. An additional inspection fee may be charged for an inspection to verify that work has not started. The building official shall notify delinquent applicants in writing and give 14 days notice prior to abandonment of the application.

1115.102 - Amendments to the International Building Code, 2015 Edition—Chapter 2 Definitions.

—The following provisions amend Chapter 2 Definitions in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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 Mechanical Code, International Plumbing Code, International Existing Building Code, International Residential Code, International Property Maintenance Code, NFPA 70, or International Energy Conservation Code, such terms shall have the meanings ascribed to them as in those codes.

## SECTION DEFINITIONS

202

Retain all definitions listed in Section 202 of the International Building Code, 2015 edition and add the following definitions to the section.

*Adult Day Care Home.* A family home, occupied as a permanent residence by the adult day care home provider, in which care is given to no more than 8 adults for any part of the 24 hour day.

*Affected Parties.* The owner, occupant, lessee, mortgagee, agent and all other persons having an interest in the structure or its premises as shown by the records of the Recorder of Deeds as of the date said structure is declared to be a public nuisance by the building official.

*Board of Appeals.* The Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Code Official.* The Code Official as defined herein.

*Building Code Review Committee.* The Committee established by, and acting in accordance with the Building Code, SLCRO 1974, Title XI, Chapter 1115, as amended.

*Building Commission.* The Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Official.* The Code Official as defined herein.

*Child Day Care Home.* A family home, occupied as a permanent residence by the child day care home provider, in which care is given to no more than 10 children, including children related to the day care provider for any part of the 24 hour period.

*Code Official.* The Director of Planning or the Director's duly authorized representative.

*Dangerous.* Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, partially collapsed, has moved off its foundation or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under service loads.
3. The building or structure or any portion thereof is likely to collapse partially or completely because:
  - 3.1. Of dilapidation, deterioration or decay;
  - 3.2. Of construction in violation of the this code;
  - 3.3. The soil supporting the foundation is unstable, moved or removed;
  - 3.4. The foundation is inadequate, decayed or deteriorated; or
  - 3.5. It is damaged due to fire, earthquake, wind or flood; or any other similar cause.
4. The exterior walls or other vertical structural member list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
5. Any building or structure with substantial structural damage.

*Disaster.* A disaster shall include but not necessarily be limited to flood, windstorm, tornado, severe storm, earthquake, bomb blast, explosion or similar natural or man-made type event. The building official shall make the determination whether an event shall be declared a disaster.

*Electrical Code Review Committee.* The Committee established by, and acting in accordance with the Electrical Code, SLCRO 1974, Title XI, Chapter 1102, as amended.

*Flood Hazard Area.* An area that has been determined to be prone to flooding in accordance with section 1612.

*Lowest Floor.* The floor of the lowest enclosed area, including a basement. An unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage, in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of section 1612.

*Mechanical Code Review Committee.* The Committee established by, and acting in accordance with the Mechanical Code, SLCRO 1974, Title XI, Chapter 1108, as amended.

*Plumbing Code Review Committee.* The Committee established by, and acting in accordance with the Plumbing Code, SLCRO 1974, Title XI, Chapter 1103, as amended.

*Zoning Ordinance.* City of Chesterfield Unified Development Code, Chapter 31.

1115.103 - Amendments to the International Building Code, 2015 Edition—  
Chapter 3 Use and Occupancy Classification.

—The following provisions amend Chapter 3 Use and Occupancy Classification in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

305.2 *Group E, day care facilities.* This group includes buildings and structures or portions thereof occupied by more than five children older than 2½ years of age who receive educational, supervision or personal care services for fewer than 24 hours per day.

*Exception:* Child day care homes as provided for in Section 310.5.1.

308.3.4 *Five or fewer persons receiving custodial care.* A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.

308.4.2 *Five or fewer persons receiving medical care.* A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.

308.6 *Institutional Group I-4, day care facilities.* Institutional I-4 occupancy shall include buildings and structures occupied by more than five persons of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following:

Adult day care

Child day care

*Exception:* Adult day care homes and child day care homes as provided for in Section 310.5.1.

310.2 *Definitions.* The following terms are defined in Chapter 2:

*Adult Day Care Home.*

*Boarding House.*

*Child Day Care Home.*

*Congregate Living Facilities.*

*Dormitory.*

*Group Home.*

*Guest Room.*

*Lodging House.*

*Personal Care Service.*

*Transient.*

310.5 *Residential Group R-3.* Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Adult day care homes

Buildings that do not contain more than two dwelling units

Boarding houses (nontransient) with 16 or fewer occupants

Boarding houses (transient) with 10 or fewer occupants

Care facilities that provide accommodations for five or fewer persons receiving care

Child day care homes

Congregate living facilities (nontransient) with 16 or fewer occupants

Congregate living facilities (transient) with 10 or fewer occupants

Lodging houses with five or fewer guest rooms

310.5.1 *Care facilities within a dwelling.* Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.

Adult day care homes and child day care homes shall be permitted to be constructed in accordance with the International Residential Code.

1115.107 - Amendments to the International Building Code, 2015 Edition—Chapter 7 Fire and Smoke Protection Features.

—The following provisions amend Chapter 7 Fire and Smoke Protection Features in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

716.7 *Existing non-rated corridor walls in occupancy classification B.* New non-rated openings in corridors in existing buildings may be protected with a water curtain in lieu of an approved protective device where the following features are provided:

1. The corridor walls and ceiling of the tenant space are constructed to limit the transfer of smoke into the corridor.
2. Corridor doors shall provide an effective barrier to limit the transfer of smoke.
3. Sprinkler heads shall be placed within eighteen (18) inches (457 mm) of the corridor wall at a spacing of not more than six (6) feet (1829 mm) on-center on the tenant side of the wall.

1115.109 - Amendments to the International Building Code, 2015 Edition—Chapter 9 Fire Protection Systems.

—The following provisions amend Chapter 9 Fire Protection Systems in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

903.3.1.2 *NFPA 13 or NFPA 13R sprinkler systems.* Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet (18288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13 or NFPA 13R.

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 shall be measured from the horizontal assembly creating separate buildings.

903.3.5.3 *Water flow safety factor.* A safety factor shall be applied to all flow tests for fire sprinkler systems. A parallel curve shall be drawn to the actual flow test curve that has been reduced by 10 percent of the static pressure. A sprinkler system design shall not exceed the 10 percent curve.

905.3 *Required installations.* Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.8. Standpipe systems are allowed to be combined with automatic sprinkler systems.

*Exception:* Standpipe systems are not required in Group R-3 occupancies.

1115.110 - Amendments to the International Building Code, 2015 Edition—Chapter 10 Means of Egress.



—The following provisions amend Chapter 10 Means of Egress in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1015.2 *Where required.* Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps, landings and walking surfaces adjacent to retaining walls that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8.

*Exception:* Guards are not required for the following locations:

1. On the loading side of loading docks or piers.
2. On the audience side of stages and raised platforms, including stairs leading up to the stage and raised platforms.
3. On raised stage and platform floor areas, such as runways, ramps and side stages used for entertainment or presentations.
4. At vertical openings in the performance area of stages and platforms.
5. At elevated walking surfaces appurtenant to stages and platforms for access to and utilization of special lighting or equipment.
6. Along vehicle service pits not accessible to the public.
7. In assembly seating areas at cross aisles in accordance with Section 1029.16.2.
8. Retaining walls four feet (1219 mm) or less in height.
9. Retaining walls in excess of four feet (1219 mm) in height where any walk, path, parking lot or driveway is located two feet (610 mm) or more away from the front face of the wall.

1115.111 - Amendments to the International Building Code, 2015 Edition—Chapter 11 Accessibility.

—The following provisions amend Chapter 11 Accessibility in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1101.2 *Design*. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code, ICC A117.1 and as amended by Sections 1102.2.1, 1102.2.2 and 1102.2.3.

1101.2.1, *ICC A117.1, Section 502.2 Vehicle Space Size*. Car and van parking spaces shall be 96 inches (2440 mm) minimum in width.

1101.2.2, *ICC A117.1, Section 502.4.2 Width*. Access aisles serving car parking spaces shall be 60 inches (1525 mm) minimum in width. Access aisles serving van parking spaces shall be 96 inches (2440 mm) minimum in width.

1101.2.3, *ICC A117.1, Section 502.7 Identification*. Accessible parking spaces shall be identified by signs. The signs shall include the International Symbol of Accessibility complying with Section 703.6.3.1. Signs identifying van parking spaces shall contain the designation "Lift Van Accessible Only." Such signs shall be 60 inches (1525 mm) minimum above the floor of the parking space, measured to the bottom of the sign.

1106.5 *Van spaces*. For every four or fraction of four accessible parking spaces, at least one shall be a van accessible parking space.

*Exception:* In Group R-2 and R-3 occupancies, van accessible spaces located within private garages shall be permitted to have vehicular routes, entrances, parking spaces and access aisles with a minimum vertical clearance of 7 feet (2134 mm).

1115.112 - Amendments to the International Building Code, 2015 Edition—Chapter 12 Interior Environment.

—The following provisions amend Chapter 12 Interior Environment in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1203.1 *General*. Buildings shall be provided with ventilation as required by the International Mechanical Code. Where natural ventilation is permitted by the International Mechanical Code, the natural ventilation shall be in accordance with Section 1203.5 of this code.

1115.113 - Amendments to the International Building Code, 2015 Edition—Chapter 13 Energy Efficiency.

—The following provisions amend Chapter 13 Energy Efficiency in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1301.1.1 *Criteria.* Buildings shall be designed and constructed in accordance with the International Energy Conservation Code.

*Exception:* Buildings of Residential Groups R-2, R-3 and R-4 shall be permitted to be designed and constructed in accordance with Section N1101, General and Section N1102, Building Thermal Envelope of the International Residential Code.

1115.115 - Amendments to the International Building Code, 2015 Edition—Chapter 15 Roof Assemblies and Rooftop Structures.

—The following provisions amend Chapter 15 Roof Assemblies and Rooftop Structures in the International Building Code, 2015 edition. Each code section that corresponds to one of the following 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.

1511.1 *General.* Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15.

*Exceptions:*

1. Roof replacement or roof recover of existing low-slope roof coverings shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section 1507 for roofs that provide positive roof drainage.
2. Recovering or replacing an existing roof covering shall not be required to meet the requirement for secondary (emergency overflow) drains or scuppers in Section 1503.4 for roofs that provide for positive roof drainage. For the purposes of this exception, existing secondary drainage or scupper systems required in accordance with this code shall not be removed unless they are replaced by secondary drains or scuppers designed and installed in accordance with Section 1503.4.

1511.2 *Structural and construction loads.* Structural roof components shall be capable of supporting the roof-covering system and the material and equipment loads that will be encountered during installation of the system.

Structural calculations are required when the proposed roof covering system results in a greater than 5 percent increase in the design load on any structural element in accordance with Sections 403.3, 403.3.1, 707.2 or 1401.4.1 of the International Existing Building Code. The structural calculations shall comply with Chapter 16 except as noted in the International Existing Building Code. The calculations shall include verification that ponding instability will not occur.

1115.116 - Amendments to the International Building Code, 2015 Edition—  
Chapter 16 Structural Design.

—The following provisions amend Chapter 16 Structural Design in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1612.1 *General*. Within flood hazard areas as established in Section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvement and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads in accordance with this code, the Zoning Ordinance and the Floodplain Management Regulations Ordinance. For buildings that are located in more than one flood hazard area, the provisions associated with the most restrictive flood hazard area shall apply.

1612.1.1 *Alterations and repairs*. Alterations and repairs to buildings located in any hazard zone shall require code compliance with Sections 104.6.1, 105.1.1, 105.1.1.1, 110.2.1, 110.3.14.1, 111, 1612.3 and the International Existing Building Code except that in the case of damages or cost of reconstruction or restoration in excess of 50 percent of the fair market value of the building, such structure shall comply in all respects with the requirements of this section.

1612.3 *Establishment of flood hazard areas*. Flood hazard areas shall be established by the Floodplain Management Regulations Ordinance.

1612.5 *Flood hazard documentation*. The following documentation shall be prepared and sealed by a registered design professional and submitted to the building official:

1. For construction in flood hazard areas other than coastal high hazard areas or coastal A zones:
  - 1.1. The elevation of the lowest floor, including the basement, as required by the lowest floor elevation inspection in Section 110.3.3.1 and for the final inspection in Section 110.3.14.1.
  - 1.2. For fully enclosed areas below the design flood elevation where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.6.2.1 of ASCE 24, construction documents shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.6.2.2 of ASCE 24.

- 1.3. For dry flood-proofed nonresidential buildings, construction documents shall include a statement that the dry flood-proofing is designed in accordance with ASCE 24.
2. For construction in coastal High hazard areas and coastal A zones:
  - 2.1. The elevation of the bottom of the lowest horizontal structural member as required by the lowest floor elevation inspection in Section 110.3.3.1 and for the final inspection in Section 110.3.14.1.
  - 2.2. Construction documents shall include a statement that the building is designed in accordance with ASCE 24, including that the pile or column foundation and building or structure to be attached thereto is designed to be anchored to resist flotation, collapse and lateral movement due to the effects of wind and flood loads acting simultaneously on all building components, and other load requirements of Chapter 16.
  - 2.3. For breakaway walls designed to have a resistance of more than 20 psf (0.96 kN/m<sup>2</sup>) determined using allowable stress design, construction documents shall include a statement that the breakaway wall is designed in accordance with ASCE 24.

1613.3.1 *Acceleration parameters.* The earthquake spectral response acceleration at short periods ( $S_s$ ) shall be 0.48g. The earthquake spectral response acceleration at 1-second periods ( $S_1$ ) shall be 0.18g.

1115.118 - Amendments to the International Building Code, 2015 Edition—Chapter 18 Soils and Foundations.

—The following provisions amend Chapter 18 Soils and Foundations in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1807.2.4 *Guards.* Guards shall be provided in accordance with Section 1015.2.

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 30 inches (762 mm) below the finish grade;
2. Constructing in accordance with ASCE-32; or
3. Erecting on solid rock.

*Exception:* Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to Risk Category I;
2. Area of 600 square feet (56 m<sup>2</sup>) or less for light-frame construction or 400 square feet (37 m<sup>2</sup>) or less for other than light-frame construction; and
3. Eave height of 10 feet (3048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of a permanent character.

#### 1115.125 - Amendments to the International Building Code, 2015 Edition

—Chapter 25 Gypsum Board, Gypsum Panel Products and Plaster.

2503.1 *Inspection*. Lath and gypsum board shall be inspected in accordance with Section 110.3.7.

#### 1115.129 - Amendments to the International Building Code, 2015 Edition—Chapter 29 Plumbing Systems.

—The following provisions amend Chapter 29 Plumbing Systems in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

2901.1 *Scope*. The provisions of this chapter and the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the International Plumbing Code. Private sewage disposal systems shall conform to the International Plumbing Code.

2902.1 *Minimum number of fixtures*. Plumbing fixtures shall be provided in accordance with the International Plumbing Code.

Table 2902.1 *Minimum Number Of Required Plumbing Fixtures*. - Delete.

2902.1.1 *Fixture calculations*. Fixture calculations shall be provided in accordance with the International Plumbing Code.

2902.2 *Separate facilities*. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

*Exceptions:*

1. Separate facilities shall not be required for dwelling units and sleeping units.

2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 10 or fewer.
3. Separate facilities shall not be required in business or mercantile occupancies in which the maximum occupant load is less than 50.

2902.3.2 *Location of toilet facilities in occupancies other than malls and shopping centers.* In occupancies other than covered and open mall buildings and shopping centers, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

*Exception:* The location and maximum distances of travel to required employee facilities in factory and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum distance of travel are approved.

2902.3.3 *Location of toilet facilities in malls and shopping centers.* In covered and open mall buildings and shopping centers, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 300 feet (91 m). In mall buildings and shopping centers, the required facilities shall be based on total square footage ( $m^2$ ) within a covered mall building or shopping center or within the perimeter line of an open mall building, and facilities shall be installed in each individual store or in a central toilet area located in accordance with this section. The maximum distance of travel to central toilet facilities in mall buildings and shopping centers shall be measured from the main entrance of any store or tenant space. In mall buildings or shopping centers, where employees' toilet facilities are not provided in the individual store, the maximum distance of travel shall be measured from the employees' work area of the store or tenant space.

2902.3.6 *Prohibited toilet room location.* Public toilet rooms shall not open directly into a room used for the preparation of food for service to the public.

2902.5 *Drinking fountain location.* Drinking fountains shall be provided in accordance with the International Plumbing Code.

2905.6 *Small occupancies.* Drinking fountains shall not be required for an occupant load of 30 or fewer.

1115.131 - Amendments to the International Building Code, 2015 Edition—Chapter 31 Special Construction.

—The following provisions amend Chapter 31 Special Construction in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

3102.1 *General*. The provisions of this section shall apply to air-supported, air-inflated, membrane-covered cable and membrane-covered frame structures, collectively known as membrane structures, erected for a period of 90 days or longer. Membrane structures covering water storage facilities, water clarifiers, water treatment plants, sewage treatment plants, greenhouses and similar facilities not used for human occupancy, are required to meet only the requirements of Sections 3102.3.1 and 3102.7. Membrane structures erected on a building, balcony, deck or other structure for any period of time shall comply with this section.

3103.1 *General*. The provisions of this section shall apply to all types of temporary structures that are to remain at a location for a limited period of time. Temporary structures such as membrane structures, trailers, food stands, portable buildings, greenhouses and unoccupied display structures may be erected and remain in place for the duration of a specific event or season. The duration of the event or season shall not exceed a six-month period except as otherwise provided in this section. Membrane structures erected for a period of 90 days or longer shall comply with Section 3102. All other structures erected for a period of more than six months shall comply with all applicable sections of this code for permanent buildings and structures. In addition to the requirements of this section, special amusement buildings and structures shall also comply with Section 411.

*Exceptions:*

1. The following types of buildings and structures may be erected for a period of up to one year:
  - 1.1. Unoccupied display structures.
  - 1.2. Subdivision sales offices.
  - 1.3. Unoccupied trailers or portable buildings used only to house equipment for monitoring air quality, soil and/or water contamination clean-up operations, or other similar uses related to the betterment of public safety, health, and welfare.
2. Temporary structures occupied as classrooms may be erected for a maximum of 10 months.

3103.1.1 *Permitted uses*. Temporary structure permits shall only be issued for the following types of structures and occupancies:

1. Membrane structures erected for a period of less than 90 days.
2. Unoccupied display structures.
3. Outdoor sales facilities.



4. Structures to be occupied on a seasonal basis only, such as fruit stands, greenhouses, snow-cone stands, special amusement buildings, etc.
5. Temporary structures to be used while awaiting completion of construction of a permanent building on the same site such as temporary offices, clinics, or classrooms.
6. Subdivision sales offices.
7. Structures to be used as temporary shelter or operations center in an emergency due to a disaster.
8. Entertainment or assembly uses.
9. Unoccupied trailers or portable buildings used only to house equipment.

3103.2 *Permit required.* No temporary structure shall be erected, operated or maintained for any purpose without obtaining a temporary structure permit.

*Exceptions:*

1. Tents used exclusively for recreational camping purposes.
2. Tents or air supported structures covering an area not exceeding 900 square feet (83.6 m<sup>2</sup>), including all connecting areas or spaces with a common means of egress or entrance, that are erected for a period of less than 90 days and with an occupant load of less than 50.

3103.2.1 *Permit fees.* Permit fees, as prescribed in Chapter 1100, SLCRO 1974 as amended shall be based on the estimated value of the proposed installation plus the value of any prefabricated construction. Such permit fee shall be charged for permits issued for one year. Permits issued for less than one year shall be prorated for the duration of the permit. The applicable minimum fee shall be assessed.

When permits are extended under Section 3103.2.2 the total fee for the permit extension shall include the permit extension fee plus a minimum of one additional inspection fee.

3103.2.2 *Inspection fees.* In addition to the permit fees prescribed in Section 3103.2.1, the required number of extra monthly inspections necessary shall be determined and the fee paid at the time of permit issuance.

3103.2.3 *Extension of permits.* The Board of Appeals may grant permit extensions for temporary structures used for unoccupied sales display purposes and for air-supported structures.

The building official may grant permit extensions of up to one-year periods for the types of structures and occupancies allowed under Exception 1.2 and 1.3 of Section 3103.1.

The building official may grant permit extensions for six month periods on temporary structures that are used while awaiting completion of construction of

a permanent building on the same site (such as temporary offices, clinics, or classrooms) provided that the temporary structure is removed within 30 days after the occupancy permit for the permanent building is granted. Fees for a permit extension shall be as prescribed in Chapter 1100, SLCRO 1974 as amended.

3103.2.4 *Multiple permits prohibited.* Not more than one temporary structure permit shall be issued for the same structure at the same location, within a twelve-month period.

3103.2.5 *Termination of approval.* The building official is hereby authorized to terminate approval for cause and to order the demolition or removal of any such temporary structure at the building official's discretion, or as directed by a decision of the Board of Appeals.

3103.3 *Other approvals.* The building official shall require the applicant to obtain the approval of the local fire protection district or fire department prior to the issuance of any temporary structure permit.

3103.4 *Bond.* The building official may, in the exercise of discretion, require a permit applicant to post a perpetual performance bond, prior to issuance of the permit, to guarantee removal of the structure upon expiration of the permit or as directed by the building official and/or the Board of Appeals. The amount of the bond shall be set by the building official.

3103.5 *Construction documents.* A permit application and construction documents shall be submitted for each installation of a temporary structure. The construction documents shall include a site plan indicating the location of the temporary structure and information delineating the means of egress and the occupant load.

3103.6 *Design features.* Temporary structures shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to insure the public health, safety and general welfare.

3103.7 *Location.* Temporary structures shall be located in accordance with the requirements of Table 602 based on the fire-resistance rating of the exterior walls for the proposed type of construction.

3103.7.1 *Setback from the street.* Temporary structures shall be located a minimum of 15 feet (4572 mm) from the street right-of-way.

3103.8 *Flame-resistant treatment.* Before a permit is granted, the owner or agent shall file with the building official a certificate executed by an approved testing laboratory, certifying that the tents, canopies and membrane structures and their appurtenances, sidewalls, drops and tarpaulins, bunting, shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner and meet the requirements for flame resistance as

determined in accordance with NFPA 701, and that such flame resistance is effective for the period specified by the permit.

3103.9 *Label.* Membrane structures, tents or canopies shall have a permanently affixed label bearing the identification of size and fabric or material type.

3103.10 *Certification.* An affidavit or affirmation shall be submitted to the building official and a copy retained on the premises on which the tent or air-supported structure is located. The affidavit shall attest to the following information relative to the flame resistance of the fabric:

1. Names and address of the owners of the tent, canopy or air-supported 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.

3103.11 *Anchorage.* 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 shall be designed by a registered design professional.

3103.12 *Means of egress.* Temporary structures shall conform to the means of egress requirements of Chapter 10 and shall have a maximum exit access travel distance of 100 feet (30480 mm).

3103.13 *Report required.* The building official shall make a monthly report to the Building Commission on the number and types of permits for temporary structures issued by the Department of Transportation and Public Works. The report shall be presented at each regularly scheduled meeting of the Building Commission.

3103.14 *Monthly inspections.* Temporary structures that serve food shall be inspected monthly by the Departments of Health and Transportation and Public Works to verify that the scope and the menu of the food service facility remains consistent with the permitted activity.

3107.1 *General.* Signs shall be designed, constructed and maintained in accordance with Appendix H - SIGNS.

3109.4.1.9 *Pool structure as barrier.* Where an aboveground 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 ladder or steps, then 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.

3112.1 *Fences*. Fences shall be subject to the following requirements:

1. Fencing on a corner lot cannot be located within the site distance triangle.
2. A building permit shall be required to erect a new fence or replace an existing fence in accordance with Sections 105 and 109.
3. Electrically charged fences are prohibited.
4. The use of barbed wire, razor ribbon, and similar type fencing materials are prohibited on all new fence installations.

*Exceptions:*

1. Barbed wire may be installed on top of fencing for industrial use sites provided that the lowest strand is at least 7 feet (2134 mm) above the ground.
2. Barbed wire fences and fences topped with barbed wire may be permitted for fencing of agricultural use sites for the purpose of containing livestock including cropland areas/fields used for grazing/feeding of livestock.
3. Barbed wire, razor ribbon, and like material may be installed on top of fences on institutional use sites for prisons, jails, and similar correctional facilities where security measures are needed, provided the barbed wire, razor ribbon, or like material is no closer to the ground than 7 feet (2134 mm).

3112.2 *Driveway barriers*. A barrier measuring less than 3 inch (76 mm) in vertical depth that extends fully or partially across a driveway or parking lot is considered a hazardous condition. All barriers must be compliant with Department of Transportation and Public Works requirements.

*Exceptions:*

1. A barrier measuring less than 3 inches (76 mm) in vertical depth extending fully or partially across a driveway or parking lot is not considered a hazardous condition if permanent 1 inch (25 mm) horizontal by 12 inch (305 mm) vertical reflector strips are installed under the barrier at a maximum of 36 inches (914 mm) horizontally center to center for the entire length of the barrier.
2. A driveway or parking lot with such a barrier that is posted with a "No Trespassing" sign in the middle of the entrance(s) of the driveway or parking lot. The sign must be located outside of the road or street right-of-way.

3113.1 *Permits not required.* A building permit is not required for roof installation of antennal structures not more than 12 feet (3658 mm) in height for private reception. Such a structure shall not be erected so as to injure 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.

3113.2 *Permits required.* Approval shall be secured for all roof-mounted antennal structures more than 12 feet (3658 mm) 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.

3113.3 *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.

3113.3.1 *Permits.* The approval of the building official shall be secured for all dish antenna structures more than 2 feet (610 mm) in diameter erected on the roof of or attached to any building or structure. A permit is not required for dish antennas not more than 2 feet (610 mm) in diameter erected and maintained on the roof of any building.

3113.3.2 *Structural provisions.* Dish antennas larger than 2 feet (610 mm) 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.

1115.135 - Amendments to the International Building Code, 2015 Edition—Chapter 35 Referenced Standards.

—The following provisions amend Chapter 35 Referenced Standards in the International Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

**GOVERNMENT OF ST. LOUIS COUNTY, MISSOURI.** Add the following St. Louis County Codes, Ordinances and Standards:

| <b>GOVERNMENT OF<br/>ST. LOUIS COUNTY, MISSOURI</b>                                      |                                         | St. Louis County Department<br>of Highways & Traffic and<br>Public Works<br>41 S. Central Ave.<br>St. Louis, MO 63105 |
|------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Standard reference number                                                                | Title                                   | Referenced in code section number                                                                                     |
| Electrical Code - Title XI,<br>Chapter 1102 SLCRO<br>1974, as amended                    | Electrical Code                         | 102.2.1, 107.3.3.1, 202                                                                                               |
| Existing Building Code -<br>Title XI, Chapter 1117<br>SLCRO 1974 as amended              | Existing Building<br>Code               | 101.2, 101.4, 101.5, 102.6,<br>105.1.6, 105.3.1.2, 116.5,<br>201.3, 1511.2, 1612.1.1                                  |
| Floodplain Management<br>Regulations - Title X,<br>Chapter 1008 SLCRO 1974<br>as amended | Floodplain<br>Management<br>Regulations | 101.4, 105.3.1.2, 105.3.1.2.1,<br>110.3.14.1, 1612.1, 1612.3                                                          |
| Mechanical Code - Title XI,<br>Chapter 1108 SLCRO<br>1974, as amended                    | Mechanical Code                         | 102.2.1, 105.2, 107.3.3.1, 202                                                                                        |
| Plumbing Code - Title XI,<br>Chapter 1103 SLCRO<br>1974, as amended                      | Plumbing Code                           | 102.2.1, 107.3.3.1, 119.1.1.1,<br>202                                                                                 |
| Zoning Ordinance - Title X,<br>Chapter 1003 SLCRO 1974<br>as amended                     | Zoning<br>Ordinance                     | 102.2.2, 101.4, 105.3.1.2,<br>105.3.1.2.1, 110.3.10,<br>110.3.13, 111.1.1.2,<br>111.1.1.3, 202, 1612.1,<br>H101.1.1   |

**ICC - International Code Council.** Amend Referenced Standards. (Standards not amended by this code and shown in the code as published are adopted without amendments.):

|                           |                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ICC</b>                | International Code Council, Inc.<br>500 New Jersey Ave., NW<br>6th Floor<br>Washington, DC 20001 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Standard reference number | Title                                                                                            | Referenced in code section number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| IMC-15                    | International Mechanical Code®                                                                   | 101.4, 102.2.1, 105.2, 107.3.3.1, 201.3, 202, 307.1.1, Table 307.1(1), 406.6.2, 406.8.2, 406.8.4, 409.3, 412.6.6, 414.1.2, 414.3, 415.8.1.4, 415.8.2, 415.8.2.7, 415.8.3, 415.8.4, 415.10.11, 415.10.11.1, 416.2.2, 416.3, 417.1, 419.8, 421.5, 603.1, 603.1.1, 603.1.2, 712.1.6, 712.2.2, 717.5.3, 717.5.4, 717.6.1, 717.6.2, 717.6.3, 718.5, 720.1, 720.7, 903.2.11.4, 904.2.1, 904.11, 907.3.1, 908.6, 909.1, 909.10.2, 909.13.1, 1006.2.2.3, 1011.6, 10.20.5.1, 1203.1, 1203.2.1, 1203.5.2, 1203.5.2.1, 1203.6, 1209.3, 2801.1 |
| IPC-15                    | International Plumbing Code®                                                                     | 101.4, 102.2.1, 105.2, 107.2.8, 107.3.3.1, 119.1.1.1, 201.3, 202, 415.9.3, 603.1.2, 718.5, 903.3.5, 904.12.1.3, 912.6, 1206.3.3, 1503.4, 1503.4.1, 1805.4.3, 2901.1, 2902.1, 2902.1.1, 3305.1, A101.2                                                                                                                                                                                                                                                                                                                              |
| IPMC-15                   | International Property Maintenance Code®                                                         | 101.4, 102.6, 103.3, 111.1.1.2, 111.1.1.3, 201.3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|        |                                 |                                                                                                                                                                 |
|--------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IRC-15 | International Residential Code® | 101.2, 101.4, 101.5, 105.1.6, 105.3.1.2, 110.3.5, 110.3.9, 111.1.1, 116.5, 201.3, 305.2.3, 308.3.4, 308.4.2, 308.6.4, 310.1, 310.5.1, 310.5.2, 1301.1.1, 2308.1 |
|--------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|

**NFPA - National Fire Protection Association.** Amend Referenced Standards. (Standards not amended by this code and shown in the code as published are adopted without amendments.):

|                           |                                                                                      |                                                                                                                                                                           |
|---------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NFPA</b>               | National Fire Protection Association<br>1 Batterymarch Park<br>Quincy, MA 02169-7471 |                                                                                                                                                                           |
| Standard reference number | Title                                                                                | Referenced in code section number                                                                                                                                         |
| 70-14                     | National Electric Code                                                               | 101.4, 102.2.1, 105.2, 107.3.3.1, 201.3, 202, 415.11.1.8, 904.3.1, 907.6.1, 909.12.2, 909.16.3, 1205.4.1, 2701.1, 2702.1.2, G501.4, G1001.6, H106.1, H106.2, K101, K111.1 |
| 701-10                    | Standard Method of Fire Tests for Flame-Propagation of Textiles and Films            | 410.3.6, 424.2, 801.4, 806.1, 806.3, 806.4, 3102.3, 3102.3.1, 3102.6.1.1, 3103.8, 3105.4, D102.2.8, H106.1.1                                                              |

1115.136 - Amendments to the International Building Code, 2015 Edition—Appendix H Signs.

—The following provisions amend Appendix H Signs in the International Building Code, 2015 edition. Each code section that corresponds to one of the following 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.



H101.1.1 *Zoning law.* Where more restrictive, the limitations of the zoning ordinance shall take precedence over the regulations of this code.

H101.2 *Permits and construction documents.* Permits for signs shall be required as specified in Sections H101.2.1 and H101.2.2 except as provided for in Section H101.3. Construction documents shall be prepared and filed in accordance with Section H105.

H101.2.1 *New signs.* A new sign shall not hereafter be erected, constructed, altered or maintained except as provided for herein, and until a permit has been issued by the building official.

H101.2.2 *Alterations.* A sign shall not be enlarged or relocated unless such sign conforms to the provisions of this section for new signs, or until a proper permit has been secured. The changing of movable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this section are not violated.

H101.3 *Permit exemptions.* A permit shall not be required for signs exempt from permits in the Zoning Ordinance.

H105.3 *Wind load.* Signs shall be designed and constructed to withstand wind pressure as provided for in Chapter 16. Structural calculations are not required for ground signs or pole signs, as defined in Section H102, that are both less than 100 square feet ( $9.29 \text{ m}^2$ ) in area and less than 10 feet (3048 mm) in height.

H105.4 *Seismic load.* Signs designed to withstand wind pressures shall be considered capable of withstanding earthquake loads, except as provided for in Chapter 16. Structural calculations are not required for ground signs or pole signs, as defined in Section H102, that are both less than 100 square feet ( $9.29 \text{ m}^2$ ) in area and less than 10 feet (3048 mm) in height.

## **Attachment 'B'**

### **1116.101 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—**

#### Chapter 1 Scope and Administration.

—The following provisions amend Chapter 1 Scope and Administration in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

R101.1 *Title*. These regulations shall be known as the Residential Code for One- and Two-Family Dwellings of Chesterfield, hereinafter referred to as "this code."

R101.2 *Scope*. The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to 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 in height with a separate means of egress and their accessory structures not more than three stories above grade in height.

#### *Exceptions:*

1. Live/work units located in townhouses and complying with the requirements of Section 419 of the International Building Code shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings. Fire suppression required by Section 419.5 of the International Building Code where constructed under the International Residential Code for One- and Two-family Dwellings shall conform to Section 903.3.1.3 of the International Building Code.
2. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with a fire sprinkler system in accordance with Section 903.3.1.3 of the International Building Code.

R101.4 *Applicability of Chesterfield, Missouri Codes and Ordinances*. Throughout this code, whenever the terms NFPA 70, International Plumbing Code, International Mechanical Code, International Property Maintenance Code, International Building Code, International Residential Code, International Existing Building Code, Zoning Ordinance or Floodplain

Management Regulations Ordinance appears it shall be deemed to mean the codes adopted by Chesterfield as listed in Chapter 07 as amended, respectively.

R101.5 *Reserved for future use.*

R101.6 *Reserved for future use.*

R101.7 *Reserved for future use.*

R101.8 *Correction of violations of other codes.* Repairs or alterations mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this code unless the code requiring such repair or alteration so provides.

R102.2.1 *Licensing.* Applicable licensing provisions of the Mechanical Code, the Electrical Code and the Plumbing Code shall apply to work regulated under this code.

R102.2.2 *Compliance with zoning and other applicable codes and ordinances.* Subject to the provisions of this code, neither the granting of a permit, nor the approval of construction documents, nor inspections made by the building official, or the building official's authorized representative, during the erection, movement or demolition of a building or 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 Unified Development Code, or other applicable laws of the City.

R102.4 *Referenced codes and standards.* The codes and standards referenced in this code and listed in Chapter 44 shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

*Exception:* Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

R102.4.3 *Standards and guidelines for structural evaluation.* The building official shall allow structural evaluation, condition assessment, and rehabilitation of buildings, structures, or individual structural members based on this code's appendix chapters, referenced standards, guidelines, or other approved standards and procedures.

R102.7 *Existing structures.* The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Building Code, the International Property Maintenance Code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

SECTION R103  
DEPARTMENT OF BUILDING SAFETY

R103.1 *Creation of enforcement agency.* SECTION R103 DEPARTMENT OF BUILDING SAFETY (Sections R103.1 through R103.3) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 103 DEPARTMENT OF BUILDING SAFETY in the International Building Code.

SECTION R104  
DUTIES AND POWERS OF BUILDING OFFICIAL

R104.1 *General.* SECTION R104 DUTIES AND POWERS OF BUILDING OFFICIAL (Sections R104.1 through R104.11.1) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL in the International Building Code.

SECTION R105  
PERMITS

R105.1 *Required.* SECTION R105 PERMITS (Sections R105.1 through R105.9) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 105 PERMITS in the International Building Code.

SECTION R106  
*Reserved for future use.*

SECTION R107  
SUBMITTAL DOCUMENTS

R107.1 *General.* SECTION R106 CONSTRUCTION DOCUMENTS (Sections R106.1 through R106.5) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 107 SUBMITTAL DOCUMENTS in the International Building Code.

SECTION R108  
TEMPORARY STRUCTURES AND USES

R108.1 *General.* SECTION R107 TEMPORARY STRUCTURES AND USES (Sections R107.1 through R107.4) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 108 TEMPORARY STRUCTURES AND USES in the International Building Code.

SECTION R109  
FEES

R109.1 *Payment of fees.* SECTION R108 FEES (Sections R108.1 through R108.6) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 109 FEES in the International Building Code.

## SECTION R110 INSPECTIONS

R110.1 *General*. SECTION R109 INSPECTIONS (Sections R109.1 through R109.4) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 110 INSPECTIONS in the International Building Code.

## SECTION R111 CERTIFICATE OF OCCUPANCY

R111.1 *Use and occupancy*. SECTION R110 CERTIFICATE OF OCCUPANCY (Sections R110.1 through R110.5) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 111 CERTIFICATE OF OCCUPANCY in the International Building Code.

## SECTION R112 SERVICE UTILITIES

R112.1 *Connection of service utilities*. SECTION R111 SERVICE UTILITIES (Sections R111.1 through R111.3) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 112 SERVICE UTILITIES in the International Building Code.

## SECTION R113 BOARD OF APPEALS

R113.1 *General*. SECTION R112 BOARD OF APPEALS (Sections R112.1 through R112.4) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 113 BOARD OF APPEALS in the International Building Code.

## SECTION R114 VIOLATIONS

R114.1 *Unlawful acts*. SECTION R113 VIOLATIONS (Sections R113.1 through R113.4) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 114 VIOLATIONS in the International Building Code.

## SECTION R115 STOP WORK ORDER

R115.1 *Authority*. SECTION R114 STOP WORK ORDER (Sections R114.1 through R114.2) in the International Residential Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 115 STOP WORK ORDER in the International Building Code.

## SECTION R116 UNSAFE STRUCTURES AND EQUIPMENT

R116.1 *Conditions*. SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT (Sections 116.1 through 116.5) in the International Building Code, 2015 edition is adopted as part of this code.

#### SECTION R117 EMERGENCY MEASURES

R117.1 *Imminent danger*. SECTION 117 EMERGENCY MEASURES (Sections 117.1 through 117.6) of the Building Code is adopted as part of this code.

#### SECTION R118 UNFIT BUILDINGS AND STRUCTURES

R118.1 *Inspections*. SECTION 118 UNFIT BUILDINGS AND STRUCTURES (Sections 118.1 through 118.8.3) of the Building Code is adopted as part of this code.

#### SECTION R119 DEMOLITION OF STRUCTURES

119.1 *Demolition of structures*. SECTION 119 DEMOLITION OF STRUCTURES (Sections 119.1 through 119.3) of the Building Code is adopted as part of this code.

1116.102 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 2 Definitions.

—The following provisions amend Chapter 2 Definitions in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 Property Maintenance Code, International Mechanical Code, NFPA 70, International Plumbing Code, International Energy Conservation Code or the International Fire Code, such terms shall have the meanings ascribed to them as in those codes.

#### SECTION R202 DEFINITIONS

Such definitions set out in the International Residential Code, 2015 edition, are made part of this code. In addition, the following words or terms shall have the definitions ascribed to them herein.

*Affected Parties*. The owner, occupant, lessee, mortgagee, agent and all other persons having an interest in the structure or its premises as shown by

the records of the Recorder of Deeds as of the date said structure is declared to be a public nuisance by the building official.

*Board of Appeals.* The Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Code Official.* The Code Official as defined herein.

*Building Code Review Committee.* The Committee established by, and acting in accordance with the Building Code, SLCRO 1974, Title XI, Chapter 1115, as amended.

*Building Commission.* The Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Official.* The Code Official as defined herein.

*Code Official.* The Director of the Department of Transportation and Public Works or the Director's duly authorized representative.

*Dangerous.* Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, partially collapsed, has moved off its foundation or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under service loads.
3. The building or structure or any portion thereof is likely to collapse partially or completely because:
  - 3.1. Of dilapidation, deterioration or decay;
  - 3.2. Of construction in violation of the this code;
  - 3.3. The soil supporting the foundation is unstable, moved or removed;
  - 3.4. The foundation is inadequate, decayed or deteriorated; or
  - 3.5. It is damaged due to fire, earthquake, wind or flood; or any other similar cause.
4. The exterior walls or other vertical structural member list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
5. Any building or structure with substantial structural damage.

*Disaster.* A disaster shall include but not necessarily be limited to flood, windstorm, tornado, severe storm, earthquake, bomb blast, explosion or similar natural or man-made type event. The building official shall make the determination whether an event shall be declared a disaster.

*Electrical Code Review Committee.* The Committee established by, and acting in accordance with the Electrical Code, SLCRO 1974, Title XI, Chapter 1102, as amended.

*Flood Hazard Area.* An area that has been determined to be prone to flooding in accordance with Section 1612 of the International Building Code or Section R322 of the International Residential Code.

*Mechanical Code Review Committee.* The Committee established by, and acting in accordance with the Mechanical Code, SLCRO 1974, Title XI, Chapter 1108, as amended.

*Plumbing.* For the purposes of this code, plumbing refers to those installations, repairs, maintenance and alterations regulated by the International Plumbing Code.

*Plumbing Code Review Committee.* The Committee established by, and acting in accordance with the Plumbing Code, SLCRO 1974, Title XI, Chapter 1103, as amended.

*Zoning Ordinance.* Chesterfield Unified Development Code, Chapter 31.1116.103 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 3 Building Planning.

—The following provisions amend Chapter 3 Building Planning in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

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

| Ground Snow Load (lbs./ft. <sup>2</sup> ) | Wind Design              |                                  |                                  |                                     | Seismic Design Category <sup>f</sup> | Subject to Damage from  |                               |                      | Winter Design Temperature <sup>e</sup> | Ice Barrier Under-Layment Requirement <sup>h</sup> | Flood Hazards <sup>g</sup> | Air Freezing Index <sup>i</sup> | Mean Annual Temperature <sup>j</sup> |
|-------------------------------------------|--------------------------|----------------------------------|----------------------------------|-------------------------------------|--------------------------------------|-------------------------|-------------------------------|----------------------|----------------------------------------|----------------------------------------------------|----------------------------|---------------------------------|--------------------------------------|
|                                           | Speed <sup>d</sup> (mph) | Topographic effects <sup>k</sup> | Special Wind Region <sup>l</sup> | Wind-borne debris zone <sup>m</sup> |                                      | Weathering <sup>a</sup> | Frost line depth <sup>b</sup> | Termite <sup>c</sup> |                                        |                                                    |                            |                                 |                                      |



|    |                                                 |    |    |    |   |        |                             |                          |         |    |                    |               |            |
|----|-------------------------------------------------|----|----|----|---|--------|-----------------------------|--------------------------|---------|----|--------------------|---------------|------------|
| 20 | V<br>ult<br>=<br>11<br>5<br>V<br>asd<br>=<br>89 | NO | NO | NO | C | Severe | 30<br>inches<br>(762<br>mm) | Slight<br>to<br>Moderate | 2°<br>F | NO | May<br>24,<br>1985 | 1,000<br>days | 55.2°<br>F |
|----|-------------------------------------------------|----|----|----|---|--------|-----------------------------|--------------------------|---------|----|--------------------|---------------|------------|

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(3). The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map, Figure R301.2(4). Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature is established in the International Mechanical Code. Additional design temperature criteria can be found in Section M1401.3.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. Flood hazard areas shall be established by the Floodplain Management Regulations ordinance.

h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, 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 jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index - USA Method (Base 32°)."

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° F)."

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

l. In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

R301.2.4 *Flood plain construction.* Buildings and structures constructed in whole or part in flood hazard areas (including A or V Zones) as established in Table R301.2(1), and substantial improvement and restoration of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with Section R322, the Floodplain Management Regulations Ordinance and the Zoning Ordinance. Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area. Buildings and structures located in whole or part in identified floodways shall be designed and constructed in accordance with ASCE 24.

R302.1 *Exterior walls.* Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D shall comply with Table R302.1(2).

*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.

Table R302.1(1) Exterior Walls

| Exterior Wall Element |                           | Minimum Fire-Resistance Rating                                                        | Minimum Fire Separation Distance |
|-----------------------|---------------------------|---------------------------------------------------------------------------------------|----------------------------------|
| Walls                 | Fire-resistance rated     | 1 hour - tested in accordance with ASTM E 119 or UL 263 with exposure from both sides | < 3 Feet                         |
|                       | Not fire-resistance rated | 0 hours                                                                               | ≥ 3 Feet                         |
| Projections           | Not allowed               | N/A                                                                                   | < 2 Feet                         |
|                       | Fire-resistance rated     | 1 hour on the underside <sup>a, b</sup>                                               | ≥ 2 Feet to < 3 Feet             |
|                       | Not fire-resistance rated | 0 hours                                                                               | ≥ 3 Feet                         |

|                   |                          |                            |          |
|-------------------|--------------------------|----------------------------|----------|
| Openings in walls | Not allowed              | N/A                        | < 3 Feet |
|                   | 25% maximum of wall area | 0 hours                    | 3 Feet   |
|                   | Unlimited                | 0 hours                    | 3 Feet   |
| Penetrations      | All                      | Comply with Section R302.4 | < 3 Feet |
|                   |                          | None required              | 3 Feet   |

For SI: 1 foot = 304.8 mm

N/A = Not Applicable.

a. Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave if fireblocking is provided from the wall top plate to the underside of the roof sheathing.

b. Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave provided that gable vent openings are not installed.

TABLE R302.1(2) EXTERIOR WALLS-DWELLINGS WITH FIRE SPRINKLERS

| Exterior Wall Element |                           | Minimum Fire-Resistance Rating                                                       | Minimum Fire Separation Distance |
|-----------------------|---------------------------|--------------------------------------------------------------------------------------|----------------------------------|
| Walls                 | Fire-resistance rated     | 1 hour—tested in accordance with ASTM E 119 or UL 263 with exposure from the outside | 0 feet                           |
|                       | Not fire-resistance rated | 0 hours                                                                              | 3 feet <sup>a</sup>              |

|                   |                           |                                        |                     |
|-------------------|---------------------------|----------------------------------------|---------------------|
| Projections       | Not allowed               | N/A                                    | < 2 feet            |
|                   | Fire-resistance rated     | 1 hour on the underside <sup>b,c</sup> | 2 feet <sup>a</sup> |
|                   | Not fire-resistance rated | 0 hours                                | 3 feet              |
| Openings in walls | Not allowed               | N/A                                    | < 3 feet            |
|                   | Unlimited                 | 0 hours                                | 3 feet <sup>a</sup> |
| Penetrations      | All                       | Comply with Section R302.4             | < 3 feet            |
|                   |                           | None required                          | 3 feet <sup>a</sup> |

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable

a. For residential subdivisions where all dwellings are equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D, the fire separation distance for nonrated exterior walls and rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet (1829 mm) or more in width on the opposite side of the property line.

b. The roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave if fireblocking is provided from the wall top plate to the underside of the roof sheathing.

c. The roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave provided that gable vent openings are not installed.

**R302.2 Townhouses.** Common walls separating townhouses shall be assigned a fire-resistance rating in accordance with Section R302.2, Item 1 or 2. The common wall shared by two townhouses shall be constructed without

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 in accordance with NFPA 70. Penetrations of the membrane shall be in accordance with Section R302.4.

1. Where a fire sprinkler system in accordance with NFPA 13D is provided, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263.
2. Where a fire sprinkler system in accordance with NFPA 13D is not provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263, or the common wall may be two independent 1-hour fire-resistance-rated wall assemblies.

R302.5.1 *Opening protection.* Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

R302.5.2 *Duct penetration.* Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 28 gage (0.41 mm) sheet steel or other approved material and shall not have openings into the garage.

R302.13 *Fire protection of floors.* Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with 1/2-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted. Fire blocking, draftstopping, fire taping, and/or additional framing is not required.

*Exceptions:*

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with 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 shall be permitted to be unprotected where complying with the following:
  - 3.1 The aggregate area of the unprotected floor assembly does not exceed 100 square feet (9.3 m<sup>2</sup>) per HVAC zone.

3.2 Areas of the floor assembly covered by HVAC metal plenum, trunk lines, and steel structural beams shall be considered protected. Gypsum wallboard membrane shall be within 2 inches (50.8 mm) of all previously listed items.

4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.

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 m<sup>2</sup>), one-half of which must be openable.

*Exceptions:*

1. The glazed areas shall not be required where artificial light and a local ventilation system are provided.
2. The minimum local exhaust rates shall be determined in accordance with Section M1507.
3. Bathroom exhaust may discharge to an attic gable vent or ventilated soffit if attached or secured within 6" (152 mm) of same, without obstruction.

R303.5.2 *Exhaust openings*. Exhaust air shall not be directed below 6 feet 8 inches (2032 mm) onto a public walkway.

R303.8 *Exterior stairway illumination*. Exterior stairways shall be provided with an artificial light source. Exterior stairways providing access to a basement from the outdoor grade level shall be provided with an artificial light source located at the bottom landing of the stairway.

R306.5 *Rough-ins*. Within unfinished areas, rough-ins for drain waste vent only or for water supply only are permitted.

R306.6 *Hose bibb*. Every dwelling shall provide one outside frost-proof hose bibb. Hose bibbs shall be protected from backflow in accordance with the International Plumbing Code.

R306.7 *Floor drain*. A floor drain shall be installed within 15 feet (4572 mm) of and in the same room as the heating/cooling system(s) or hot water heater(s). The floor drain installations shall comply with the International Plumbing Code.

R307.1 *Space required*. Fixtures shall be spaced in accordance with Figure R307.1, and in accordance with the requirements of the International Plumbing Code.

R309.3 *Flood hazard areas*. For buildings located in flood hazard areas as established by Table R301.2(1), garage floors shall be constructed in

accordance with this section, the Floodplain Management Regulations Ordinance and the Zoning Ordinance:

1. Elevated to or above the design flood elevation as determined in Section R322; or
2. Located below the design flood elevation provided that the floors are at or above grade on not less than one side, are used solely for parking, building access or storage, meet the requirements of Section R322 and are otherwise constructed in accordance with this code.

R309.5 *Fire sprinklers*. Private garages shall be protected by fire sprinklers where the garage wall has been designed based on Table 302.1(2), Footnote a, and the homeowner has opted to purchase a fire sprinkler system for their residence, as per Missouri Revised Statutes. Sprinklers in garages shall be connected to an automatic sprinkler system that complies with NFPA 13D. Garage sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a density of 0.05 gpm/ft<sup>2</sup>. Garage doors shall not be considered obstructions with respect to sprinkler placement.

R310.7 *Bathrooms in unfinished basements*. Bathrooms or bathroom rough-ins shall not be permitted within unfinished basements on new construction unless an emergency escape and rescue opening is provided to allow for future conversion to habitable space.

R311.3 *Floors and landings at exterior doors*. There shall be a landing or floor on each side of each 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. The slope at exterior landings shall exceed ¼ unit vertical in 12 units horizontal (2 percent).

*Exceptions:*

1. Exterior balconies less than 60 square feet (5.6 m<sup>2</sup>) and only accessible from a door are permitted to have a landing less than 36 inches (914 mm) measured in the direction of travel.
2. Openings protected by a guard shall not be required to have an exterior landing.

R311.3.2 *Floor elevations for other exterior doors*. Doors other than the required egress door shall be provided with landings or floors not more than 7¾ inches (196 mm) below the top of the threshold.

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

R311.7.5 *Stair treads and risers*. Stair treads and risers shall meet the requirements of this section. For the purposes of this section, dimensions and dimensioned surfaces shall be exclusive of carpets, rugs or runners.



*Exceptions:*

1. Existing stairways.
2. Any stairway replacing an existing stairway within a space where, because of existing construction, the pitch or slope cannot be reduced.

R312.1.1 *Where required.* Guards shall be located along open-sided walking surfaces, including stairs, ramps, landings and walking surfaces adjacent to retaining walls that are located more than 30 inches (762 mm) measured vertically at the edge of the walking surface to the floor or grade below. Insect screening shall not be considered as a guard.

*Exception:* Guards are not required for the following locations:

1. Retaining walls four feet (1219 mm) or less in height.
2. Retaining walls in excess of four feet (1219 mm) in height where any walk, path, parking lot or driveway is located two feet (610 mm) or more away from the front face of the wall.

R312.2 *Window fall protection.* - Delete.

R312.2.1 *Window sills.* - Delete.

R312.2.2.2 *Window opening control devices.* - Delete.

R313.1 *Townhouse automatic fire sprinkler systems.* A builder of 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 townhouse. No purchaser of such a townhouse shall be denied the right to choose or decline to install a fire sprinkler system in such townhouse unit being purchased.

*Exception:* An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

R313.1.1 *Design and installation.* Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D.

R313.2 *One- and two-family dwellings automatic fire systems.* A builder of one- and two-family dwellings 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. No purchaser of such a one- or two-family dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling being purchased.

R313.2.1 *Design and installation.* Automatic residential fire sprinkler systems shall be designed and installed in accordance with NFPA 13D.

*NOTE:* Sections R313.1 and R313.2 will be reviewed by the City upon the expiration of the December 31, 2024 deadline contained in Section 67.281 RSMo.

R322.1 *General.* Buildings and structures constructed in whole or part in flood hazard areas, including A or V Zones and Coastal A Zones, as established in Table R301.2(1), and substantial improvement and restoration of substantial damage of building and structures in flood hazard areas, shall be designed and constructed in accordance with the provisions contained in this section, the Floodplain Management Regulations ordinance, and the Zoning Ordinance. Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area. Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24.

R322.1.5 *Lowest floor.* The lowest floor shall be the lowest floor of the lowest enclosed area, including basement, and excluding any unfinished flood-resistant enclosure that is useable solely for vehicle parking, building access or limited storage provided that the floor level of such enclosure is constructed entirely above grade and such enclosure is not built so as to render the building or structure in violation of this section.

R322.1.7 *Protection of water supply and sanitary sewage systems.* New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems in accordance with the plumbing provisions of this code. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into systems and discharges from systems into floodwaters in accordance with the International Plumbing Code.

R322.2.1 *Elevation requirements.*

1. Buildings and structures in flood hazard areas including areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation plus 1 foot (305 mm), or the design flood elevation.
2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated to a height of not less than the highest adjacent grade as the depth number specified in feet (mm) on the FIRM plus 1 foot (305 mm), or not less than 3 feet (914 mm) if a depth number is not specified.
3. Basement floors that are partially or completely below grade shall be elevated to or above base flood elevation plus 1 foot (305 mm), or the design flood elevation whichever is higher.

*Exception:* Enclosed areas below the design flood elevation whose floors are at or above grade on all sides, shall meet the requirements of Section R323.2.2.

1116.104 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 4 Foundations.

—The following provisions amend Chapter 4 Foundations in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

R404.1.3.2 *Reinforcement for foundation walls.* Concrete foundation walls shall be laterally supported at the top and bottom. Horizontal reinforcement shall be provided in accordance with Table R404.1.2(1). Vertical reinforcement shall be provided in accordance with Table R404.1.2(2), R404.1.2(3), R404.1.2(4), R404.1.2(5), R404.1.2(6), R404.1.2(7) or R404.1.2(8). Vertical reinforcement for flat basement walls retaining 4 feet (1219 mm) or more of unbalanced backfill is permitted to be determined in accordance with Table R404.1.2(9). For basement walls supporting above-grade concrete walls, vertical reinforcement shall be the greater of that required by Tables R404.1.2(2) through R404.1.2(8) or by Section R608.6 for the above-grade wall. In buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>, concrete foundation walls shall also comply with Section R404.1.4.2.

*Exception:* Where unstable soil or ground water conditions do not exist, concrete foundation walls may be constructed in accordance with Table R404.1.2(10).

Table R404.1.2(10) Concrete Foundation Walls

| Maximum Wall Height | Maximum Depth of Unbalanced Backfill     | Minimum Nominal Wall Thickness                                               |
|---------------------|------------------------------------------|------------------------------------------------------------------------------|
| 7'-0"               | 6'-0" or less<br>7'-0"                   | 8"<br>10" <sup>a</sup>                                                       |
| 8'-0"               | 6'-0 or less<br>7'-0"<br>8'-0"           | 8" <sup>a</sup><br>8" <sup>a</sup><br>8" <sup>a</sup>                        |
| 9'-0"               | 6'-0" or less<br>7'-0"<br>8'-0"<br>9'-0" | 10" <sup>b</sup><br>10" <sup>b</sup><br>10" <sup>b</sup><br>10" <sup>b</sup> |

a. Concrete foundation walls shall be constructed a minimum of nominal 8 inches thick where the wall height from the top of the footing to the top of the wall does not exceed 8 feet. A minimum of two #4 reinforcing bars shall be placed horizontally in the top and bottom of the foundation wall. A minimum of two #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 inches beyond the corners of the openings.

b. Concrete foundation walls shall be constructed a minimum of nominal 10 inches thick. A minimum of two #5 reinforcing bars shall be placed horizontally in the top, middle, and bottom of the foundation wall. A minimum of two #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 inches 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.

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 or mechanical means into an approved drainage system. Gravel or crushed stone drains shall extend not less than 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. Except where otherwise recommended by the drain manufacturer, perforated drains shall be surrounded with an approved filter membrane or the filter membrane shall cover the washed gravel or crushed rock covering the drain. Drainage tiles or perforated pipe shall be placed on a minimum of 2 inches (51 mm) of washed gravel or crushed rock not less than 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 where the foundation is installed on well-drained ground or sand-gravel mixture soils according to the Unified Soil Classification System, Group I Soils, as detailed in Table R405.1.
2. Drains provided as detailed in Section R405.1.2 are approved as an alternate method to meet the requirements of this section.

R405.1.1 *Precast concrete foundation.* Precast concrete walls that retain earth and enclose habitable or useable space located below-grade that rest on crushed stone footings shall have a perforated drainage pipe installed below the base of the wall on either the interior or exterior side of the wall, at least one foot (305 mm) beyond the edge of the wall. If the exterior drainage pipe is used, an approved filter membrane material shall cover the pipe. The drainage system shall discharge into an approved sewer system or to daylight.

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 system, such as a water channel system, around the 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 system, such as a water channel system, around the perimeter of the outside of the foundation or inside of 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 inches (51 mm) minimum gravel or crushed stone and have 6 inches (152 mm) minimum cover.

R405.1.2.4 *Drainage system.* The drainage system shall discharge by gravity to daylight or be connected to an approved sump. The sump shall be a minimum of 15 inches (381 mm) in diameter and a minimum of 18 inches (457 mm) deep and be provided with a fitted cover. A sump pump shall be provided if the basement is finished or partially finished with pump discharge by an approved method.

—The following provisions amend Chapter 5 Floors in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

R502.11.4 *Truss design drawings*. Truss design drawings, prepared in compliance with Section R502.11.1, shall be submitted 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 as follows:

1. Slope or depth, span, and spacing.
2. Location of all joints.
3. Required bearing widths.
4. Design loads as applicable:
  - 4.1. Top chord live load.
  - 4.2. Top chord dead load.
  - 4.3. Bottom chord live load.
  - 4.4. Bottom chord dead load.
  - 4.5. Concentrated loads and their points of application.
  - 4.6. Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use.
6. Each reaction force and direction.
7. Joint connector type and description, such as size, thickness or gauge, and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.
8. Lumber size, species and grade for each member.
9. Connection requirements for:
  - 9.1. Truss-to-girder-truss.
  - 9.2. Truss ply-to-ply.
  - 9.3. Field splices.

10. Calculated deflection ratio and/or maximum description for live and total load.
11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss drawing or on supplemental documents.
12. Required permanent truss member bracing location.

R507.2.4 *Deck lateral load connection.* - Delete.

1116.106 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 6 Wall Construction.

—The following provisions amend Chapter 6 Wall Construction in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

R602.7.5 *Supports for headers.* Headers shall be supported on each end with one or more jack studs or with approved framing anchors in accordance with Table R602.7(1) or R602.7.(2). The full-height stud adjacent to each end of the header shall be end nailed to each end of the header with four-16d nails (3.5 inches x 0.135 inches). The minimum number of full-height studs at each end of a header shall be in accordance with Table R602.7.5.

Table R602.7.5 Minimum Number of Full Height Studs at Each End of Headers in Exterior Walls <sup>a</sup>

| Maximum Header Span (feet) | Ultimate Design Wind Speed and Exposure Category |                                  |
|----------------------------|--------------------------------------------------|----------------------------------|
|                            | <140mph, Exposure B or <130mph, Exposure C       | ≤115mph, Exposure B <sup>b</sup> |
| 4                          | 1                                                | 1                                |
| 6                          | 2                                                | 1                                |
| 8                          | 2                                                | 1                                |
| 10                         | 3                                                | 2                                |

|    |   |   |
|----|---|---|
| 12 | 3 | 2 |
| 14 | 3 | 2 |
| 16 | 4 | 2 |
| 18 | 4 | 2 |

- a. For header spans between those given above, use the minimum number of full-height studs associated with the larger header span.
- b. The tabulated minimum number of full-height studs is applicable where jack studs are provided to support the header at each end in accordance with Table R602.7.(1). Where a framing anchor is used to support the header in lieu of a jack stud in accordance with footnote "d" of Table R602.7.(1), the minimum number of full-height studs at each end of a header shall be in accordance with requirements for wind speed <140mph, Exposure B.

R602.10 *Wall bracing*. Buildings shall be braced in accordance with this section or, when applicable, Sections R602.12 or R602.13. Where a building, or portion thereof, does not comply with one or more of the bracing requirements in this section, those portions shall be designed and constructed in accordance with Section R301.1.

R602.13 *Basic bracing method*. One- and two-family dwellings located in wind exposure A or B may be braced in accordance with this section as an alternate to the requirements of Section R602.10. The construction documents shall detail the locations and widths of all braced wall panels in accordance with this section.

R602.13.1 *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.

R602.13.2 *Braced wall panel locations*. Exterior braced wall lines shall be determined in accordance with Section R602.10.1, exclusive of Section R602.10.1.3. 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 R602.13.3 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 mm) 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).
3. Braced wall panels shall be supported by continuous foundations or per Section R602.10.9.

R602.13.3 *Braced wall panel widths.* Braced wall panel locations shall be shown on the floor plans or the elevation views. Braced wall panels must meet the widths established in Table R602.13.3 without openings or vertical or horizontal offsets.

TABLE 602.13.3 BASIC BRACING PANEL WIDTHS

|                                |     | Width of Solid Panel <sup>a, b</sup> |                  |                  |                  |
|--------------------------------|-----|--------------------------------------|------------------|------------------|------------------|
|                                |     | 8' wall height                       | 9' wall height   | 10' wall height  | 12' wall height  |
| Plywood/OSB panel              | 3:1 | 32"                                  | 36"              | 40"              | 48"              |
| Basic portal wall <sup>c</sup> | 6:1 | 16" <sup>d</sup>                     | 18" <sup>d</sup> | 20" <sup>d</sup> | 24" <sup>d</sup> |

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 Basic Portal Wall, if applicable, shall be constructed in accordance with the applicable detail in Figure R602.13.3. The designer shall provide this detail on the construction documents.

d. The Basic 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.

R602.13.4 *Corner framing*. The exterior wall corners shall be constructed in accordance with the applicable detail in Figure R602.13.4.

*Exception:* Braced wall panels located in accordance with Section R602.13.2.

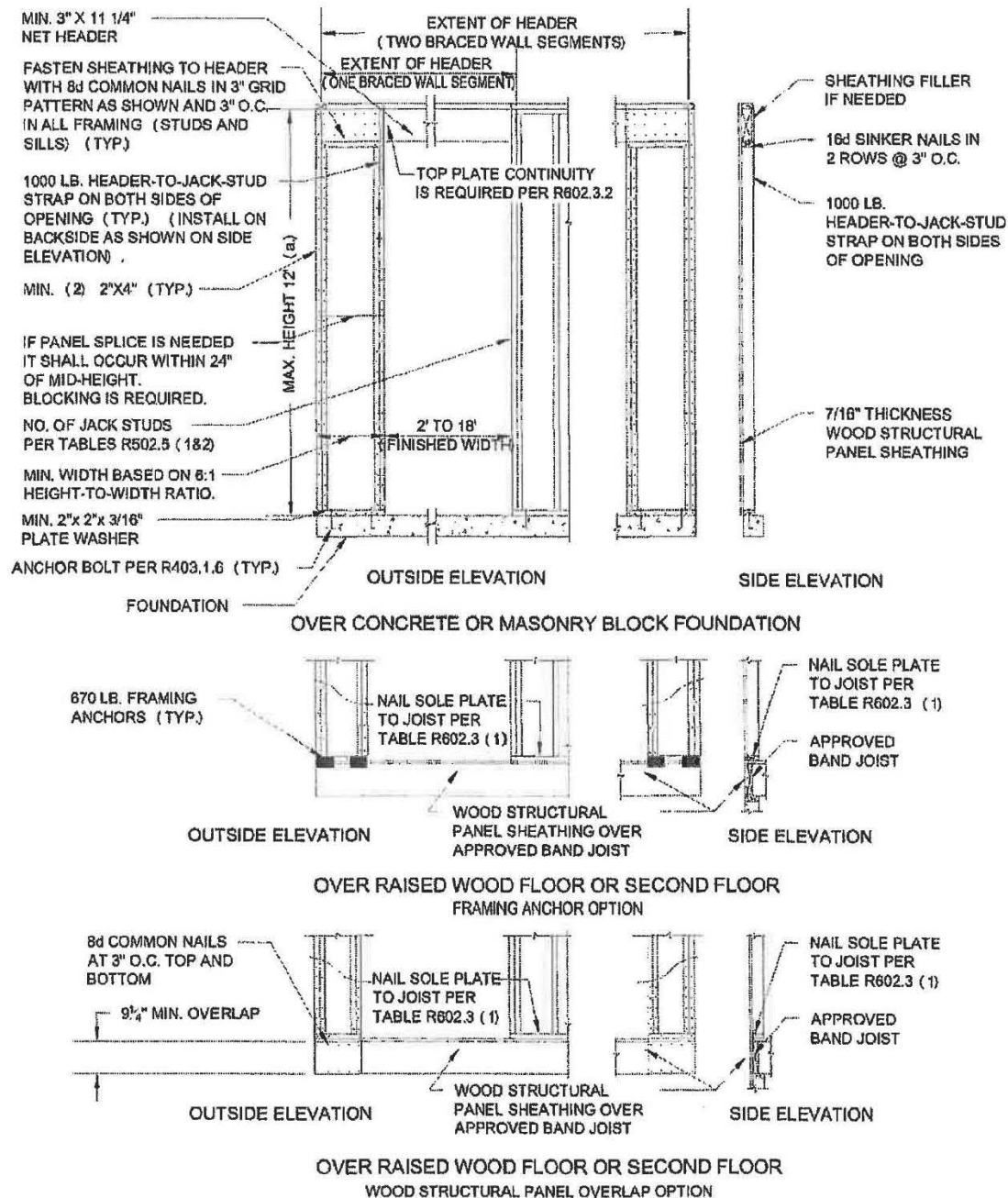
R602.13.5 *Braced wall line spacing*. When the perpendicular distance between the exterior braced wall lines exceeds 50 feet (15240 mm), the registered design professional shall include the following certification on the drawings:

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, 2015 edition or Section 2305 of the International Building Code, 2015 edition.

R602.13.6 *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.



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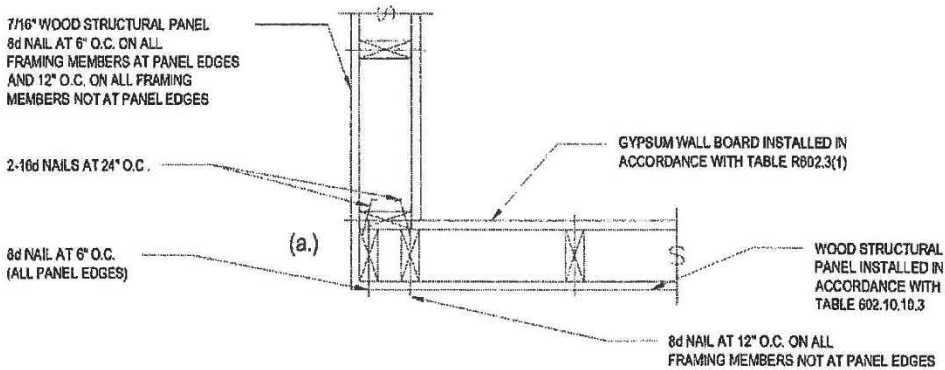


**FIGURE R602.13.3  
BASIC PORTAL WALL**

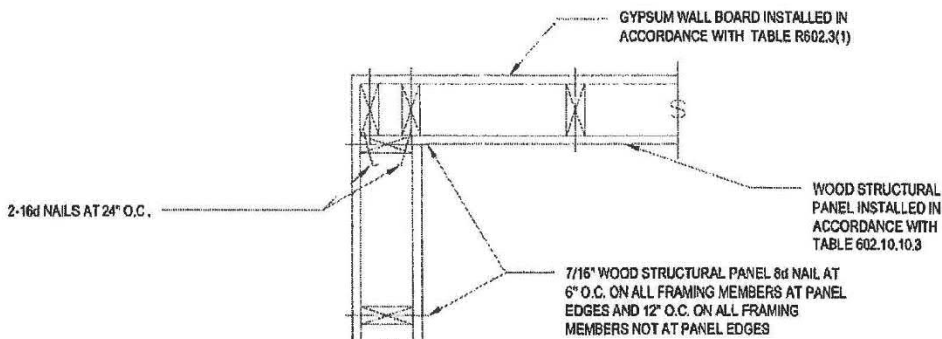
- a. CRIPPLE WALL FRAMING CONSISTING OF STUD FRAMING, SINGLE BOTTOM PLATE, AND DOUBLE TOP PLATE MAY BE ADDED TO THE TOP OF THE NARROW PORTAL WALL AS LONG AS THE COMBINED HEIGHT OF THE TWO WALLS IS LESS THAN OR EQUAL TO 12 FEET AND THE TWO WALLS ARE STRAPPED TOGETHER ON THE INTERIOR SIDE WITH A 16 GAUGE 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.



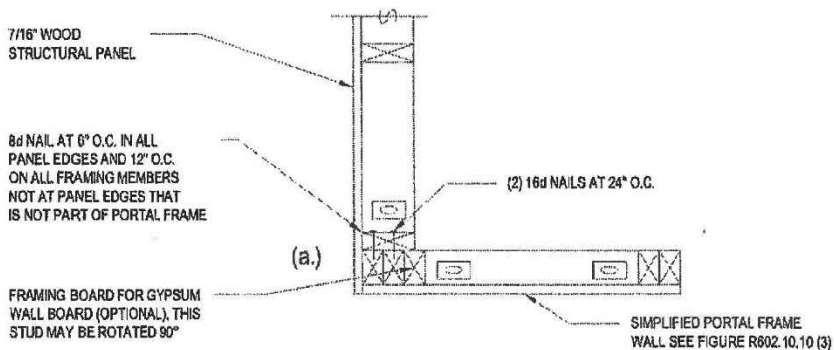
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**OUTSIDE CORNER DETAIL**



**INSIDE CORNER DETAIL**



**CORNER DETAIL**

USED IN CONJUNCTION WITH SIMPLIFIED PORTAL WALL

**FIGURE R602.13.4  
BASIC 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.

1116.108 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 8 Roof-Ceiling Construction.

—The following provisions amend Chapter 8 Roof-Ceiling Construction in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following

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 Section R802.10.1, 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.

1. Slope or depth, span, and spacing.
2. Location of all joints.
3. Required bearing widths.
4. Design loads as applicable.
  - 4.1. Top chord live load (as determined from Section R301.6).
  - 4.2. Top chord dead load.
  - 4.3. Bottom chord live load.
  - 4.4. Bottom chord dead load.
  - 4.5. Concentrated loads and their points of application.
  - 4.6. Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use.
6. Each reaction force and direction.
7. Joint connector type and description such as, size, thickness or gage and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.
8. Lumber size, species and grade for each member.
9. Connection requirements for:
  - 9.1. Truss to girder-truss.
  - 9.2. Truss ply to ply.
  - 9.3. Field splices.
10. Calculated deflection ratio and/or maximum description for live and total load.
11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss drawing or on supplemental documents.
12. Required permanent truss member bracing location.

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.

1116.109 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 9 Roof Assemblies.

—The following provisions amend Chapter 9 Roof Assemblies in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

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 ply of smooth roll roofing complying with ASTM D 6380, or two plies of smooth roll roofing complying with ASTM D 226 Type I, ASTM D 4869 Type I or ASTM D 6757 and at least 36 inches wide (914 mm) or valley lining as described in Item 1 or 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.

R908.7 *Roof Ventilation*. Roof replacement requires roof ventilation to comply with Section R806. Roof replacement requires exhaust ducts terminating in enclosed attic or rafter spaces to be discharged directly to the exterior.

*Exception:* Bathroom exhaust ducts terminated at an attic gable vent or ventilated soffit.

1116.110 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 10 Chimneys and Fireplaces.



—The following provisions amend Chapter 10 Chimneys and Fireplaces in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

R1005.7 *Factory-built chimney offsets*. Where a factory-built chimney assembly incorporates offsets, no part of the chimney shall be at an angle of more than 30 degrees (0.52 rad) from vertical at any point in the assembly and the chimney assembly shall not include more than four elbows.

*Exception:* When chimneys are installed per manufacturer's installation instructions.

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 in accordance with the fireplace manufacturer's instructions.

1116.111 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 11 Energy Efficiency.

—The following provisions amend Chapter 11 Energy Efficiency in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

N1101.4 (R102.1.1) *Above code programs*. The building official or other authority having jurisdiction shall be permitted to deem a national, state or local energy-efficiency program to exceed the energy efficiency required by this code. Buildings approved in writing by such an energy-efficiency program shall be considered in compliance with this code.

N1101.14 (R401.3) *Certificate (Mandatory)*. - Delete.

Table N1102.1.2 (R402.1.2) Insulation and Fenestration Requirements by Component <sup>a</sup>

| Clim<br>ate<br>Zone | Fenestra<br>tion<br>U-Factor<br><sup>b</sup> | Skyli<br>ght <sup>b</sup><br>U-<br>Facto<br>r | Glazed<br>Fenestra<br>tion<br>SHGC <sup>b</sup> ,<br><sup>e</sup> | Ceili<br>ng<br>R-<br>Valu<br>e | Woodfr<br>ame<br>Wall<br>R-Value | Mas<br>s<br>Wall<br>R- | Flo<br>or<br>R-<br>Val<br>ue | Basem<br>ent <sup>c</sup><br>Wall<br>R-<br>Value | Slab<br><sup>d</sup> R-<br>Val<br>ue<br>and | Cra<br>wl<br>Spa<br>ce <sup>c</sup><br>Wall<br>R- |
|---------------------|----------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------|--------------------------------|----------------------------------|------------------------|------------------------------|--------------------------------------------------|---------------------------------------------|---------------------------------------------------|
|---------------------|----------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------|--------------------------------|----------------------------------|------------------------|------------------------------|--------------------------------------------------|---------------------------------------------|---------------------------------------------------|

|                           |      |      |      |    |                                      | Val<br>ue <sup>i</sup> |                 |                   | Dep<br>th   | Val<br>ue      |
|---------------------------|------|------|------|----|--------------------------------------|------------------------|-----------------|-------------------|-------------|----------------|
| 1                         | NR   | 0.75 | 0.25 | 30 | 13                                   | 3/4                    | 13              | 0                 | 0           | 0              |
| 2                         | 0.40 | 0.65 | 0.25 | 38 | 13                                   | 4/6                    | 13              | 0                 | 0           | 0              |
| 3                         | 0.35 | 0.55 | 0.25 | 38 | 20 or<br>13 + 5 <sup>h</sup>         | 8/1<br>3               | 19              | 5/13 <sup>f</sup> | 0           | 5/1<br>3       |
| 4<br>except<br>Mari<br>ne | 0.34 | 0.55 | NR   | 38 | 15                                   | 8/1<br>3               | 19              | 13 <sup>j</sup>   | 10,<br>2 ft | 5 <sup>k</sup> |
| 5<br>and<br>Mari<br>ne 4  | 0.32 | 0.55 | NR   | 49 | 20 or<br>13 + 5 <sup>h</sup>         | 13/<br>17              | 30 <sup>g</sup> | 15/19             | 10,<br>2 ft | 15/<br>19      |
| 6                         | 0.32 | 0.55 | NR   | 49 | 20 + 5<br>or 13 +<br>10 <sup>h</sup> | 15/<br>20              | 30 <sup>g</sup> | 15/19             | 10,<br>4 ft | 15/<br>19      |
| 7<br>and<br>8             | 0.32 | 0.55 | NR   | 49 | 20 + 5<br>or 13 +<br>10 <sup>h</sup> | 19/<br>21              | 38 <sup>g</sup> | 15/19             | 10,<br>4 ft | 15/<br>19      |

a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

*Exception:* Skylights may be excluded from glazed fenestration SHGC

requirements in Climate Zones 1 through 3 where the SHGC for such skylights does not exceed 0.30.

c. "15/19" means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home. "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

d. 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 (610 mm), whichever is less, in zones 1 through 3 for heated slabs.

e. There are no SHGC requirements in the Marine Zone.

f. Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.10 and Table N1101.10.

g. Or insulation sufficient to fill the framing cavity, R-19 minimum.

h. The first value is cavity insulation, the second value is continuous insulation, so "13+5" means R-13 cavity insulation plus R-5 continuous insulation.

i. The second R-value applies when more than half the insulation is on the interior of the mass wall.

j. Unfinished basements may have a total 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 grade/ground level that may be un-insulated is determined by the formula 0.20 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. Exposed foundation wall area above the outside finished grade/ground level exceeding 20% of the total basement wall area shall be insulated with R-5 insulation. When required in unfinished areas, the basement foundation wall insulation shall extend down to the basement floor slab or to a minimum of 24 inches (610 mm) below the outside finished grade when the grade is above the floor slab elevation.

k. Naturally vented crawl space wall R-value may be 0.

N1102.2.4 *Access hatches and doors.* Access doors from conditioned spaces to unconditioned spaces such as attics and crawl spaces shall be insulated to a

level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all equipment that 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 a permanent means of maintaining the installed R-value of the loose-fill insulation.

*Exception:* Vertical doors that provide access from conditioned to unconditioned spaces shall be provided to meet the fenestration requirements of Table R1102.1.2 based on the applicable climate zone specified in Chapter 3.

N1102.2.13 (R402.2.13) *Sunroom insulation.* Sunrooms enclosing conditioned spaces shall meet the insulation requirements of this code.

*Exception:* For sunrooms with thermal isolation, and enclosing conditioned spaces, the following exceptions to the insulation requirements of this code shall apply:

1. The minimum ceiling insulation R-values shall be R-15 in Zones 1 through 4 and R-24 in Zones 5 through 8.
2. The minimum wall R-value shall be R-13 in all climate zones. Walls separating a sunroom with a thermal isolation from conditioned space shall meet the building thermal envelope requirements of this code.

Table N1102.4.1.1 (402.4.1.1) Air Barrier and Insulation Installation

| Component            | Air Barrier Criteria                                                                                                                                                                                             | Insulation Installation Criteria                                         |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| General Requirements | <p>A continuous air barrier shall be installed in the building envelope.</p> <p>The exterior thermal envelope contains a continuous air barrier.</p> <p>Breaks or joints in the air barrier shall be sealed.</p> | <p>Air-permeable insulation shall not be used as a sealing material.</p> |
| Ceiling/attic        | <p>The air barrier in any dropped ceiling/soffit shall be aligned with the</p>                                                                                                                                   | <p>The insulation in any dropped ceiling/soffit shall</p>                |

|                                                         |                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                         | <p>insulation and any gaps in the air barrier sealed.</p> <p>Access openings, drop down stairs or knee wall doors to unconditioned attic spaces shall be sealed.</p>                             | be aligned with the air barrier.                                                                                                                                                                                                                                                                                                        |
| Walls                                                   | <p>The junction of the foundation and sill plate shall be sealed.</p> <p>The junction of the top plate and the top of the exterior walls shall be sealed.</p> <p>Knee walls shall be sealed.</p> | <p>Cavities within comers and headers of frame walls shall be insulated by completely filling the cavity with a material having a thermal resistance of R-3 per inch minimum.</p> <p>Exterior thermal envelope insulation for framed walls shall be installed in substantial contact and continuous alignment with the air barrier.</p> |
| Windows, skylights and doors                            | The space between window/door jambs and framing, and skylights and framing shall be sealed.                                                                                                      |                                                                                                                                                                                                                                                                                                                                         |
| Rim joists                                              | Rim joists shall include the air barrier.                                                                                                                                                        | Rim joists shall be insulated.                                                                                                                                                                                                                                                                                                          |
| Floors (including above garage and cantilevered floors) | The air barrier shall be installed at any exposed edge of Insulation.                                                                                                                            | <p>Floor framing cavity insulation shall be installed to maintain permanent contact with the underside of subfloor decking, or floor framing cavity insulation shall be permitted to be in contact with the top side of sheathing, or continuous</p>                                                                                    |

|                             |                                                                                                                    |                                                                                                                                                                                                        |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             |                                                                                                                    | insulation installed on the underside of floor framing; and extends from the bottom to the top of all perimeter floor framing members.                                                                 |
| Crawl space walls           | Exposed earth in unvented crawl spaces shall be covered with Class I vapor retarder with overlapping joists taped. | Where provided instead of floor insulation, insulation shall be permanently attached to the crawl space walls.                                                                                         |
| Narrow cavities             |                                                                                                                    | Batts in narrow cavities shall be cut to fit, or narrow cavities shall be filled by insulation that on installation readily conforms to the available cavity space.                                    |
| Garage separation           | Air sealing shall be provided between the garage and conditioned spaces.                                           |                                                                                                                                                                                                        |
| Plumbing and wiring         |                                                                                                                    | Batt insulation shall be cut neatly to fit around wiring and plumbing in exterior walls, or insulation that on Installation readily conforms to available space shall extend behind piping and wiring. |
| Shower/tub on exterior wall | The air barrier installed at exterior walls adjacent to showers and tubs shall                                     | Exterior walls adjacent to showers and tubs shall be insulated.                                                                                                                                        |

|                                        |                                                                                                                                                                                                                                                                |  |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                                        | separate them from showers and tubs.                                                                                                                                                                                                                           |  |
| Electrical/phone box on exterior walls | The air barrier shall be installed behind electrical or communication boxes or air-sealed boxes shall be installed.                                                                                                                                            |  |
| Concealed sprinklers                   | When required to be sealed, concealed fire sprinklers shall only be sealed in a manner that is recommended by the manufacturer. Caulking or other adhesive sealants shall not be used to fill voids between fire sprinkler cover plates and walls or ceilings. |  |

In addition, inspection of log walls shall be in accordance with the provisions of ICC 400.

N1102.4.1.2 (R402.4.1.2) *Testing*. Any building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding four air changes per hour in Climate Zone 4. Testing shall be conducted in accordance with ASTM E 779 or ASTM E1827 and reported at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the code official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the code official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weatherstripping or other infiltration control measures.

2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures.
3. Interior doors, if installed at the time of the test, shall be open.
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed.
5. Heating and cooling systems, if installed at the time of the test, shall be turned off.
6. Supply and return registers, if installed at the time of the test, shall be fully open.

N1102.4.2 (R402.4.2) *Fireplaces*. - Delete.

N1103.2 (R403.2) *Hot water boiler outdoor temperature setback*. Hot water boilers that supply heat to the building through one-or two-pipe heating systems shall have an outdoor setback control that lowers the boiler water temperature based on the outdoor temperature.

*Exception:* 80% - 84% efficient water boilers or boilers used as a backup source of heat.

N1103.3.2 (R403.3.2) *Sealing (Mandatory)*. Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with either the International Mechanical Code or Section M1601.4.1 of this code, as applicable.

*Exceptions:*

1. Air-impermeable spray foam products shall be permitted to be applied without additional joint seals.
2. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams, and locking-type joints and seams of other than the snap-lock and button-lock types.

N1103.3.5 (R403.3.5) *Building cavities (Mandatory)*. Building framing cavities shall not be used for supply air.

N1103.4.1 (R403.4.1) *Protection of piping insulation*. - Delete.

N1103.5.3 (R405.5.3) *Hot water pipe insulation (Prescriptive)*. Insulation for hot water pipe with a minimum thermal resistance (R-value) of R-3 shall be applied to the following:

1. Piping larger than  $\frac{3}{4}$  inch (19 mm) in nominal diameter.
2. Piping serving more than one dwelling unit.
3. Piping located outside the conditioned space.



4. Piping from the water heater to a distribution manifold.
5. Piping located under a floor slab.
6. Buried in piping.

Supply and return piping in recirculation systems other than demand recirculation systems.

N1103.6.1 (R403.6.1) *Whole-house mechanical ventilation system fan efficacy.* - Delete.

Table N1103.6.1 (R403.6.1) *Mechanical Ventilation System Fan Efficacy.* - Delete.

N1104 (R404) *Electrical Power and Lighting Systems (Mandatory).* - Delete.

N1104.1.1 (R404.1.1) *Lighting equipment (Mandatory).* - Delete.

1116.113 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 13 General Mechanical System Requirements.

—The following provisions amend Chapter 13 General Mechanical System Requirements in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

M1301.2 *Identification.* - Delete.

M1301.4 *Plastic pipe, fittings and components.* - Delete.

M1301.5 *Third-party testing and certification.* - Delete.

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 2 inches (50.8 mm) above the adjoining ground. Such support shall be in accordance with the manufacturer's installation instructions. Appliances suspended from the floor shall have a clearance of not less than 6 inches (152 mm) from the ground.

M1305.1.4.3. *Electrical requirements.* A luminaire controlled by a switch located at the required passageway opening and a receptacle outlet shall be installed at or near the appliance location in accordance with Chapter 39. Exposed lamps shall be protected from damage by location or lamp guards.

*Exception:* Lamp guards are not required in basements.

M1307.2 *Anchorage of appliances.* Appliances designed to be fixed in position shall be fastened or anchored in an approved manner. In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub> water heaters and thermal storage units

shall be anchored or strapped to resist horizontal displacement caused by earthquake motion in accordance with one of the following:

1. Anchorage and strapping shall be designed to resist a horizontal force equal to one-third of the operating weight of the water heater storage tank, acting in any horizontal direction. Strapping shall be at the points within the upper one-third and lower one-third of the appliance's vertical dimensions. At the lower point, the strapping shall maintain a minimum distance of 4 inches (102 mm) above the ground.
2. The anchorage strapping shall be in accordance with the appliance manufacturer's recommendations.

1116.114 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 14 Heating and Cooling Equipment and Appliances.

—The following provisions amend Chapter 14 Heating And Cooling Equipment And Appliances in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 and appliances shall be sized in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies. The design temperatures for the City shall be in accordance with Table M1401.3.

Table M1401.3 Design Temperatures

|        | Outdoor         | Indoor   |
|--------|-----------------|----------|
| Winter | DB 2°F          | DB 72° F |
| Summer | DB 95°F WB 76°F | DB 75° F |

M1411.3.1 *Auxiliary and secondary drain systems*. In addition to the requirements of Section M1411.3, a secondary drain or auxiliary drain pan shall be required for each cooling evaporator coil where damage to any building components will occur as a result of overflow from the equipment drain pan or stoppage in the condensate drain piping. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than 1/8 unit vertical in 12 units horizontal (1-percent slope). Drain piping shall not be

less than 3/4-inch (19mm) nominal pipe size. One of the following methods shall be used:

1. An auxiliary drain pan with a separate drain shall be installed under the coils on which condensation will occur. The auxiliary pan drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of 1.5 inches (38 mm), shall not be less than 3 inches (76mm) larger than the unit or the coil dimensions in width and length and shall be constructed of corrosion-resistant material. Galvanized sheet steel pans shall have a minimum thickness of not less than 0.0179-inch (0.455 mm) (No. 26 Gage). Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6mm).
2. A separate overflow drain line shall be connected to the drain pan installed with the equipment. This overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.
3. An auxiliary drain pan without a separate drain line shall be installed under the coils on which condensation will occur. This pan shall be equipped with a water level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The pan shall be equipped with a fitting to allow for drainage. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section.
4. A water level detection device conforming to UL 508 shall be installed that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line or the equipment supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.

1116.115 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 15 Exhaust Systems.

—The following provisions amend Chapter 15 Exhaust Systems in the International Residential Code for One-and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

M1501.1 *Outdoor discharge*. The air removed by every mechanical exhaust system shall be discharged to the outdoors in accordance with Section M1506.2. Air shall not be exhausted into the attic, soffit, ridge vent or crawl space.

*Exceptions:*

1. Whole-house ventilation-type attic fans that discharge into the attic space of dwelling units having private attics shall be permitted.
2. Bathroom exhaust may discharge to an attic gable vent or ventilated soffit if attached or secured within 6" (152 mm) of same, without obstruction.

M1502.4.1 *Material and size.* Exhaust ducts shall have a smooth interior finish and be constructed of metal having a minimum thickness of 0.0157 inches (0.3950 mm) (No. 30). The duct shall be 4 inches (102 mm) nominal in diameter.

M1502.4.2 *Duct installation.* Exhaust ducts shall be supported at intervals not to exceed 12 feet (3658 mm) and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust duct joints shall be sealed in accordance with Section M1601.4.1.

M1502.4.5.1 *Specified length.* The maximum length of the exhaust duct shall be 35 feet (10688 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 M1502.4.5.1. The maximum length of the exhaust duct does not include the transition duct.

*Exception:* The total developed length of dryer exhaust ducts may be up to a maximum of 55 feet (16764 mm) when access panels for cleanouts and signage are provided. The access panels for cleanouts shall be provided for every 15 feet (4572 mm) of length, within 12 inches (305 mm) of the second elbow and at every elbow thereafter. Permanent signage shall be provided to identify each access panel for cleanout location. Permanent signage shall also be provided at the dryer exhaust connection to inform occupants of the periodic inspection and cleaning requirements.

M1503.1 *General.* All kitchens shall be equipped with means of mechanical exhaust directly over, or adjacent to, a range or a cook top. The mechanical exhaust system may be of the recirculating type or may exhaust directly to the outside. Recirculating systems shall be equipped with the appropriate filtration for grease removal and odor control and must be capable of operating in a moist environment. Either type of system shall be a listed exhaust system. With either type, the mechanical exhaust system shall be allowed to run on an intermittent basis. Exhaust systems shall be installed in accordance with Sections M1503, M1505, and M1507.3. Range hoods shall discharge 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 and shall be independent of all other exhaust systems. 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.

M1503.4 *Makeup air required.* Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute ( $0.19 \text{ m}^3/\text{s}$ ) shall be provided with makeup air approximately equal to the exhaust air rate. Such makeup air systems shall be equipped with means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

M1506.3 *Exhaust openings.* Air exhaust openings shall terminate not less than 3 feet (914 mm) from property lines; 3 feet (914 mm) from operable openings into the building and 10 feet (3048 mm) from mechanical air intakes except where the opening is located 3 feet (914 mm) above the air intake. Openings shall comply with Sections R303.5.2 and R303.6.

M1507.2 *Recirculation of air.* Exhaust air from bathrooms and toilet rooms shall not be recirculated within a residence or to another dwelling unit and shall be exhausted in accordance with Section M1501.1.

1116.116 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 16 Duct Systems.

—The following provisions amend Chapter 16 Duct Systems in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

M1601.1 *Duct design.* Duct systems serving heating, cooling, and ventilation equipment shall be installed in accordance with the provisions of this section and ACCA Manual D, SMACNA-10, SMACNA-15, the appliance manufacturer's installation instructions or other approved methods.

M1601.1.1 *Above-ground duct systems.* Above-ground duct systems shall conform to the following:

1. Equipment connected to duct systems shall be designed to limit discharge air temperature to not greater than 250°F (121°C).
2. Fibrous glass duct construction shall conform to the SMACNA Fibrous Glass Duct Construction Standards or NAIMA Fibrous Glass Duct Construction Standards.
3. Field-fabricated and shop-fabricated metal and flexible duct constructions shall conform to the SMACNA HVAC Duct Construction Standards - Metal and Flexible except as allowed by Table M1601.1.1. Galvanized steel shall conform to ASTM A 653.

4. The use of gypsum products to construct return air ducts or plenums is permitted, provided that the air temperature does not exceed 125°F (52°C) and exposed surfaces are not subject to condensation.
5. Duct systems shall be constructed of materials having a flame spread index of not greater than 200.
6. Stud wall cavities and the spaces between solid floor joists to be used as non-ducted air plenums shall comply with the following conditions:
  - 6.1. These cavities or spaces shall not be used as a plenum for air supply.
  - 6.2. These cavities or spaces shall not be a part of required fire-resistance-rated assembly.
  - 6.3. Stud wall cavities shall not convey air from more than one floor level.
  - 6.4. Stud wall cavities and joist-space plenums shall be isolated from adjacent concealed spaces by tight-fitting fireblocking in accordance with Section R602.8.
  - 6.5. Stud wall cavities in the outside walls of building envelope assemblies shall not be utilized as air plenums.

Table M1601.1.1 Duct Construction Minimum Sheet Metal Thickness for Single Dwelling Units <sup>a</sup>

| Round Duct Diameter (inches) | STATIC PRESSURE    |          |                    |          |
|------------------------------|--------------------|----------|--------------------|----------|
|                              | ½ inch water gage  |          | 1 inch water gage  |          |
|                              | Thickness (inches) |          | Thickness (inches) |          |
|                              | Galvanized         | Aluminum | Galvanized         | Aluminum |
| ≤12                          | 0.013              | 0.018    | 0.013              | 0.018    |
| 12 to 14                     | 0.013              | 0.018    | 0.016              | 0.023    |
| 15 to 17                     | 0.016              | 0.023    | 0.019              | 0.027    |
| 18                           | 0.016              | 0.023    | 0.024              | 0.034    |
| 19 to 20                     | 0.019              | 0.027    | 0.024              | 0.034    |

| Rectangular Duct Dimension<br>(Longest dimension in inches) | STATIC PRESSURE    |          |                    |          |
|-------------------------------------------------------------|--------------------|----------|--------------------|----------|
|                                                             | ½ inch water gage  |          | 1 inch water gage  |          |
|                                                             | Thickness (inches) |          | Thickness (inches) |          |
|                                                             | Galvanized         | Aluminum | Galvanized         | Aluminum |
| ≤ 8                                                         | 0.013              | 0.018    | 0.013              | 0.018    |
| 9 to 10                                                     | 0.013              | 0.018    | 0.016              | 0.023    |
| 11 to 12                                                    | 0.016              | 0.023    | 0.019              | 0.027    |
| 13 to 16                                                    | 0.016              | 0.027    | 0.019              | 0.027    |
| 17 to 18                                                    | 0.019              | 0.027    | 0.024              | 0.034    |
| 19 to 20                                                    | 0.019              | 0.034    | 0.024              | 0.034    |

For SI: 1 inch = 25.4 mm, 1 inch water gage = 249 Pa.

a. Ductwork that exceeds 20 inches by dimension or exceeds a pressure of 1 inch water gage (250 Pa) shall be constructed in accordance with SMACNA HVAC Duct Construction Standards Metal and Flexible.

M1602.2 *Return air openings*. Return air openings for heating, ventilation and air conditioning systems shall comply with all of the following:

1. Openings shall not be located less than 10 feet (3048 mm) measured in any direction from an open combustion chamber or draft hood of another appliance located in the same room or space.
2. Return and transfer openings shall be sized in accordance with the appliance or equipment manufacturers' installation instructions, Manual D or the design of the registered design professional.
3. Return air shall not be taken from a closet, bathroom, toilet room, kitchen, garage, mechanical room, boiler room, furnace room or unconditioned attic.

*Exceptions:*

1. Taking return air from a kitchen is not prohibited where such return air openings serve the kitchen only, and are located not less than 10 feet (3048 mm) from the cooking appliances.
2. Dedicated forced-air systems serving only the garage shall not be prohibited from obtaining return air from the garage.
3. Taking return air from an unconditioned crawl space shall not be accomplished through a direct connection to the return side of a forced-air furnace. Transfer openings in the crawl space enclosure shall not be prohibited.
4. Return air from one dwelling unit shall not be discharged into another dwelling unit.
5. Where a closet is provided with a supply register, taking return air from the closet shall not be prohibited.

1116.121 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 21 Hydronic Piping.

—The following provisions amend Chapter 21 Hydronic Piping in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

M2101.10 *Tests*. Hydronic piping systems shall be tested hydrostatically with at a pressure of one and one-half times the maximum system design pressure, but not less than 100 pounds per square inch (689 kPa). The duration of each test shall not be less than 15 minutes and not more than 20 minutes, in which time there shall not be observed leaks.

*Exception:* The 100 pounds per square inch (689 kPa) threshold is not required when the duration of the test is extended to not less than 24 hours.

M2103.4 *Testing*. Pipe or tubing to be embedded shall be tested by applying a hydrostatic pressure of not less than 100 psi (690 kPa). The pressure shall be maintained for 30 minutes, during which, the joints shall be visually inspected for leaks.

*Exception:* A test pressure of one and one-half times the maximum system pressure may be used when the duration of the test is extended to not less than 24 hours.

M2105 *Ground-Source Heat-Pump System Loop Piping*. - Delete the entire section as written in the 2015 International Residential Code and replace as follows.



Section M2105  
Ground-Source Heat-Pump System Loop Piping

M2105.1 *General*. Ground-source heat-pumps system looping piping shall comply with Section 1210 of the Mechanical Code, SLCRO 1974, Title XI, Chapter 1108, as amended.

1116.124 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 24 Fuel Gas.

—The following provisions amend Chapter 24 Fuel Gas in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

G2408.4 *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 2 inches (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.

G2412.9 (401.9) *Identification*. Delete.

G2412.10 (401.10) *Third-party testing and certification*. Delete.

G2427.8 (503.8) *Venting system termination location*. The location of the venting system terminations shall comply with the following (see Appendix C):

1. A mechanical draft venting system shall terminate not less than 3 feet (914 mm) above any forced-air inlet located within 10 feet (3048 mm).

*Exceptions:*

1. This provision shall not apply to the combustion air intake of a direct-vent appliance.
2. This provision shall not apply to the separation of the integral outdoor air inlet and flue gas discharge of listed outdoor appliances.
2. A mechanical draft venting system, excluding direct vent appliances, shall terminate not less than 4 feet (1219 mm) below, 4 feet (1219 mm) horizontally from, or 1 foot (305 mm) above any door, operable window or gravity air inlet into any building. The bottom of the vent terminal shall be located not less than 12 inches (305mm) above the finished ground level.
3. The vent terminal of a direct-vent appliance with an input of 10,000 Btu per hour (3kW) or less shall be located not less than 6 inches (152 mm)

from any air opening into a building. Such an appliance with an input over 10,000 Btu per hour (3 kW) but not over 50,000 Btu per hour (14.7 kW) shall be installed with a 9-inch (230 mm) vent termination clearance, and an appliance with an input over 50,000 Btu per hour (14.7 kW) shall have not less than a 12-inch (305 mm) vent termination clearance. The bottom of the vent terminal and the air intake shall be located not less than 12 inches (305 mm) above grade finished ground level.

4. Through-the-wall vents for Category II and IV appliances and noncategorized condensing appliances shall not terminate over public walkways or over an area where condensate or vapor could create a nuisance or hazard or could be detrimental to the operation of regulators, relief valves or other equipment. Where local experience indicates that condensate is a problem with Category I and III appliances, this provision shall also apply. Drains for condensate shall be installed in accordance with the appliance and vent manufacturer's installation instructions.
5. Vent systems for Category IV appliances that terminate through an outside wall of a building and discharge flue gases perpendicular to the adjacent wall shall be located not less than 10 feet (3048 mm) horizontally from an operable opening in an adjacent building. This requirement shall not apply to vent terminals that are 3 feet (911 mm) or more above or 25 feet (7620 mm) or more below openings.

G2439.7.4.1 (614.8.4) *Specified length.* The maximum length of the exhaust duct shall be 35 feet (10688 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 G2439.7.4.1. The maximum length of the exhaust duct does not include the transition duct.

*Exception:* The total developed length of dryer exhaust ducts may be up to a maximum of 55 feet (16764 mm) when access panels for cleanouts and signage are provided. The access panels for cleanouts shall be provided for every 15 feet (4572 mm) of length, within 12 inches (305 mm) of the second elbow and at every elbow thereafter. Permanent signage shall be provided to identify each access panel for cleanout location. Permanent signage shall also be provided at the dryer exhaust connection to inform occupants of the periodic inspection and cleaning requirements.

G2442.4 (618.4) *Prohibited sources.* Outdoor or return air for forced-air heating and cooling systems shall not be taken from the following locations:

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

2. Where there is the presence of objectionable odors, fumes or flammable vapors; or where located less than 10 feet (3048 mm) above the surface of any abutting public way or driveway; or where located at grade level by a sidewalk, street, alley or driveway.
3. A hazardous or insanitary location or a refrigeration machinery room as identified in the International Mechanical Code.
4. A room or space, the volume of which is less than 25 percent of the entire volume served by such system. Where connected by a permanent opening having an area sized in accordance with Section G2442.2, adjoining rooms or spaces shall be considered as a single room or space for the purpose of determining the volume of such rooms or spaces.

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

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

*Exception:* This shall not apply where:

1. The appliance is a direct-vent appliance or an appliance not requiring a vent in accordance with Section G2425.8.
2. The room or space complies with the following requirements:
  - 2.1. The return air shall be taken from a room or space having a volume exceeding 1 cubic foot for each 10 Btu/h (9.6L/W) of combined input rating of all fuel-burning appliances therein.
  - 2.2. The volume of supply air discharged back into the same space shall be approximately equal to the volume of return air taken from the space.
  - 2.3. Return-air inlets shall not be located within 10 feet (3048 mm) of a draft hood in the same room or space or the combustion chamber of any atmospheric burner appliance in the same room or space.
3. Rooms or spaces containing solid fuel-burning appliances, provided that return-air inlets are located not less than 10 feet (3048 mm) from the firebox of such appliances.
6. A closet, bathroom, toilet room, kitchen, garage, boiler room, furnace room or unconditioned attic.

*Exceptions:*

1. Where return air intakes are located not less than 10 feet (3048 mm) from cooking appliances and serve only the kitchen area, taking return air from a kitchen area shall not be prohibited.

2. Dedicated forced air systems serving only a garage shall not be prohibited from obtaining return air from the garage.
3. Where a closet is provided with a supply register, taking return air from the closet shall not be prohibited.
7. A crawl space by means of direct connection to the return side of a forced-air system. Transfer openings in the crawl space enclosure shall not be prohibited.

1116.125 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 25 Plumbing Administration.

—The following provisions amend Chapter 25 Plumbing Administration in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates plumbing administration.

All other sections of Chapter 25 - Plumbing Administration in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.126 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 26 General Plumbing Requirements.

—The following provisions amend Chapter 26 General Plumbing Requirements in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

P2601.1 *Scope*. The International Plumbing Code regulates general plumbing requirements.

All other sections of Chapter 26 - General Plumbing Requirements in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.127 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 27 Plumbing Fixtures.

—The following provisions amend Chapter 27 Plumbing Fixtures in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates plumbing fixtures.

All other sections of Chapter 27 - Plumbing Fixtures in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted and not adopted as part of this code.

1116.128 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 28 Water Heaters.

—The following provisions amend Chapter 28 Water Heaters in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates water heaters.

All other sections of Chapter 28 - Water Heaters in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not made a part of this code.

1116.129 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 29 Water Supply and Distribution.

—The following provisions amend Chapter 29 Water Supply and Distribution in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates water supply and distribution.

All other sections of Chapter 29 - Water Supply and Distribution in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not made a part of this code.

1116.130 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 30 Sanitary Drainage.

—The following provisions amend Chapter 30 Sanitary Drainage in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates sanitary drainage.

All other sections of Chapter 30 - Sanitary Drainage in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.131 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 31 Vents.

—The following provisions amend Chapter 31 Vents in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates plumbing vents.

All other sections of Chapter 31 - Vents in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.132 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 32 Traps.

—The following provisions amend Chapter 32 Traps in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates plumbing traps.

All other sections of Chapter 32 - Traps in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.133 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 33 Storm Drainage.

—The following provisions amend Chapter 33 Storm Drainage in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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 International Plumbing Code regulates storm drainage.

All other sections of Chapter 33 - Storm Drainage in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.134 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 34 General Requirements (Electrical).

—The following provisions amend Chapter 34 General Requirements (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

E3401.1 *Scope*. NFPA 70 regulates general requirements for electrical work.

All other sections of Chapter 34 - General Requirements (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.135 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 35 Electrical Definitions.

—The following provisions amend Chapter 35 Electrical Definitions in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates definitions applicable to electrical systems and inspection requirements.

All other sections of Chapter 35 - Electrical Definitions in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.136 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 36 Services (Electrical).

—The following provisions amend Chapter 36 Services (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates electrical services.

All other sections of Chapter 36 - Services (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.137 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 37 Branch Circuit and Feeder Requirements (Electrical).

—The following provisions amend Chapter 37 Branch Circuit and Feeder Requirements (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates electrical branch circuit and feeder requirements.

All other sections of Chapter 37 - Branch Circuit and Feeder Requirements (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.138 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 38 Wiring Methods (Electrical).



—The following provisions amend Chapter 38 Wiring Methods (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates electrical wiring methods.

All other sections of Chapter 38 - Wiring Methods (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.139 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 39 Power and Lighting Distribution (Electrical).

—The following provisions amend Chapter 39 Power and Lighting Distribution (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 electrical regulates power and lighting distribution.

All other sections of Chapter 39 - Power and Lighting Distribution (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.140 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 40 Devices and Luminaires (Electrical).

—The following provisions amend Chapter 40 Devices and Luminaires (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates electrical devices and luminaries.

All other sections of Chapter 40 - Devices and Luminaries (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.141 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 41 Appliance Installation (Electrical).

—The following provisions amend Chapter 41 Appliance Installation (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates electrical appliance installation.

All other sections of Chapter 41 - Appliance Installation (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.142 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 42 Swimming Pools (Electrical).

—The following provisions amend Chapter 42 Swimming Pools (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates electrical requirements for swimming pools.

All other sections of Chapter 42 - Swimming Pools (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition are deleted in their entirety and not adopted as part of this code.

1116.143 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition—Chapter 43 Class 2 Remote-Control, Signaling and Power-Limited Circuits (Electrical).

—The following provisions amend Chapter 43 Class 2 Remote-Control, Signaling and Power-Limited Circuits Pools (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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*. NFPA 70 regulates electrical class 2 remote-control, signaling and power-limited circuits.

All other sections of Chapter 43 - Class 2 Remote-Control, Signaling and Power-Limited Circuits (Electrical) in the International Residential Code for One- and Two-Family Dwellings, 2009 edition are deleted in their entirety and not adopted as part of this code.

1116.144 - Amendments to the International Residential Code for One- and Two-Family Dwellings, 2015 edition.

—The following provisions amend Chapter 44 Referenced Standards in the International Residential Code for One- and Two-Family Dwellings, 2015 edition. Each code section that corresponds to one (1) of the following 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.

Amend Chapter 44 - Referenced Standards - Sections not shown herein as being modified are adopted without amendments.

**ACCA** - Air Conditioning Contractors of America. Delete Referenced Standards as shown below (standards not deleted by this amendment and shown in the code as published are adopted without amendments).

|                           |                                                                                                    |                                   |
|---------------------------|----------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>ACCA</b>               | Air Conditioning Contractors of America<br>2800 Shirlington Road, Suite 300<br>Arlington, VA 22206 |                                   |
| Standard reference number | Title                                                                                              | Referenced in code section number |
| Manual J - 2011           | Residential Load Calculation - Eighth Edition                                                      | M1401.3                           |
| Manual S - 13             | Residential Equipment Selection                                                                    | M1401.3                           |

**ANSI** - American National Standards Institute. Delete Referenced Standards as shown below (standards not deleted by this amendment and shown in the code as published are adopted without amendments).

|                           |                                                                                                  |                                   |
|---------------------------|--------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>ANSI</b>               | American National Standards Institute<br>25 West 43rd Street, Fourth Floor<br>New York, NY 10036 |                                   |
| Standard reference number | Title                                                                                            | Referenced in code section number |

**ASHRAE** - American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. Amend Referenced Standards:

|                           |                                                                                                                                |                                   |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>ASHRAE</b>             | American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.<br>1791 Tullie Circle, NE<br>Atlanta, GA 30329 |                                   |
| Standard reference number | Title                                                                                                                          | Referenced in code section number |
| ASHRAE - 2013             | ASHRAE Handbook of Fundamentals                                                                                                | N1102.1.5, Table N1105.5.2(1)     |
| ASHRAE 193 - 2010         | Method of Test for Determining Air Tightness of HVAC Equipment                                                                 | N1103.3.2.1                       |
| 34 - 2013                 | Designation and Safety Classification of Refrigerants                                                                          | M1411.1                           |

**ASME** - American Society of Mechanical Engineers. Delete all Referenced Standards except the following:

|             |                                                                                          |
|-------------|------------------------------------------------------------------------------------------|
| <b>ASME</b> | American Society of Mechanical Engineers<br>Three Park Avenue<br>New York, NY 10016-5990 |
|-------------|------------------------------------------------------------------------------------------|

| Standard reference number     | Title                                                                                                    | Referenced in code section number |
|-------------------------------|----------------------------------------------------------------------------------------------------------|-----------------------------------|
| ASME/A17.1/CSA B44-2013       | Safety Code for Elevators and Escalators                                                                 | R321.1                            |
| A18.1-2008                    | Safety Standard for Platforms and Stairway Chair Lifts                                                   | R321.2                            |
| B1.20.1-1983 (R2006)          | Pipe Threads, General Purpose (Inch)                                                                     | G2414.9                           |
| B16.33-2012                   | Manually Operated Metallic Gas Valves for Use in Gas Piping Systems up to 125 psig (Sizes 1/2 through 2) | Table G2420.1.1                   |
| B16.44-2002 (Reaffirmed 2007) | Manually Operated Metallic Gas Valves For Use in Above-ground Piping Systems up to 5 psi                 | Table G2420.1.1                   |
| B36.10M-2004                  | Welded and Seamless Wrought-steel Pipe                                                                   | G2414.4.2                         |
| BPVC-2010/2011 addenda        | ASME Boiler and Pressure Vessel Code (2007 edition)                                                      | M2001.1.1, G2452.1                |
| CSD-1-2011                    | Controls and Safety Devices for Automatically Fired Boilers                                              | M2001.1.1, G2452.1                |

**ASSE** American Society of Sanitary Engineering  
901 Canterbury, Suite A  
Westlake, OH 44145

Delete all Referenced Standards.

**ASTM** - ASTM International. Amend Referenced Standards (Standards not amended by this code amendment and shown in the code as published are adopted without amendments).

|                           |                                                                                          |                                   |
|---------------------------|------------------------------------------------------------------------------------------|-----------------------------------|
| <b>ASTM</b>               | ASTM International<br>100 Barr Harbor Drive<br>West Conshohocken, PA 19428               |                                   |
| Standard reference number | Title                                                                                    | Referenced in code section number |
| A53/A53M - 12             | Specification for Pipe, Steel, Black and Hot-dipped, Zinc-coated Welded and Seamless     | R407.3, Table M2101.1, G2414.4.2  |
| B 42 - 10                 | Specification for Seamless Copper Pipe, Standard Sizes                                   | Table M2101.1                     |
| B 43 - 09                 | Specification for Seamless Red Brass Pipe, Standard Sizes                                | Table M2101.1                     |
| B 75 - 11                 | Specification for Seamless Copper Tube                                                   | Table M2101.1                     |
| B 88 - 09                 | Specification for Seamless Copper Water Tube                                             | Table M2101.1, G2414.5.2          |
| B 251 - 10                | Specification for General Requirements for Wrought Seamless Copper and Copper-alloy Tube | Table M2101.1                     |
| B 302 - 12                | Specification for Threadless Copper Pipe, Standard Sizes                                 | Table M2101.1                     |
| B 306 - 09                | Specification for Copper Drainage Tube (DWV)                                             | Table M2101.1                     |
| B 370 - 12                | Specification for Copper Sheet and Strip for Building Construction                       | Table R905.2.8.2,                 |

|                               |                                                                                                                  |                                                                          |
|-------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
|                               |                                                                                                                  | Table R905.10.3(1)                                                       |
| B 813 - 10                    | Specification for Liquid and Paste Fluxes for Soldering Applications of Copper and Copper Alloy Tube             | Table M2101.1, M2103.3                                                   |
| D 226/D 226M - 09             | Specification for Asphalt-saturated (Organic Felt) Used in Roofing and Waterproofing                             | R703.2, R905.1.1, Table R905.1.1(1), R905.2.8.2, R905.8.4, Table 905.9.2 |
| D 2657 - 07                   | Standard Practice for Heat Fusion-joining of Polyolefin Pipe Fittings                                            | M2105.11.1                                                               |
| D 2683 - 2010e1               | Specification for Socket-type Polyethylene Fittings for Outside Diameter-controlled Polyethylene Pipe and Tubing | Table M2105.5, M2105.11.1                                                |
| D 2846/D 2846M - 09BEI        | Specification for Chlorinated Poly (Vinyl Chloride) (CPVC) Plastic Hot- and Cold-water Distribution Systems      | Table M2101.1                                                            |
| D 4869/D 4869M - 05 (2011)e01 | Specification for Asphalt-saturated (Organic Felt) Underlayment Used in Steep Slope Roofing                      | R905.1.1, Table R905.1.1(1), R905.2.8.2, R905.16.3, R905.16.4.2          |
| D 6757-07                     | Standard Specification for Inorganic Underlayment Felt Containing Inorganic Fibers Used in Steep-Slope Roofing   | R905.2.8.2                                                               |
| F 876 - 13                    | Specification for Cross-linked Polyethylene (PEX) Tubing                                                         | Table M2101.1                                                            |

|             |                                                                                                                                                                                  |                  |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| F 877 - 11A | Specification for Cross-linked Polyethylene (PEX) Plastic Hot- and Cold-water Distribution Systems                                                                               | Table M2101.1    |
| F 1281 - 11 | Specification for Cross-linked Polyethylene/Aluminum/Cross-linked Polyethylene (PEX-AL-PEX) Pressure Pipe                                                                        | Table M2101.1    |
| F 1282 - 10 | Specification for Polyethylene/Aluminum/Polyethylene (PE-AL-PE) Composite Pressure Pipe                                                                                          | Table M2101.1    |
| F 1807 - 13 | Specification for Metal Insert Fittings Utilizing a Copper Crimp Ring for SDR9 Cross-linked Polyethylene (PEX) Tubing and SDR9 Polyethylene of Raised Temperature (PE-RT) Tubing | Table M2101.1    |
| F 1960 - 12 | Specification for Cold Expansion Fittings with PEX Reinforcing Rings for Use with Cross-linked Polyethylene (PEX) Tubing                                                         | Table M2101.1    |
| F 1970 - 12 | Standard Specification for Special Engineered Fittings, Appurtenances or Valves for Use in Poly (Vinyl Chloride) (PVC) or Chlorinated Poly (Vinyl Chloride) (CPVC) Systems       | M2105.5          |
| F 2098 - 08 | Standard Specification for Stainless Steel Clamps for Securing SDR9 Cross-linked Polyethylene PEX Tubing to Metal Insert and Plastic Insert Fittings                             | Table M2101.1    |
| F 2389 - 10 | Standard for Pressure-rated Polypropylene (PP) Piping Systems                                                                                                                    | Table M2105.12.1 |
| F 2735 - 09 | Standard Specification for Plastic Insert Fittings for SDR9 Cross-linked Polyethylene (PEX) and Polyethylene of Raised Temperature (PE-RT) Tubing                                | Table M2101.1    |



|             |                                                                                                             |               |
|-------------|-------------------------------------------------------------------------------------------------------------|---------------|
| F 2769 - 10 | Polyethylene or Raised Temperature (PE-RT)<br>Plastic Hot and Cold-Water Tubing and<br>Distribution Systems | Table M2101.1 |
|-------------|-------------------------------------------------------------------------------------------------------------|---------------|

**AWS** - American Welding Society Amend Referenced Standards:

|                              |                                                                        |                                      |
|------------------------------|------------------------------------------------------------------------|--------------------------------------|
| AWS                          | American Welding Society<br>8669 NW 36 Street, #130<br>Doral, FL 33166 |                                      |
| Standard reference<br>number | Title                                                                  | Referenced in code<br>section number |
| A5.31M/A5.31 -<br>2012       | Specification for Fluxes for Brazing<br>and Braze Welding Edition: 2nd | M2103.3, M2202.2                     |

**AWWA** - American Water Works Association. Delete all Referenced Standards except the following:

|                                 |                                                                                                                                                        |                                         |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <b>AWWA</b>                     | American Water Works Association<br>6666 West Quincey Avenue<br>Denver, CO 80235                                                                       |                                         |
| Standard<br>reference<br>number | Title                                                                                                                                                  | Referenced in<br>code section<br>number |
| C903 - 05                       | Polyethylene-aluminum-polyethylene &<br>Crosslinked Polyethylene Composite Pressure<br>Pipe, ½ in. (12 mm) through 2 in. (50 mm),<br>for Water Service | Table M2101                             |

**CISPI** Cast Iron Soil Pipe Institute  
5959 Shallowford Road, Suite 419  
Chattanooga, TN 37421

Delete all Referenced Standards.

**CSA** - CSA Group. Delete all Referenced Standards except the following:

|                                   |                                                                                                           |                                   |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>CSA</b>                        | CSA Group<br>8501 East Pleasant Valley Road<br>Cleveland, OH 44131-5516                                   |                                   |
| Standard reference number         | Title                                                                                                     | Referenced in code section number |
| AAMA/WDMA/CSA 101/I.S.2/A440 - 11 | North American Fenestration Standard/Specification for Windows, Doors and Unit Skylights                  | R308.6.9, R609.3, N1102.4.3       |
| ANSI/CSA America FCI - 2012       | Stationary Fuel Cell Power Systems                                                                        | M1903.1                           |
| ASME A17.1/CSA B44 - 2013         | Safety Code for Elevators and Escalators                                                                  | R321.1                            |
| CSA 8 - 93                        | Requirements for Gas Fired Log Lighters for Wood Burning Fireplaces - with revisions through January 1999 | G2433.1                           |
| B137.9 - 13                       | Polyethylene/Aluminum/Polyethylene (PE-AL-PE) Composite Pressure Pipe Systems                             | Table M2101.1                     |
| B137.10 - 13                      | Cross-linked Polyethylene/Aluminum/Cross-linked Polyethylene (PE-AL-PE) Composite Pressure Pipe System    | Table M2101.1                     |

|                                  |                                                                                                                       |                                      |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| CAN/CSA - 2002                   | Design and Installation of Earth Energy Systems - First Edition; Update 2: October 2009; Consolidated Reprint 10/2009 | Table M2105.4, Table M2105.5         |
| O325 - 07                        | Construction Sheathing                                                                                                | R503.2.1, R602.1.8, R604.1, R803.2.1 |
| O437 - Series - 93               | Standards on OSB and Waferboard (Reaffirmed 2006)                                                                     | R503.2.1, R602.1.8, R604.1, R803.2.1 |
| UL/CSA/ANCE<br>60335-2-40 - 2012 | Standard for Household and Similar Electrical Appliances, Part 2: Particular Requirements for Motor-compressors       | M1403.1, M1412.1, M1413.1            |

**GOVERNMENT OF ST. LOUIS COUNTY, MISSOURI.** Add the following St. Louis County Codes, Ordinances and Standards:

|                                                                 |                 |                                                                                                             |
|-----------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------|
| <b>GOVERNMENT OF ST. LOUIS COUNTY, MISSOURI</b>                 |                 | St. Louis County Department of Transportation and Public Works<br>41 S. Central Ave.<br>St. Louis, MO 63105 |
| Standard reference number                                       | Title           | Referenced in code section number                                                                           |
| Building Code - Title XI, Chapter 1115 SLCRO 1974, as amended   | Building Code   | R117, R118, R119, R202                                                                                      |
| Electrical Code - Title XI, Chapter 1102 SLCRO 1974, as amended | Electrical Code | R102.2.1, R202                                                                                              |

|                                                                                 |                                                   |                                                   |
|---------------------------------------------------------------------------------|---------------------------------------------------|---------------------------------------------------|
| Floodplain Management Regulations - Title X, Chapter 1008 SLCRO 1974 as amended | Floodplain Management Regulations                 | R101.4, Table R301.2(1), R301.2.4, R309.3, R322.1 |
| Mechanical Code - Title XI, Chapter 1108 SLCRO 1974, as amended                 | Mechanical Code                                   | R102.2.1, R202                                    |
| Plumbing Code - Title XI, Chapter 1103 SLCRO 1974, as amended                   | Plumbing Code                                     | R102.2.1, R202                                    |
|                                                                                 | Private Sewage Disposal Code<br>See Plumbing Code |                                                   |
| Zoning Ordinance - Title X, Chapter 1003 SLCRO 1974 as amended                  | Zoning Ordinance                                  | R101.4, R102.2.2, R202, R301.2.4, R309.3, R322.1  |

**IAPMO** IAPMO  
4755 E. Philadelphia Street  
Ontario, CA 91761

Delete all Referenced Standards.

**ICC** - International Code Council. Amend Referenced Standards. (Standards not amended by this code amendment and shown in the code as published are adopted without amendments)

|                           |                                                                                                    |                                   |
|---------------------------|----------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>ICC</b>                | International Code Council, Inc.<br>500 New Jersey Avenue, NW<br>6th Floor<br>Washington, DC 20001 |                                   |
| Standard reference number | Title                                                                                              | Referenced in code section number |

|           |                                         |                                                                                                                                                                                                                                                                                                                                                       |
|-----------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IBC - 15  | International Building Code             | R101.2, R101.4, R102.7, R103.1, R104.1, R105.1, R107.1, R108.1, R109.1, R110.1, R111.1, R112.1, R113.1, R114.1, R115.1, R116.1, R201.3, R202, R301.1, R301.1.3, R301.2.2.1.1, R301.2.2.1.2, R301.2.2.4, R301.3, R308.5, R320.1, R320.1.1, R403.1.8, R602.13.5, Table R602.10.3(3), Table R606.12.2.1, R609.2, R802.1.5.4, R905.10.3, N1107.4, G2402.3 |
| IMC - 15  | International Mechanical Code           | R101.4, R201.3, R202, Table R301.2(1), N1103.3.2, G2402.3                                                                                                                                                                                                                                                                                             |
| IPC - 15  | International Plumbing Code             | R101.4, R201.3, R202, R306.6, R306.7, R307.1, R322.1.7, R903.4.1, G2402.3, P2501.1, P2601.1, P2701.1, P2801.1, P2901.1, P3001.1, P3101.1, P3201.1, P3301.1                                                                                                                                                                                            |
| IPMC - 15 | International Property Maintenance Code | R101.4, R102.7, R201.3                                                                                                                                                                                                                                                                                                                                |

**MSS** - Manufacturers Standardization Society of the Valve and Fittings Industry. Delete all Referenced Standards except the following:

|                           |                                                                                                                            |                                   |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| MSS                       | Manufacturers Standardization Society of the Valve and Fittings Industry<br>127 Park Street, Northeast<br>Vienna, VA 22180 |                                   |
| Standard reference number | Title                                                                                                                      | Referenced in code section number |

|            |                                                                                                     |         |
|------------|-----------------------------------------------------------------------------------------------------|---------|
| SP-58 - 09 | Pipe Hangers and Supports - Materials, Design, Manufacture, Selection, Application and Installation | G2418.2 |
|------------|-----------------------------------------------------------------------------------------------------|---------|

**NFPA** - National Fire Protection Association. Delete Referenced Standards as shown below. (Standards not deleted by this amendment and shown in the code as published are adopted without amendments)

|                           |                                                                                                            |                                                                                                                          |
|---------------------------|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>NFPA</b>               | National Fire Protection Association<br>1 Batterymarch Park<br>Quincy, MA 02269                            |                                                                                                                          |
| Standard reference number | Title                                                                                                      | Referenced in code section number                                                                                        |
| 13D - 13                  | Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes | R302.1, Table R302.1(2), R302.2, R302.13, R309.5, R313.1.1, R313.2.1, R325.5                                             |
| 70 - 14                   | National Electrical Code                                                                                   | R101.4, R201.3, R302.2, R324.3, E3401.1, E3501.1, E3601.1, E3701.1, E3801.1, E3901.1, E4001.1, E4101.1, E4201.1, E4301.1 |

**NSF** - NSF International. Delete all Referenced Standards except the following:

|            |                                                           |
|------------|-----------------------------------------------------------|
| <b>NSF</b> | NSF International<br>789 N Dixboro<br>Ann Arbor, MI 48105 |
|------------|-----------------------------------------------------------|

| Standard reference number | Title                                                                                        | Referenced in code section number |
|---------------------------|----------------------------------------------------------------------------------------------|-----------------------------------|
| 14 - 2011                 | Plastics Piping System Components and Related Materials                                      | M1301.4                           |
| 358-1 - 2011              | Polyethylene Pipe and Fittings for Water-based Ground Source "Geothermal" Heat Pump Systems  | M2105.4,<br>M2105.5               |
| 358-2 - 2012              | Polypropylene Pipe and Fittings for Water-based Ground Source "Geothermal" Heat Pump Systems | M2105.5                           |

## **Attachment 'C'**

### **1117.101 - Amendments to the International Existing Building Code, 2015 Edition**

#### Chapter 1 Scope and Administration.

—The following provisions amend Chapter 1 Scope and Administration in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

101.1 *Title.* These regulations shall be known as the Existing Building Code, hereinafter referred to as "this code."

101.2 *Scope.* The provisions of the International Existing Building Code shall apply to the repair, alteration, change of occupancy, addition, and relocation of existing buildings. A building or portion of a building that has not been previously occupied or used for its intended purpose shall comply with the provisions of the International Building Code for new construction. Repairs, alterations, change of occupancy, existing buildings to which additions are made, historic buildings, and relocated buildings complying with the provisions of the International Building Code, International Mechanical Code, International Plumbing Code and NFPA 70 as applicable shall be considered in compliance with the provisions of this code. The registered design professional shall declare on the construction documents the codes used in the design.

*Exception:* Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the International Residential Code.

101.6 *Appendices.* The building official is authorized to require rehabilitation and retrofit of buildings, structures, or individual structural members in accordance with the appendices of this code as adopted by Chesterfield. When any of such appendices is specifically referenced in the text of this code, it shall be a part of this code.

102.2.1 *Licensing.* Applicable licensing provisions of the Mechanical Code, the Electrical Code and the Plumbing Code shall apply to work regulated under this code.

102.2.2 *Compliance Zoning and other applicable codes and ordinances.* Subject to the provisions of this code, neither the granting of a permit, nor the approval of construction documents, nor inspections made by the building



official, or the building official's authorized representative, during the erection, movement or demolition of a building or 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 Zoning Ordinance, or other applicable laws.

102.4.3 *Applicability of Chesterfield, Missouri codes and ordinances.* Throughout this code, whenever the terms NFPA 70, International Plumbing Code, International Mechanical Code, International Property Maintenance Code, International Building Code, International Residential Code, International Existing Building Code, Zoning Ordinance or Floodplain Management Regulations Ordinance appears it shall be deemed to mean the codes adopted by Chesterfield as listed in Chapter 14 Referenced Standards, of this code and as identified in Title XI, Chapters 1102, 1103, 1108, 1110, 1115, 1116, 1117, and Title X, Chapters 1003 and 1008 SLCRO 1974, as amended, respectively.

102.4.4 *Standards and guidelines for structural evaluation.* The building official shall allow structural evaluation, condition assessment, and rehabilitation of buildings, structures, or individual structural members based on this code's appendix chapters, referenced standards, guidelines, or other approved standards and procedures.

102.5.1 *Additions, alterations or repairs.* Additions, alterations or repairs to any structure shall conform to that required for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building.

## SECTION 103 DEPARTMENT OF BUILDING SAFETY

103.1 *Creation of enforcement agency.* SECTION 103 DEPARTMENT OF BUILDING SAFETY (Sections 103.1 through 103.3) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 103 DEPARTMENT OF BUILDING SAFETY in the International Building Code.

## SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 *General.* SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL (Sections 104.1 through 104.11.1) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL in the International Building Code.

## SECTION 105 PERMITS

105.1 *Required.* SECTION 105 PERMITS (Sections 105.1 through 105.7) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 105 PERMITS in the International Building Code.

SECTION 106  
*Reserved for future use.*

SECTION 107  
CONSTRUCTION DOCUMENTS

107.1 *General.* SECTION 106 CONSTRUCTION DOCUMENTS (Sections 106.1 through 106.6) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 107 CONSTRUCTION DOCUMENTS in the International Building Code.

SECTION 108  
TEMPORARY STRUCTURES AND USES

108.1 *General.* SECTION 107 TEMPORARY STRUCTURES AND USES (Sections 107.1 through 107.4) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 108 TEMPORARY STRUCTURES AND USES in the International Building Code.

SECTION 109  
FEES

109.1 *Payment of Fees.* SECTION 108 FEES (Sections 108.1 through 108.6) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 109 FEES in the International Building Code.

SECTION 110  
INSPECTIONS

110.1 *General.* SECTION 109 INSPECTIONS (Sections 109.1 through 109.6) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 110 INSPECTIONS in the International Building Code.

SECTION 111  
CERTIFICATE OF OCCUPANCY

111.1 *Use and occupancy.* SECTION 110 CERTIFICATE OF OCCUPANCY (Sections 110.1 through 110.4) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 111 CERTIFICATE OF OCCUPANCY in the International Building Code.

SECTION 112  
SERVICE UTILITIES

112.1 *Connection of service utilities.* SECTION 111 SERVICE UTILITIES (Sections 111.1 through 111.3) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 112 SERVICE UTILITIES in the International Building Code.

### SECTION 113 BOARD OF APPEALS

113.1 *General.* SECTION 112 BOARD OF APPEALS (Sections 112.1 through 112.3) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 113 BOARD OF APPEALS in the International Building Code.

### SECTION 114 VIOLATIONS

114.1 *Unlawful acts.* SECTION 113 VIOLATIONS (Sections 113.1 through 113.4) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 114 VIOLATIONS in the International Building Code.

### SECTION 115 STOP WORK ORDER

115.1 *Authority.* SECTION 114 STOP WORK ORDER (Sections 114.1 through 114.3) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 115 STOP WORK ORDER in the International Building Code.

### SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

116.1 *Conditions.* SECTION 115 UNSAFE BUILDINGS AND EQUIPMENT (Sections 115.1 through 115.5) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT in the International Building Code.

### SECTION 117 EMERGENCY MEASURES

117.1 *Imminent danger.* SECTION 116 EMERGENCY MEASURES (Sections 116.1 through 116.6) in the International Existing Building Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 117 EMERGENCY MEASURES in the Building Code.

### SECTION 118 UNFIT BUILDINGS AND STRUCTURES

118.1 *General.* SECTION 117 DEMOLITION (Sections 117.1 through 117.4) in the International Existing Building Code, 2015 edition is deleted in its

entirety and adopted in lieu thereof is SECTION 118 UNFIT BUILDINGS AND STRUCTURES in the Building Code.

## SECTION 119 DEMOLITION OF STRUCTURES

119.1 *Demolition of structures.* SECTION 119 DEMOLITION OF STRUCTURES (Sections 119.1 through 119.3) of the Building Code is adopted as part of this code.

1117.102 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 2 Definitions.

—The following provisions amend Chapter 2 Definitions in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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 Building Code, International Residential Code, International Property Maintenance Code, International Mechanical Code, NFPA 70 International Plumbing Code, the International Energy Conservation Code or the International Fire Code, such terms shall have the meanings ascribed to them as in those codes.

## SECTION 202 GENERAL DEFINITIONS

The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein. Where a word or term is not defined in this code, it shall have such definition as may be prescribed for it in The International Building Code, 2015 edition.

*Board of Appeals.* The St. Louis County Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Code Official.* The Code Official as defined herein.

*Building Code Review Committee.* The Committee established by, and acting in accordance with the Building Code, SLCRO 1974, Title XI, Chapter 1115, as amended.

*Building Commission.* The St. Louis County Building Commission established in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Official.* The Code Official as defined herein.

*Code Official.* The Director of the Department of Transportation and Public Works or the Director's duly authorized representative.

*Dangerous.* Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, partially collapsed, has moved off its foundation or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under service loads.
3. The building or structure or any portion thereof is likely to collapse partially or completely because:
  - 3.1. Of dilapidation, deterioration or decay;
  - 3.2. Of construction in violation of this code;
  - 3.3. The soil supporting the foundation is unstable, moved or removed;
  - 3.4. The foundation is inadequate, decayed or deteriorated; or
  - 3.5. It is damaged due to fire, earthquake, wind or flood; or any other similar cause.
4. The exterior walls or other vertical structural member list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
5. Any building or structure with substantial structural damage.

*Disaster.* A disaster shall include but not necessarily be limited to flood, windstorm, tornado, severe storm, earthquake, bomb blast, explosion or similar natural or man-made type event. The building official shall make the determination whether an event shall be declared a disaster.

*Electrical Code Review Committee.* The Committee established by, and acting in accordance with the Electrical Code, SLCRO 1974, Title XI, Chapter 1102, as amended.

*Flood Hazard Area.* An area that has been determined to be prone to flooding in accordance with Section 1612 of the International Building Code or Section R322 of International Residential Code as applicable.

*Mechanical Code Review Committee.* The Committee established by, and acting in accordance with the Mechanical Code, SLCRO 1974, Title XI, Chapter 1108, as amended.

*Plumbing Code Review Committee.* The Committee established by, and acting in accordance with the Plumbing Code, SLCRO 1974, Title XI, Chapter 1103, as amended.

*Repair.* The reconstruction or renewal of any part of an existing building for the purpose of its maintenance or to correct damage. Repair work shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or

change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any fire suppression standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

*Zoning Ordinance.* Chesterfield Unified Development Code, Chapter 31.

1117.106 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 6 Repairs.

—The following provisions amend Chapter 6 Repairs in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

*608.2 Mechanical draft systems for manually fired appliances and fireplaces.* A mechanical draft system shall be permitted to be used with manually fired appliances and fireplaces where such a system complies with all of the following requirements:

1. The mechanical draft device shall be listed and installed in accordance with the manufacturer's installation instructions.
2. A device shall be installed that produces visible and audible warning upon failure of the mechanical draft device or loss of electrical power at any time that the mechanical draft device is turned on. This device shall be equipped with a battery backup if it receives power from the building wiring.
3. A smoke detector shall be installed in the room with the appliance or fireplace. This device shall be equipped with a battery backup if it receives power from the building wiring.
4. Mechanical draft systems shall be installed in accordance with the International Mechanical Code.

1117.107 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 7 Alterations—Level 1.

—The following provisions amend Chapter 7 Alterations - Level 1 in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

701.1.1 *Elevators and escalators.* Existing elevators and escalators not otherwise being altered shall conform to ASME A17.3.

702.6 *Materials and methods.* All new work shall comply with materials and methods requirements in the NFPA 70, International Building Code, International Residential Code, International Energy Conservation Code, International Mechanical Code, and International Plumbing Code, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

## SECTION 709 MECHANICAL

709.1 *Mechanical requirements.* If mechanical equipment is being replaced with a like piece of equipment of the same capacity, load calculations are not required to be submitted with the permit application. If the equipment to be replaced has a reduced capacity or a greater capacity, load calculations must be submitted with the permit application.

709.2 *Mechanical equipment isolation.* The requirements of the International Mechanical Code shall apply to equipment within the scope of Alterations Level 1, including the installation of shutoff valves, stop valves, relief valves, safety valves, unions and/or other devices as required for the specific equipment being installed.

709.3 *Mechanical scope.* In cases where the work area is less than 50 percent of the aggregate area of the building, Level 3 alterations shall apply to only the mechanical systems whenever the mechanical work exceeds 50 percent of the effected HVAC system's distributed capacity.

1117.108 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 8 Alterations—Level 2.

—The following provisions amend Chapter 8 Alterations - Level 2 in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

805.2 *General.* The means of egress shall comply with the requirements of this section.

*Exception:* Means of egress conforming to the requirements of the building code under which the building was constructed shall be considered compliant means of egress if, in the opinion of the building official, they do not constitute a distinct hazard to life.

805.5.5 *Existing non-rated corridor walls in occupancy classification B.* New non-rated openings in corridors in existing buildings may be protected with a water curtain in lieu of an approved protective device where the following features are provided:

1. The corridor walls and ceiling of the tenant space are constructed to limit the transfer of smoke into the corridor.
2. Corridor doors shall provide an effective barrier to limit the transfer of smoke.
3. Sprinkler heads shall be placed within 18 inches (457 mm) of the corridor wall at a spacing of not more than 6 feet (1829 mm) on-center on the tenant side of the wall.

## SECTION 809 MECHANICAL

809.1 *Reconfigured or converted spaces.* All reconfigured spaces intended for occupancy and all spaces converted to habitable or occupiable space in any work area shall be provided with natural or mechanical ventilation in accordance with the International Mechanical Code. The physical limits of the reconfigured or converted space are defined by the perimeter walls, the floor slab, and the roof/floor deck above. This definition applies to issues of ventilation, unsafe conditions, minor alterations to mechanical equipment and/or systems, and new mechanical equipment and systems.

809.1.1 *Ventilation requirements.* If the occupant load of the reconfigured or converted space is similar to the occupant load of the original design and there is no change in occupant classification, then the existing ventilation systems may be utilized. If there is a change in occupant classification or occupant load, the ventilation of the reconfigured or converted space shall comply with the International Mechanical Code.

809.1.2 *New mechanical equipment and/or systems.* New mechanical systems and/or equipment, which will be incorporated into the reconfigured or converted space, shall comply with the International Mechanical Code.

809.1.3 *Unsafe conditions.* If the building official determines there are unsafe conditions or code violations, these must be abated and the condition brought into compliance with the International Mechanical Code.

809.1.4 *Minor alterations/system extensions.* If the scope of the mechanical work is limited to minor alterations and/or extensions of the existing systems within the reconfigured or converted space, then that work need only conform to the International Mechanical Code under which the original work was installed. If the mechanical system is extended into areas not previously served by that system then system load calculations shall be provided.

809.2 *Altered existing systems.* - Delete and replace as follows:



809.2 *Local exhaust.* All newly introduced devices, equipment, or operations that produce airborne particulate matter, odors, fumes, vapor, combustion products, gaseous contaminants, pathogenic and allergenic organisms, and microbial contaminants in such quantities as to affect adversely or impair health or cause discomfort to occupants shall be provided with local exhaust.

1117.109 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 9 Alterations—Level 3.

—The following provisions amend Chapter 9 Alterations - Level 3 in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

## SECTION 909 MECHANICAL

909.1 *Mechanical requirements.* If the existing ventilation system(s) conform to the ventilation requirements of the International Mechanical Code, they may be re-utilized for the alteration. If not, the mechanical equipment and systems shall be modified, upgraded or replaced by equipment and systems that conform to the requirements of the International Mechanical Code.

1117.110 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 10 Change of Occupancy.

—The following provisions amend Chapter 10 Change of Occupancy in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1004.1 *General.* Fire protection requirements of Section 1012 shall apply where:

1. A building or portions thereof undergo a change of occupancy classification; or
2. Where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the International Building Code; or
3. Is converted to a nightclub.

## SECTION 1009 MECHANICAL

1009.1 *Mechanical requirements.* Where the occupancy of an existing building or part of an existing building is changed, the new occupancy shall be subject to the applicable requirements of the International Mechanical Code.

1009.1.1 *Ventilation requirements.* If the existing mechanical equipment and systems conform to the requirements of the International Mechanical Code for the new occupancy classification and occupant load, the existing mechanical equipment and systems may be re-used.

1009.1.2 *New mechanical equipment and/or systems.* New mechanical systems and/or equipment, which will be incorporated into the areas and/or building effected by the change in occupancy, shall comply with the International Mechanical Code.

1009.1.3 *Unsafe conditions.* If the building official determines there are unsafe conditions or code violations these unsafe conditions or violations must be abated and the condition brought into compliance with the International Mechanical Code.

1117.114 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 14 Performance Compliance Methods.

—The following provisions amend Chapter 14 Performance Compliance Methods in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1401.2 *Applicability.* Structures existing prior to December 19, 1951, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or I-1, I-3 or I-4.

1401.3.1 *Hazards.* Where the building official determines that an unsafe condition exists as provided for in Section 116, such unsafe condition shall be abated in accordance with Section 116.

1117.115 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 15 Construction Safeguards.

—The following provisions amend Chapter 15 Construction Safeguards in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

1502.1 *Protection required.* Adjoining public and private property shall be protected from damage during construction and demolition work. The adjoining buildings and properties must be protected by the person causing the work to be done. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water run-off and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings and properties advising them that the excavation is to be made. Said notification shall be delivered not less than 30 days prior to the scheduled starting date of the excavation.

1117.116 - Amendments to the International Existing Building Code, 2015 Edition—Chapter 16 Referenced Standards.

—The following provisions amend Chapter 16 Referenced Standards in the International Existing Building Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

Amend Chapter 16 - Referenced Standards - Sections not shown herein as being modified are adopted without amendments.

**ASME** - American Society of Mechanical Engineers. Amend Referenced Standards (Standards not amended by this code amendment and shown in the code as published are adopted without amendments.):

|                           |                                                                                          |                                   |
|---------------------------|------------------------------------------------------------------------------------------|-----------------------------------|
| <b>ASME</b>               | American Society of Mechanical Engineers<br>Three Park Avenue<br>New York, NY 10016-5990 |                                   |
| Standard reference number | Title                                                                                    | Referenced in code section number |
| A17.3-2008                | Safety Code for existing Elevators and Escalators                                        | 701.1.1, 902.1.2                  |

**GOVERNMENT OF ST. LOUIS COUNTY, MISSOURI.** Add the following St. Louis County Codes, Ordinances and Standards.

| <b>GOVERNMENT OF ST. LOUIS<br/>COUNTY, MISSOURI</b>                                   | St. Louis County Department of<br>Transportation and Public Works<br>41 S. Central Ave.<br>St. Louis, MO 63105 |                                         |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Standard reference number                                                             | Title                                                                                                          | Referenced in<br>code section<br>number |
| Building Code - Title XI, Chapter<br>1115 SLCRO 1974, as amended                      | Building Code                                                                                                  | 117, 118, 119,<br>202, 805.2            |
| Electrical Code - Title XI, Chapter<br>1102 SLCRO 1974, as amended                    | Electrical Code                                                                                                | 102.2.1, 202                            |
| Floodplain Management Regulations<br>- Title X, Chapter 1008 SLCRO 1974<br>as amended | Floodplain<br>Management<br>Regulations                                                                        | 102.4.3                                 |
| Mechanical Code - Title XI, Chapter<br>1108 SLCRO 1974, as amended                    | Mechanical Code                                                                                                | 102.2.1, 202                            |
| Plumbing Code - Title XI, Chapter<br>1103 SLCRO 1974, as amended                      | Plumbing Code                                                                                                  | 102.2.1, 202                            |
| Zoning Ordinance - Title X, Chapter<br>1003 SLCRO 1974 as amended                     | Zoning Ordinance                                                                                               | 102.2.2, 102.4.3,<br>202                |

**ICC** - International Code Council. Amend Referenced Standards. (Standards not amended by this code amendment and shown in the code as published are adopted without amendments.):

|                                 |                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ICC</b>                      | International Code Council, Inc.<br>500 New Jersey Avenue, NW<br>6th Floor<br>Washington, DC 20001 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Standard<br>reference<br>number | Title                                                                                              | Referenced in code section number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| IBC - 15                        | International<br>Building Code®                                                                    | 101.2, 101.4.1, 102.4.3, 103.1, 104.1, 105.1,<br>107.1, 108.1, 109.1, 110.1, 111.1, 112.1,<br>113.1, 114.1, 115.1, 116.1, 117.1, 118.1,<br>119.1, 201.3, 202, 301.1, 301.1.4, 301.1.4.1,<br>301.1.4.2, 401.2.3, 402.1, 402.2, 402.3,<br>402.3.1, 402.4, 403.1, 403.2, 403.3, 403.3.1,<br>403.4, 403.4.1, 403.8, 403.9, 404.2.1, 404.2.3,<br>404.3, 404.4, 404.5, 406.3, 407.1, 407.3,<br>407.4, 408.3, 410.4, 410.4.2, 410.6, 410.8.1,<br>410.8.4, 410.8.5, 410.8.6, 410.8.7, 410.8.8,<br>410.8.10, 410.8.14, 410.9, 410.9.3, 410.9.4,<br>501.3, 601.3, 602.3, 606.1, 606.2.2.1,<br>606.2.2.3, 606.2.3, 606.2.4, 701.2, 701.3,<br>702.1, 702.2, 702.3, 702.4, 702.5, 702.6,<br>705.1, 705.1.1, 705.1.4, 705.1.7, 705.1.8,<br>705.1.9, 706.1, 706.3, 706.3.2, 707.2, 707.3.1,<br>707.3.2, 801.3, 802.1, 803.2.1, 803.2.3, 803.3,<br>803.4, 803.5.2, 803.6, 804.1.1, 804.2, 804.2.2,<br>804.2.3, 804.2.4, 804.3, 805.3.1, 805.3.1.2.1,<br>805.4.3, 805.5, 805.6, 805.7.1, 805.8.1,<br>805.9.2, 805.10.1.1, 805.10.1.2, 805.10.1.3,<br>805.10.2, 805.11.2, 806.2, 806.3, 806.4,<br>806.5, 807.2, 807.4, 807.5, 807.6, 904.1.2,<br>904.1.3, 904.2, 904.2.1, 904.2.2, 905.2, 905.3,<br>906.2, 907.4, 907.4.2, 1001.3, 1002.1, 1002.2,<br>1004.1, 1007.1, 1007.2, 1007.3.1, 1011.1,<br>1012.1.1.1, 1012.1.1.2, 1012.2.1, 1012.2.2,<br>1012.3, 1012.4.1, 1012.4.2, 1012.4.3,<br>1012.5.1, 1012.5.1.1, 1012.5.3, 1012.6.1,<br>1012.6.3, 1012.7.1, 1012.7.2, 1012.7.3, |

|           |                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |                                          | 1012.7.5, 1012.8, 1012.8.2, 1102.1, 1102.2, 1102.3, 1103.1, 1103.2, 1103.3, 1103.3.1, 1103.3.2, 1103.4, 1103.5, 1201.4, 1202.3, 1202.4, 1203.12, 1204.1, 1204.1.4, 1205.2, 1205.9, 1205.15, 1301.2, 1302.1, 1302.2, 1302.2.1, 1302.3, 1302.4, 1302.5, 1302.6, 1401.2.2, 1401.2.3, 1401.2.4, 1401.3.3, 1401.4.1, 1401.6.1, 1401.6.1.1, 1401.6.2, 1401.6.2.1, 1401.6.3.1, 1401.6.3.2, 1401.6.4.1, 1401.6.5, 1401.6.5.1, 1401.6.6, 1401.6.7.1, 1401.6.8, 1401.6.9, 1401.6.9.1, 1401.6.10, 1401.6.10.1, 1401.6.11, 1406.11.1, 1401.6.12.1, 1401.6.13, 1401.6.15.1, 1401.6.16.1, 1401.6.17, 1401.6.17.1, 1401.6.18, 1401.6.18.1, 1401.6.19, Table 1401.6.19, 1501.5, 1501.6.1, 1501.6.4.1, 1501.6.7, 1506.1, 1506.3 |
| IMC - 15  | International Mechanical Code®           | 101.2, 102.4.3, 201.3, 301.2, 608.2, 702.6, 809.1, 809.1.1, 809.1.2, 809.1.3, 902.1.1, 902.2.1, 1009.1, 1401.6.7.1, 1401.6.8, 1401.6.8.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| IPC - 15  | International Plumbing Code®             | 101.2, 102.4.3, 201.3, 301.2, 609.1, 702.6, 810.1, 1010.1, 1010.2, 1010.3, 1010.5, 1501.7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| IPMC - 15 | International Property Maintenance Code® | 101.4.2, 102.4.3, 201.3, 301.2, 1301.2, 1401.3.2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| IRC - 15  | International Residential Code®          | 101.2, 101.4.1, 102.4.3, 201.3, 202, 301.2, 402.2, 403.2, 404.5, 408.3, 602.3, 701.3, 702.5, 702.6, 706.2, 707.2, 707.4, 707.5, 708.1, 807.4, 808.3, 811.1, 907.4, 908.1, 1103.2, 1103.3, 1103.4, 1104.1, 1106.1, 1201.4, 1301.2, 1302.1, 1302.2, 1302.2.1,                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|  |  |                                                                 |
|--|--|-----------------------------------------------------------------|
|  |  | 1302.3, 1302.4, 1302.5, 1302.6, 1401.2.2,<br>1401.2.3, 1401.3.3 |
|--|--|-----------------------------------------------------------------|

**NFPA** - National Fire Protection Association. Amend Referenced Standards:

|                                 |                                                                                                                                      |                                                                                                                                                              |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NFPA</b>                     | National Fire Protection Association<br>1 Batterymarch Park<br>Quincy, MA 02269                                                      |                                                                                                                                                              |
| Standard<br>reference<br>number | Title                                                                                                                                | Referenced in code section<br>number                                                                                                                         |
| NFPA 13R -<br>13                | Standard for the Installation<br>of Sprinkler Systems in<br>Residential Occupancies up to<br>and Including Four Stories in<br>Height | 804.2.5                                                                                                                                                      |
| NFPA 70 -<br>14                 | National Electric Code                                                                                                               | 101.2, 102.4.3, 107.3, 201.3,<br>301.2, 607.1.1, 607.1.2, 607.1.3,<br>607.1.4, 607.1.5, 702.6, 808.1,<br>808.3.4, 808.3.7, 1008.1,<br>1008.2, 1008.3, 1008.4 |
| NFPA 72 -<br>13                 | National Fire Alarm Code                                                                                                             | 804.2.5, 804.4                                                                                                                                               |
| NFPA 99 -<br>15                 | Health Care Facilities                                                                                                               | 607.1.4                                                                                                                                                      |

## **Attachment 'D'**

### **1108.100 - Amendments to International Mechanical Code**

#### Chapter 1—Administration.

—Chapter 1 of the 2015 International Mechanical Code is amended by the following provisions. 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.

101.1 *Title:* These regulations shall be known as the Mechanical Code of Chesterfield, Missouri hereinafter referred to as "this code."

101.2 *Scope.* This code shall regulate the design, installation, maintenance, *alteration* and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, *equipment* and appliances specifically addressed herein. The installation of fuel gas distribution piping and *equipment*, fuel gas-fired appliances and fuel gas-fired *appliance* venting systems shall be regulated by the *International Fuel Gas Code*.

*Exception:* For requirements other than those specified in Chapter 1 of this code, detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the *International Residential Code*.

101.5 *Committee of Mechanical Code Review.* There is hereby created and established a Committee of Mechanical Code Review. The committee shall consist of the Code Official and five (5) members appointed by the County Executive. The Code Official shall act as executive secretary and shall keep full and complete minutes of the acts and proceedings of said committee. The appointed members shall be residents of St. Louis County and have the following qualifications: an architect registered in the State of Missouri; a mechanical engineer registered in the State of Missouri; a mechanical contractor engaged in HVAC contracting; an industrial mechanical contractor and a member of the fire service. Three (3) members shall be appointed for terms of three (3) years and two (2) members shall be appointed for an initial term of two (2) years after which all terms shall be for three (3) years, or until their successors shall be qualified and appointed by the County Executive. At no time shall there be two (2) members of the committee who work for or are members of the same company, entity or international union organization or affiliate, thereof. The Committee shall meet at least annually in order to



consider any proposed changes to this code, and make recommendations to the Building Commission. The committee members shall elect one of their members to serve as chairman and one to serve as vice chairman.

101.5.1 *Compensation.* The members of the Mechanical Code Review Committee with the exception of the Code Official shall be compensated in accordance with Chapter 201, SLCRO 1974 as amended.

101.6 *Application of References.* Unless otherwise specifically provided for in this code, all references to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

## SECTION 101A

### LICENSING OF PERSONS OR ENTITIES PERFORMING WORK UNDER THIS SECTION

101A.1 *License Required.* Except as otherwise provided in this Section 101A, hereinafter referred to as "this Section", no individual or business entity shall engage in or perform HVAC Residential Service-Installer Work, HVAC Servicer-Installer Work, Process Piping System Work, HVAC Duct System Work, or Fire Suppression System Work, unless licensed under this Section to perform such work. In addition, no person shall hold herself/himself out as being available to perform any work that requires a license under this Section unless she/he shall be licensed as aforesaid, and no partnership, corporation or other legal entity, or person conducting business under a fictitious name shall hold out such entity as being available to perform any work that requires a license under this Section in any advertising medium or publication unless a principal or employee of such entity shall be licensed as aforesaid. No person having obtained any license under this Section shall allow his/her name or license to be used by another person either for the purpose of obtaining permits, doing business or performing work that requires a license under this Section.

#### 101A.1.1 *Definitions.*

1. The Board is the Board of Examiners for Mechanical Licensing of St. Louis County, Missouri.
2. A Contractor is an individual or Entity who is licensed under this Section to perform work on any or all of the following: Process Piping Systems, HVAC Duct Systems, Fire Suppression Systems, HVAC Piping Systems or HVAC systems.
  - A) A Mechanical Contractor is an individual or Entity licensed to perform work under this Section who employs at least one Pipefitter Journeyman.
  - B) A Sheet Metal Contractor is an individual or Entity licensed to perform work under this Section who employs at least one Sheet Metal Journeyman.

- C) A Sprinkler Fitter Contractor is an individual or Entity licensed to perform work under this Section who employs at least one Sprinkler fitter Journeyman.
- D) An HVAC Servicer-Installer Contractor is an individual or Entity licensed to perform work under this Section who employs at least one HVAC Servicer-Installer Journeyman.

A Contractor licensed under this Section who performs work under any of the foregoing categories may take out permits for and perform work that falls under one of the other categories provided such Contractor uses a Journeyman (or an Apprentice under the required supervision and inspection of such Journeyman) who is licensed to perform the specific work involved pursuant to the applicable provisions of this Section.

- 3. An Entity is any company, corporation, partnership, joint venture or other business establishment, which performs work that requires a license under this Section.
- 4. A Journeyman is anyone who is licensed under this Section to perform work under one of the following categories. For the Journeyman referred to in Section 101A.3.3, Sections 1.(A), 1.(B) and 1.(C) as well as Section 101A.3.5, this definition will include an individual who has provided an application with accompanying proof as specified in 101A.3.2, but the training and/or experience may have occurred outside of St. Louis County.
  - (A) A Pipefitter Journeyman is anyone who has been licensed under subsection 101A.3.2 below to perform Process Piping System Work.
  - (B) A Sheet Metal Journeyman is anyone who has been licensed under subsection 101A.3.2 below to perform HVAC Duct System Work.
  - (C) A Sprinkler Fitter Journeyman is anyone who has been licensed under subsection 101A.3.2 below to perform Fire Suppression System Work.
  - (D) An HVAC Servicer-Installer Journeyman is anyone who has been licensed under subsection 101A.3.2 below to perform HVAC Servicer-Installer Work.
  - (E) An HVAC Residential Servicer-Installer Journeyman is anyone who has been licensed under subsection 101A.3.2 below to perform HVAC Residential Servicer-Installer Work.
- 5. An Apprentice is anyone who has been licensed under subsection 101A.3.1 below to perform work that requires a license under this Section under the supervision and inspection of a Journeyman in the employ of a Contractor in one of the following categories:

- (A) A Pipefitter Apprentice is anyone who has been licensed under subsection 101A.3.1 below to perform Process Piping System Work under the supervision and inspection of a Pipefitter Journeyman.
- (B) A Sheet Metal Apprentice is anyone who has been licensed under subsection 101A.3.1 below to perform HVAC Duct System Work under the supervision and inspection of a Sheet Metal Journeyman.
- (C) A Sprinkler Fitter Apprentice is anyone who has been licensed under subsection 101A.3.1 below to perform Fire Suppression System Work under the supervision and inspection of a Sprinkler fitter Journeyman.
- (D) An HVAC Servicer-Installer Apprentice is anyone who has been licensed under subsection 101A.3.1 below to perform HVAC Servicer-Installer Work under the supervision and inspection of an HVAC Servicer-Installer Journeyman, Pipefitter Journeyman or Sheet Metal Journeyman; or who has been formerly licensed as a Service Apprentice under this code.

6. A Fire Suppression System is all or any part of a system, which utilizes water, gasses or chemicals for the control, or suppression of fires.

Fire Suppression System Work is all work related to the installation, alteration, reconstruction, repair, replacement and other servicing of fire suppression systems.

7. An HVAC Duct System is all or any part of the duct system for a heating, ventilation, or air conditioning system regardless of the materials used and includes ducts, duct fittings, risers, stacks, dampers, casings, recess boxes, radiator enclosures, exhausts, ventilators, frames, grilles, louvers, registers, cabinets, plenums, air filters, fans, motors and accessory air handling equipment and appliances.

HVAC Duct System Work is all work related to the installation, alteration, reconstruction, repair, replacement and other servicing of an HVAC Duct System as well as HVAC Servicer-Installer work as defined herein.

8. An HVAC Piping System is all or any part of the piping system for a heating, ventilation, or air conditioning system and includes pipes, valves, pipe fittings, pumps, and distribution lines and accessory equipment, including boilers and compressor assemblies.

HVAC Piping System Work is all work related to the installation, alteration, reconstruction, repair, replacement and other servicing of HVAC Piping Systems as well as HVAC Servicer-Installer work as defined herein.

9. An HVAC System is a heating, ventilation, or air conditioning system or any part thereof, including an HVAC Piping System and/or HVAC Duct System, specifically addressed and regulated in this code.

*Note:* If an HVAC System consists of multiple individual units or split systems, each such individual unit or split system shall be considered a separate system for purposes of this Section.

10. A Process Piping System is all or any part of a piping system (excluding Fire Suppression Systems), which falls within one of the following categories:

- (A) A medical gas system
- (B) An HVAC Piping System
- (C) A pneumatic system
- (D) A pressurized or vacuum piping system
- (E) A fuel gas system
- (F) An oxygen system
- (G) A gasoline system not for public sale

Process Piping System Work is all work related to the installation, alteration, reconstruction, repair, replacement and other servicing of Process Piping systems as well as HVAC Servicer-Installer work as defined herein.

NOTE: A St. Louis County licensed installer shall install fuel gas systems. A licensed installer is defined as a licensed HVAC Servicer Installer, a licensed Sheetmetal worker, or licensed Pipefitter working for a contractor licensed under this Code. The licensed installer shall install fuel gas systems, including Liquid Petroleum Gas, from the tank regulator to and throughout the building under the limitations of Section 101A.1.1 paragraphs 11 and 13. A licensed installer or a St. Louis County licensed plumber shall install fuel gas systems, including Liquid Petroleum Gas, from the tank regulator to and throughout dwellings regulated by the Residential Code of Chesterfield.

11. HVAC Servicer-Installer Work is all work related to: The installation, alteration, reconstruction, repair, replacement and servicing of HVAC Systems
- (1) That provide no more than 25 tons of air conditioning or no more than 1,000,000 (One Million) BTU's of heating and
  - (2) Do not contain chillers, fire-tube type boilers, or boilers that operate at a pressure of more than 15 psi of steam;

*Note:* In those cases where an HVAC System is composed of individual units or split systems that are no more than 25 tons of air conditioning or 1 M BTU's of heat which are connected by a common fuel line, that is more than 2 inches in diameter, or which is under more than 2 psi pressure, the fuel line shall be installed by a licensed Journeyman Pipefitter and/or licensed Apprentice Pipefitter under the supervision and inspection of a licensed Journeyman Pipefitter. The individual units may be installed by licensed HVAC Servicer-Installers.

*Exceptions:*

1. HVAC Servicer-Installer Work does not include replacement of an HVAC System that provides 25 tons or less of air conditioning or 1 M BTU's or less of heating with a system that is over 25 tons of air conditioning or 1 M BTU's of heating, or contains chillers, fire-tube type boilers or heating boilers that operate at a pressure of more than 15 psi of steam. This work must be performed by applicable Pipefitter and Sheet Metal Journeyman and Apprentices under the supervision and inspection of appropriately licensed Journeymen.
2. HVAC Servicer-Installer Work does not include the total replacement or reconstruction of an HVAC System that provides more than 25 tons of air conditioning or 1 M BTU's of heating, or contains chillers, fire-tube type boilers or boilers that operate at a pressure of more than 15 psi of steam. This work must be performed by applicable Pipefitter and Sheet Metal Journeyman and Apprentices under the supervision and inspection of appropriately licensed Journeymen.
3. HVAC Servicer-Installer Work does not include replacement of gas fuel lines that are more than 2 inches in diameter, or which are under pressure of more than 2 psi. These lines must be replaced by a licensed Journeyman Pipefitter and/or licensed Apprentice Pipefitter under the supervision and inspection of a licensed Journeyman Pipefitter.
12. HVAC System Service Work is the reconstruction, repair or replacement of any part of an existing HVAC System, which does not alter the capacity, or capability of the original system.
13. HVAC Residential Service Installer Work is work related to single family residences, duplexes, and condominiums and apartments that do not exceed 3 stories in the front with a walk-out basement in the back, and containing no more than 14 dwelling units including townhouses, garden apartments and multiple family dwelling units, (but excluding boarding houses and dormitories), and where heating and cooling units do not exceed six tons of cooling capacity or 150,000 BTU's of heating capacity.

101A.1.2 *Board of Examiners for Mechanical Licensing.*

1. There is hereby created and established a Board of Examiners for Mechanical Licensing. The Board shall consist of the Code Official and four (4) members appointed by the County Executive, within the categories and with the qualifications set forth in paragraph 2 of this subsection below.
2. The appointed members of the Board shall be residents of St. Louis County. The respective appointed members shall be comprised as follows and shall have the following qualifications:
  - (A) One (1) registered professional engineer with at least a bachelor's degree in mechanical engineering actively engaged in the design of mechanical systems;
  - (B) One (1) representative from owners actively engaged in the purchase of mechanical systems or services for the design, construction, installation or repair of mechanical systems;
  - (C) One (1) licensed contractor who employs at least one Journeyman;
  - (D) One (1) licensed Journeyman, as defined herein.

Four (4) members shall be appointed as follows two (2) for a term of three (3) years, one (1) member shall be appointed for an initial term of two (2) years and one (1) member shall be appointed for an initial term of one (1) year after which all terms shall be for three (3) years or until their successors shall be qualified and appointed by the County Executive. At no time shall there be two members of the Board who work for or are members of the same company, Entity or international union organization or an affiliate thereof. With respect to the Contractor and Journeyman representatives, if the Contractor representative employs primarily pipefitting or sprinkler fitter employees, then the Journeyman representative shall be a Sheet Metal Journeyman or HVAC Servicer-Installer Journeyman. If the Contractor representative employs primarily Sheet Metal or HVAC System Servicer-Installer Journeymen, then the Journeyman representative shall be either a Pipefitter Journeyman or a Sprinkler Fitter Journeyman. The Board shall elect one of their members to serve as chairman and one to serve as vice chairman.

3. The Code Official shall be the fifth voting board member, shall act as Secretary, shall keep full and complete minutes of all acts and proceedings of said Board, and shall provide all applicants for a license under this Section with proper application forms. The Secretary shall maintain and secure all examinations, examination documents and materials as directed by the Board, review all applications for licenses to determine their completeness within fifteen (15) days of their filing, keep a file of the name and address of every person or firm licensed by the Board and the name and address of every person or firm whose

application for a license has been denied, give all applicants approved for examination a written notice of the date and place of examination and an informational letter on examination procedures with an outline of suggested study for the examination applied for, and return all incomplete applications to applicants within fifteen (15) days of determination of incompleteness, specifying the respects in which the application is incomplete. The Secretary shall file with the County Clerk a copy of all rules and regulations adopted by the Board and make such rules and regulations available to all license holders and current applicants.

4. The Board shall meet at least once every month and more often if the Board deems it necessary for the performance of its duties. Except for the Code Official, Board members shall receive compensation as provided in Chapter 201, SLCRO 1974 as amended. A majority of the members of the Board shall constitute a quorum.
5. The Board shall, pursuant to the regulations and standards herein set forth, determine the qualification of and provide for the examining and licensing of applicants who meet the qualifications and successfully pass the appropriate examination, if required, under this Section.
6. The Board shall select an independent testing firm to design and administer any examinations provided for under this Section.
7. At every Board meeting, the Board shall consider and take action to grant or reject all open and properly completed license applications that have been filed at least fifteen (15) days prior to the Board meeting. For any application that is rejected, the Code Official shall notify the applicant in writing of the reasons for rejection, within five (5) days after the Board's action. Notice of the date, time and place of each Board meeting, together with an agenda of the meeting, shall be made publicly available at least seven (7) days prior to the Board meeting.
8. The Board shall have the power to suspend and revoke any license issued pursuant to this Section for cause as set forth in subsection 101A.4.1 below. The Chairman or acting Chairman, with the approval of the Board, shall have power to administer oaths, subpoena witnesses and compel the production of books, papers and tangible things and the inspection of premises pertinent to any investigation or hearing authorized by this Section.
9. The Board shall have the authority, after providing reasonable opportunity for public participation and comment, to adopt reasonable rules and regulations to interpret and implement the provisions of this Section with respect to licensing, continuing education, and any other matters within the general authority of the Board. A copy of any rules or regulations proposed for adoption by the Board shall be made available for public inspection at least forty-five (45) days prior to the Board

meeting at which the adoption is to be considered and notice of such availability shall be included in the notice for at least two Board meetings before the Board may take action on the proposed rule or regulations. During any Board meeting at which a rule or regulation is considered for adoption, the Board shall allow reasonable opportunity for public comment. Such rules and regulations shall become effective upon the majority vote of the Board, and shall be on file in the office of the Code Official and the office of the County Clerk, and shall be open to public inspection and copying. Notification of all changes in the Ordinance or in the Rules or Regulations promulgated by the License Board shall be posted on the St. Louis County website.

10. The Board shall consider and approve any apprentice training program provided that any such apprentice training program requires a minimum of 7,500 hours of combined on-the-job and classroom training, if it provides an equivalent training program to those certified by the Bureau of Apprenticeship and Training of the U.S. Department of Labor "BAT" (now known as the Office of Apprenticeship Training, Employer and Labor Services ("ATELS")) or to those approved, accredited or certified, as applicable, by any of the other organizations listed in subsection 101A.3.1.1 below. In addition, the Board shall consider and approve any educational or training program or class covering any work that requires a license under this Section, if such program or class is equivalent to one that is offered by a school or organization that is approved, accredited or certified, as applicable, by one of the organizations listed in subsection 101A.3.1 below.
11. Unlicensed Work: The Board of Examiners for Mechanical Licensing shall have the power to assess a fine, not to exceed \$1,000.00, against any person, firm, corporation, limited liability company or other business entity who performs mechanical work without possessing a valid license issued under this code, after a hearing is convened by the Board. A fine imposed by the Board shall be paid within thirty (30) days. Failure to pay an assessed fine shall result in referral to the St. Louis County Counselor's Office for further legal action.

#### 101A.2 *License Exemptions.*

##### 101A.2.1 The following work shall not require a license under this Section:

1. Work performed on an owner's own facility by personnel directly in the employment of the owner of the facility, or a business affiliate of such owner. For purposes of this exemption, a "business affiliate" shall mean any parent, subsidiary or sister corporation of the owner and any other corporation, partnership, limited liability company or joint venture in which the owner or its parent, subsidiary or sister company has an ownership interest.



2. Installation, repair and replacement of portable heating, cooling and refrigeration equipment. Portable equipment is not permanently installed into or onto a structure or premises, it is not directly wired or piped, it is not connected to duct work, and it does not require the venting of combustion products.
3. Installation, repair and replacement of domestic stoves, ranges, dryers and other domestic appliances.
4. Installation, repair and replacement of fireplaces and fireplace lighters.
5. Work for a public utility regulated by the Missouri Public Service Commission.
6. Installation, testing or repair of backflow devices, if the person performing such work is licensed pursuant to the Plumbing Code of Chesterfield, to perform such work.
7. Work related to an addition or repair, replacement, modification or reconstruction of an existing mechanical system or component thereof, on the premises of a detached single-family dwelling, including accessory structures, performed by the owner or a member of the owner's immediate family residing with the owner under the following conditions:
  - (A) The dwelling shall be designed and used solely for living purposes.
  - (B) The dwelling shall be occupied by or vacant and intended for immediate occupancy by the owner and the owner's family and no other persons.
  - (C) A permit shall be obtained for work not exempted by Section 101A.2.1.11 below and the permittee shall personally perform all required work. Prior to issuance of a permit under this Section, the Code Official may require an affidavit or other reasonable proof that the request for permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work. This Section does not authorize a waiver or modification of any provision of this code relating to the materials, design, installation, or practice of mechanical work or the preparation and approval of construction documents or fees for permits or inspections.
8. System installation, start-up, warranty service or warranty repair work that is performed by a technician trained and certified by the manufacturer of that system to perform such work.
9. Work historically and traditionally performed by boiler makers, except for repair and alteration of boilers, steam generators and pressure vessels with respect to which the provisions of Section 101A.3.3.1 below shall apply.

10. Installation, repair and replacement of elevators, escalators, dumbwaiters, moving walks, hoists, automotive lifts, conveyors, freight lifts, and manlifts.
11. Work which does not require a permit under the provisions of Section 106 of this code, including, but not limited to, ordinary repairs for the purpose of maintenance and service items such as the repair or replacement of any minor part of a piece of equipment that does not alter the approval of the equipment, the replacement of piping within heating or cooling equipment, replacement of leaking or defective valves, fittings or connections of system components, changing of belts, parts, filters and lubrication of equipment, testing and balancing of equipment and similar service work.
12. The reconstruction, repair or replacement of mechanical equipment and/or any part of a mechanical system when performed on a facility by personnel in the direct employment of the lessee of the facility, or in the direct employment of a property manager, provided that such property manager has filed with the Department of Public Works evidence of an agreement with the owner or lessee to provide property management services for the facility or to provide regular service work on the mechanical equipment and systems of the facility.
13. Receiving, unloading, moving, storing, hoisting, setting, aligning and leveling of machinery and related equipment.
14. Fabrication and installation of process ducts and process sheet metal blow pipe systems.
15. Any refrigeration work involving less than 7 1/2 tons of refrigeration including but not limited to such work on reach-in coolers, walk-in coolers, water coolers, beverage and beer dispensing machines and related equipment, beverage coolers, soda carbonated systems, reach-in freezers and walk-in freezers. In those cases where any refrigeration system is composed of several individual but connected units or split systems, each such individual unit or split system shall be considered a separate unit or system for purposes of this exemption.
16. Work that does not fall within the definitions of Fire Suppression System Work, HVAC Duct System Work, HVAC Piping System Work, Process Piping System Work or HVAC Servicer-Installer Work as set forth herein.

101A.3 *Qualifications for Application, Examination, License.* An individual or Entity applying for a license shall be licensed as follows:

101A.3.1 *Apprenticeship License.* Applicants shall be issued an apprenticeship license promptly upon submission to the Board of a complete application together with

1. Proof of enrollment in:

- (A) An applicable apprenticeship program certified by the Bureau of Apprenticeship and Training of the United States Department of Labor (BAT/ATELS); or
- (B) A Board approved, equivalent apprenticeship program that includes classroom/laboratory training by Ranken Technical College, Vatterott Educational Center, Jefferson College or Southwestern Illinois College or by any school or organization approved, accredited or certified, as applicable, by:
  - (1) The Higher Learning Commission, a Commission of the North Central Association of Colleges and Schools;
  - (2) The Accrediting Commission of Career Schools and Colleges of Technology; or
  - (3) The National Center for Construction Education and Research; or
- (C) An applicable, integrated 7,500-hour combined classroom and field training apprenticeship program that is conducted by any school or organization approved, accredited or certified, as applicable, by:
  - (1) The Higher Learning Commission, a Commission of the North Central Association of Colleges and Schools; or
  - (2) The Accrediting Commission of Career Schools and Colleges of Technology; or
  - (3) The National Center for Construction Education and Research;

*Note:* As used in this Section an HVAC Servicer-Installer Apprenticeship Program includes but is not limited to any program certified by BAT/ATELS as a Mechanical Servicer-Installer Apprenticeship Program.

OR

- 2. Presentation by the applicant or any Entity or organization of a written, individual training program providing a total of 7,500 combined hours of educational training or classes and field work or on-the-job training obtained as follows:
  - (A) At least 540 classroom hours of educational training or classes covering work that requires a license under this Section (and/or certain exempt work as allowed by the Note to this subsection below) that is conducted by any combination of schools or other organizations approved, accredited, or certified as applicable by:
    - (1) The Higher Learning Commission, a commission of the North Central Association of colleges and Schools; or
    - (2) The Accrediting Commission of Career Schools and Colleges of Technology;

- (3) The National Center for Construction Education and Research;  
or
  - (4) the Board pursuant to subsection 101A 1.2.10 above; and
- (B) The balance of the required hours needed to equal 7,500 through field work and/or on-the-job training under the supervision and inspection of a Journeyman licensed under this Section to perform the work involved.

*Note:* Within the total 540 classroom hours presented as part of any individualized training program pursuant to subsection 101A.3.1.2 above, the individual program must contain a minimum of 480 hours technical instruction in the installation, alteration, reconstruction, repair, replacement and/or servicing of HVAC Systems, HVAC Duct Systems, HVAC Piping Systems, Fire Suppression Systems and/or Process Piping Systems, as applicable based on the Apprentice license sought by the applicant, and within these 480 hours:

- (1) No more than 75 hours may be introductory level courses and
- (2) With respect to individuals seeking a Pipefitter, Sheet Metal or Sprinkler fitter license, no more than 75 hours may relate to technical training on work that is exempt from licensure under subsections 101A.2.1.2 through 101A.2.1.13 and 101A.2.1.15 through 101A.2.1.18 above. All technical training on work that is exempt from licensure under subsections 101A.2.1.1 and 101A.2.1.14 above shall be counted, without limitation, to the full extent required by subsection 101A.3.2.1 below. Individuals seeking an HVAC Servicer-Installer license shall have no limitation on the number of course hours that relate to work that is exempt from licensure under any or all of subsection 101A.2.1 above, and
- (3) \$10.00 registration fee,

The Secretary shall present the complete application to the Board for action in accordance with the provisions of subsection 101A.1.2.7 above. However, if the applicant is (or is to be) employed by a contractor who has held a Contractor's License in St. Louis County for three years or more, then the applicant shall be issued an Apprenticeship License immediately and will not be required to wait until the next meeting of the St. Louis County Board of Examiners for Mechanical Licensing. If for whatever reason the License cannot be issued immediately, then the Applicant will receive a letter which will serve as his License until the actual License is issued.

Upon determination by the Board that the applicant has satisfied the requirements of this subsection, the Secretary shall issue an apprenticeship license to the applicant with "Pipefitting Apprentice, Sheet Metal Apprentice, Sprinkler Fitter Apprentice, or HVAC Servicer-

Installer Apprentice" plainly marked on it (which determination shall be based on the nature of the program or class in which the applicant has enrolled or has completed), and the apprentice's name and date of issue.

An individual may hold an Apprentice License for no more than seven (7) years. Upon an individual's application for an Apprentice License, the Board shall consider the individual's application and may grant the application, whereupon the individual will receive an Apprentice License which shall be valid for the first two (2) years of his apprenticeship. Following the first two (2) years of his apprenticeship, the apprentice may apply to the Board for an extension of his Apprentice License which, if granted, shall make the license valid for an additional three (3) years. In order to receive the extension, the apprentice or his sponsoring organization must provide verification that the apprentice is still active in the Apprentice Program. Following the first five (5) years of his apprenticeship, the apprentice may apply to the Board for an extension which, if granted, shall make the license valid for an additional two (2) years, which shall be the final two (2) years of his apprenticeship. In order to receive the extension, the apprentice or his sponsoring organization must provide verification that the apprentice is still active in the Apprentice Program. Notwithstanding any provisions of this Section, any Apprentice License may be extended by the Board for a term beyond the seven (7) years allowed by this Section when good cause is shown or in cases involving hardship or extenuating circumstances.

Apprentices are authorized to perform work described in this Section under the supervision and inspection of a licensed Journeyman in the employ of a Mechanical Contractor, Sheet Metal Contractor, Sprinkler Fitter Contractor, or HVAC Servicer-Installer Contractor. During the first two years of his Licensed Apprenticeship, an Apprentice shall work under the close and direct supervision of a licensed Journeyman. In the event that an Apprentice is not being closely and directly supervised by a Journeyman, then it shall be the responsibility of the Journeyman and the Contractor, upon request by the Board, to provide documentation and reasoning as to why the Apprentice was not working under the close and direct supervision of a Journeyman. Following the first two years of the apprenticeship, the Journeyman is not required to directly and closely supervise the Apprentice, but the Journeyman shall be available to be contacted at all times that the Apprentice is performing work and shall supervise the Apprentice's work as appropriate. It shall be the responsibility of the Contractor to ensure that the Apprentice receives appropriate supervision at all times. Regardless of the experience of the Apprentice, the ratio of Apprentice to Journeyman shall be one Apprentice assigned to one Journeyman.

101A.3.2 *Journeyman License*. Applicants shall be issued a Journeyman license promptly upon submission of a complete application and a \$45.00 registration fee to the Board together with:

1. Proof of:

(A) A total of 7,500 hours of training and/or experience obtained through:

- (1) The successful completion of a pipefitting, sheet metal, sprinkler fitter, or HVAC Servicer-Installer apprenticeship program conducted by any school or organization approved, accredited or certified, as applicable, as required by subsection 101A.3.1.1 above; or
- (2) Completion of at least 540 (Five Hundred Forty) hours of education or training classes, plus field work and/or on-the-job training under the supervision and inspection of a Journeyman licensed under this Section to perform the work involved, pursuant to an individual training program as allowed by subsection 101A.3.1.2 above; or

(B) 7,500 hours of:

- (1) HVAC Residential Servicer-Installer Work for an HVAC Residential Servicer-Installer Journeyman License, or
- (2) HVAC Servicer-Installer Work, which may include all work on HVAC Systems that are exempt from licensure under Subsection 101A.2.1 above for an HVAC Servicer-Installer Journeyman license, or
- (3) Process Piping System Work for a Pipefitter Journeyman license, or
- (4) HVAC Duct System Work for a Sheet Metal Journeyman license, or
- (5) Fire Suppression System Work for a Sprinkler fitter Journeyman license during the preceding twelve (12) years.

*Notes:*

- (A) In determining whether an applicant has acquired sufficient experience to qualify for a Pipefitter, Sheet Metal, Sprinkler Fitter or HVAC Servicer-Installer Journeyman's license, the Board shall include all of the applicant's experience, as applicable based on the type of Journeyman license sought by the applicant, obtained while installing, constructing, altering, repairing, replacing or servicing Process Piping Systems, HVAC Duct Systems, fire Suppression Systems, HVAC Piping Systems or HVAC Systems (as applicable), except for work that is exempt from licensure under subsections

101A.2.1.2 through 101A.2.1.11 and 101A.2.1.13 through 101A.2.1.16 above. All work that is exempt from licensure under subsection 101A.2.1.1 and 101A.2.1.12 above shall be counted without limitation, provided the work is of a similar nature and technical requirements as work that requires a license under this Section. All experience will be considered by the Board regardless of where the work was performed, in St. Louis County or elsewhere. For HVAC Residential Servicer-Installer applicants, all Residential HVAC System Work will be considered regardless of whether or not the work was performed under the supervision of a licensed contractor or by a sole proprietor of a company that maintained a Registered Financial Responsibility Certificate or exempt from licensure under Subsections 101A.2.1.1 and 101A.2.1.12.

(B) For the purposes of determining whether an applicant for a Journeyman license has completed 540 or more hours of educational or training classes pursuant to an individual training program as described in subsection 101A.3.1.2 above, each applicant shall submit for each class successfully completed by the applicant, pursuant to the grading system used by the school or organization conducting the class, the total number of hours indicated by the school or organization as applying to the work for which the applicant seeks a license (a syllabus, or a transcript or grade sheet or a letter from any Dean or equivalent administrator at the school or organization will satisfy this requirement).

2. The Secretary shall present the complete application to the Board for action in accordance with the provisions of subsection 101A.1.2.7 above.

Upon determination by the Board that the applicant has satisfied the above requirements and falls within one of the exceptions set forth in Section 101A.3.4, the Secretary shall issue the Journeyman license. Upon determination by the Board that the applicant has satisfied the above requirements and does not fall within one of the exceptions set forth in Section 101A.3.4, the Secretary shall give the applicant a written notice of the date and place of the examination. The cost of the examination(s) shall be paid by the applicant. The applicant will have one year to successfully pass the examination. Within that one year, the applicant may take the examination as many times as he/she desires. Failure to pass the examination within one year will require the applicant to re-apply for the desired license. If the applicant passes the examination, a Journeyman license shall be issued.

3. The Journeyman license shall be valid for three (3) years from the date of issue. The Secretary of the Board shall send a notice of renewal to the last known address of each licensed Journeyman and a thirty (30) day grace period after the expiration shall be given in which renewal shall be given without re-qualification or re-examination. Failure of the Secretary

to provide the renewal notice shall not excuse the licensee from filing for the renewal license prior to the expiration of the grace period.

All licensed Journeymen seeking renewal shall furnish proof of twelve (12) Professional Education Units (24 hours) received within the last three (3) years on the then current Mechanical Code or accepted practices in the performance of work covered by the then current Mechanical Code or equivalent proof of maintaining and improving Journeyman work skills as determined and approved by the Board. Said proof shall be provided at the time of renewal. There may be a carryover of four (4) Professional Education Units (8 hours) in excess of the required hours to the next license cycle.

4. There shall be no limitation as to the type or number of Journeymen licenses that can be obtained by an individual.
5. Any person who possesses a valid Journeyman license under this Section for a minimum of one year shall be allowed to test for another Journeyman's license under this Section.

Exception: An HVAC Service-Installer Journeyman or an HVAC Residential Service-Installer Journeyman shall not take the Sprinkler Fitter Journeyman's license test unless the applicant has received the necessary sprinkler training and/or experience per Section 101A.3.2.1.

Upon submission to the Board of a completed application by a person licensed under this Section as a Journeyman (which application shall not require any proof of the applicant's experience or training except the applicant must provide proof of possessing a Journeyman's license for a minimum of one year) and a \$45.00 registration fee, such person shall be permitted to take the examination for an additional Journeyman's license and, upon passage of such examination, shall promptly be issued a Journeyman's license in the trade covered by the examination so passed.

*101A.3.2.A Manufacturer and Manufacturer's Representative Restricted License.* A restricted license shall be issued under this Section to any manufacturer or manufacturer's representative and their employees engaged in the supply of equipment and appliances covered by this Section and/or in the supply of parts and/or the performance of service work, repairs, maintenance, start-up, testing or tuning of such equipment and appliances. Such license shall be issued by the Board upon submission by the applicant of evidence that the applicant is a manufacturer of, or has a representative relationship with one or more manufacturers of, equipment and/or appliances covered by this Section and payment of a \$45.00 license fee. Upon such submission, the Secretary shall issue a license in the name of the applicant, identifying the equipment and/or appliance manufacturers with respect to which the license is issued. Such license shall authorize the licensee and its employees to supply



parts and perform service work, repairs, maintenance, start-up, testing and/or tuning of any equipment and/or appliances which are supplied by the manufacturers listed on the license. There shall be no restriction on the number of such licenses that are issued to any one person or entity. Each such license shall be valid for as long as the licensee remains a manufacturer or a manufacturer's representative of the equipment and/or appliance manufacturers listed in the license. Notwithstanding the foregoing, however, no license shall be required for any manufacturer, manufacturer's representative or their employees to perform work covered by subsection 101A.2.1.10 above or to perform emergency repair work on any equipment or appliance supplied or represented by the manufacturer or manufacturer's representative.

*101A.3.3 Mechanical Contractor, Sheet Metal Contractor, Sprinkler Fitter Contractor; HVAC Service-Installer Contractor.*

1. Any entity, which has in its employ one or more individuals having any of the following qualifications, may submit an application for a Contractor's License:
  - (A) a minimum of three (3) years verifiable training and/or experience directing and supervising at least one (1) Journeyman; or
  - (B) a degree in civil or mechanical engineering from an accredited college and a minimum of one (1) year verifiable training or experience directing and supervising at least one (1) Journeyman; or
  - (C) a license for at least three (3) years under the Plumbing Code of St. Louis County as a Master Plumber or Master Pipefitter and a minimum of one (1) year verifiable training or experience directing and supervising at least one (1) Journeyman; or
  - (D) an individual having a minimum of three (3) years verifiable experience who performed or who was the owner, operator or supervisor of a company, that performed residential HVAC Servicer-Installer work exempted from licensing by previous ordinances, may submit an application for a HVAC Servicer-Installer Contractor's License.
2. The application shall be accompanied by proof of the qualifications of the individual or individuals with the foregoing training or experience and proof of the Journeyman's license, proof of bond and insurance as specified in subsection 101A.3.3.2 and \$100.00 registration fee.
3. The Secretary will present the complete Contractor's application to the Board for action in accordance with the provisions of subsection 101A.1.2.7 above. Upon determination that the applicant has satisfied the requirements of this subsection, a license shall be issued.
4. The Contractor's License shall be valid for three (3) years from the date of issue. The Secretary of the Board shall send a notice of renewal to the last-known address of the Contractor, and a thirty (30) day grace period

after the expiration shall be given in which renewal shall be given without re-qualification. Failure of the Secretary to provide renewal notice shall not excuse the licensee from filing for the renewal license prior to the expiration of the grace period.

5. The contractor shall provide the Department of Public Works with current proof of bond and insurance in order to maintain the license. The Secretary shall inform the Board of any Contractor who has failed to provide such proof of bond and insurance.
6. The Contractor shall notify the Department of Public Works within ten (10) days if it no longer employs a supervisor who possesses the qualifications set forth herein.
7. There shall be no limitation as to the type or number of Contractor's licenses that an individual or entity can obtain, so long as the applicant satisfied the requirements for each license.

101A.3.3.1 *Holder of Certificate of Authority from A.S.M.E. or National Board of Boiler and Pressure Vessel Inspectors.* Any entity which holds an appropriate A.S.M.E. Certificate of Authority with extension to field work or an "R" Certificate of Authority issued by the National Board of Boiler and Pressure Vessel Inspectors shall be authorized to engage in the repair and alteration of boilers, steam generators and pressure vessels which are covered by this code. Any such entity holding such Certificate of Authority shall be authorized to perform the aforesaid work and shall be issued a license hereunder as a Contractor, provided that such entity shall pay a registration fee of \$45.00, file with the Secretary of the Board a copy of its Certificate or Certificates of Authority and proof of bond and insurance as specified in subsection

101A.3.3.2 Upon receipt of such Certificate or Certificates of Authority and proof of bond and insurance, the entity shall be Contractor's license.

101A.3.3.3 *Bond and Insurance Required.* Notwithstanding any provisions of Section 101B to the contrary, no permit shall be issued for installing, constructing, replacing, altering or repairing any HVAC System, Process Piping System, HVAC Duct System, Fire Suppression System, or any other work requiring a license under this Section, until the permit applicant shall have on file in the Department of Public Works, a current approved Surety Bond & Certificate of Insurance as specified in Section 101B. Permit applicants who have paid the license or registration fees specified in this Section shall not be required to pay the registration fee specified in Section 101B.

101A.3.4 *Examination and Re-Examination.*

1. All individuals desiring to be licensed as a Journeyman under this Section must successfully pass an examination in order to qualify as same.

*Exception:*

- (A) Every person who is licensed under the Plumbing Code of St. Louis County as a Journeyman Pipefitter or Journeyman Sprinkler fitter shall not be required to pass an examination to be licensed as a Pipefitter Journeyman or Sprinkler fitter Journeyman under this Section. However, any individual may use this exemption only once. After the Mechanical License has been obtained, the individual must obtain required PEU's and any other obligations of the Mechanical License in order to avoid re-applying and testing.

101A.3.5 *Temporary Licenses.* A temporary license shall be issued to journeymen for up to six (6) months upon submittal to the Secretary of the Board of the name and location of the project and the name of the licensed Mechanical Contractor, Sheet Metal Contractor, Sprinkler Fitter Contractor, or HVAC Servicer-Installer Contractor for such project, provided the Board first finds that issuance of said temporary license will not compromise the public safety of Chesterfield residents. The temporary license may be renewed upon application and proof of employment by a licensed contractor.

101A.4 *Suspension or Revocation of License.*

1. The Board of Examiners shall have the power to suspend or revoke any license issued pursuant to this Section on any of the following grounds:
  - (A) Said license was obtained by fraud or misrepresentation.
  - (B) Violation of any of the provisions of this code.
  - (C) The licensee employed an unlicensed individual or business entity to perform work for which a license is required under this Section.
  - (D) The licensee permitted Apprentices to work without the supervision and inspection of a Journeyman required by this Section or falsified the documentation of any Apprentice's training and experience.
  - (E) Procurement of permits for individuals who are not in the licensee's employ.
  - (F) Failure to protect the health, safety and welfare of the public by violating the expressed intent of this code through irresponsibility, incompetence, neglect or wrongful intent.
  - (G) Performance of work requiring a license under this Section without the required license.
  - (H) Failure to provide the information required of an Apprentice and/or sponsor as described in 101A.3.1 above.
2. No license shall be suspended or revoked until the licensee has been afforded an opportunity for a hearing before the Board after notice of at least fifteen (15) days.
3. Notice shall be served either personally or by Certified Mail to the licensee's address of record and shall state the date, time and place of

hearing and set forth the charges against the licensee. In the event service cannot be made by certified mail, personal service shall be accomplished in such manner as is reasonably calculated to achieve actual service upon the licensee.

4. A licensee shall have the opportunity to present evidence and/or witnesses before the Board in person or by counsel. A record of the hearing shall be made. The Board shall issue a decision in writing denying or compelling suspension or revocation within thirty (30) days of the conclusion of the hearing. The suspension period shall not commence until at least 30 days after the mailing or delivery of the written decision, unless the licensee requests an earlier commencement date and there are no outstanding permits.
5. The duration of suspension of any license suspended pursuant to this section shall be as follows:
  - (A) First Offense shall result in a warning or a suspension period of not more than ninety (90) days and shall continue until reinstated by order of the Board pursuant to paragraph 6 of this subsection.
  - (B) Second Offense shall result in a suspension period of not more than one hundred and eighty (180) days and shall continue until reinstated by order of the Board pursuant to paragraph 6 of this subsection.
  - (C) Subsequent Offenses shall result in revocation of the license, certificate or registration for a period of not less than one (1) year.

*Note:* If the Board determines the particular violation charged is of such a major or aggravated nature that a license should be revoked, nothing in this subsection shall limit the Board's authority to do so regardless of whether there be any prior offenses or suspensions.

6. A suspended license shall be reinstated by order of the Board upon written request of the holder provided that said request is submitted to the Code Official not more than 30 days prior to or 180 days after the expiration of the suspension period and provided that the suspended license holder has complied with all requirements of the suspension.
7. A revoked license may be reinstated by order of the Board only upon application and examination, if required, and in the same manner as provided for new applicants.

## SECTION 101B

### REGISTERED FINANCIAL RESPONSIBILITY

101B.1 *When Registration Required.* Any company, corporation, partnership, joint venture, individual, or other business entity that performs work which requires a permit under this code, including those licensed and

exempted from licensing as specified in Section 101A.2.1, shall register proof of financial responsibility with the Code Official prior to issuance of a permit.

101B.2 *Registration not Required.* Registered financial responsibility shall not be required for the following work:

- (A) Work exempted from licensure by Section 101A.2.1.7 above.
- (B) Work exempted from licensure by Section 101A.2.1.1 above.
- (C) Work exempted from licensure by Section 101A.2.1.12 above.
- (D) Work exempted from licensure by Sections 101A.2.1.8 and 101A.3.2.A above.

101B.3 *Registration.* Proof of financial responsibility shall be demonstrated by filing and maintaining in the Department of Public Works an approved surety bond in the amount of \$10,000.00 and a Certificate of Insurance for combined \$500,000.00 minimum limits liability insurance for bodily injury and property damage. Owners or operators of amusement devices shall carry a minimum of \$1,000,000.00 per occurrence general liability insurance as specified in Section 2201.6. The bonds and insurance required herein shall be approved by the City Attorney and shall be given for the faithful observance of this Code and all orders, rules and regulations adopted hereunder for the protection of the public health and safety and shall indemnify Chesterfield, Missouri or any other governmental agency, or any person, firm or corporation for any damage or injury sustained through the negligence or malfeasance of such applicant, their servants, agents or employees in performing work or for any damages or injury sustained due to such applicant's failure to perform work in a careful and workmanlike manner, in conformity with this Code and the orders, rules and regulations adopted hereunder or for the use of Chesterfield, Missouri due to non- payment of fees thirty (30) days from the due date, or for the use of any person, firm or corporation with whom said applicant contracts to do work to indemnify any such person, firm or corporation for damages sustained due to failure of applicant to do work so contracted.

101B.4 *Issuance, Expiration and Renewal of Registration.*

1. Registration of Licensed Entities: The Registration of a licensed entity shall run concurrently with the issuance, expiration and renewal of the license. The bond and insurance shall be maintained in place without interruption during the full period of the license.
2. The registration of unlicensed entities that hold a Financial Responsibility Registration Certificate must be renewed every three (3) years. The fee for such renewal shall be \$75.00 and the Registration will remain effective for the three year period so long as the entity maintains the bond and insurance in place without interruption and the Registration is not suspended or revoked as identified in Section 101B.5.

3. The Registration of unlicensed entities that do not hold a Financial Responsibility Registration Certificate on the effective date of this Ordinance shall be issued for a three (3) year period. The fee for such registration and subsequent renewals (if any) shall be \$75.00 and the Registration will remain effective for the three year period so long as the entity maintains the bond and insurance without interruption, and the Registration is not suspended or revoked as identified in Section 101B.5.

*101B.5 Suspension or Revocation of Registration.*

1. The Board of Examiners shall have the power to suspend or revoke the Registration of any entity pursuant to this Section on any of the following grounds:
  - (A) Said Registration was obtained by fraud or misrepresentation.
  - (B) Violation of any of the provisions of this code including working without required permits.
  - (C) Procurement of permits for individuals who are not in the Registrant's employ or entities that are not registered.
  - (D) Failure to protect the health, safety and welfare of the public by violating the expressed intent of this Code through irresponsibility, incompetence, neglect or wrongful intent.
  - (E) Performance of work requiring a license under this Code without the required license.
2. No Registration shall be suspended or revoked until the licensee has been afforded an opportunity for a hearing before the Board after notice of at least fifteen (15) days.
3. Notice shall be served either personally or by certified mail, to the registrant's address of record and shall state the date, time and place of hearing and set forth the charges against the registrant. If notice cannot be served by certified mail, notice shall be served by such other manner as is reasonably calculated to achieve personal service upon the registrant.
4. A registrant shall have the opportunity to present evidence and/or witnesses before the Board in person or by counsel. A record of the hearing shall be made. The Board shall issue a decision in writing denying or compelling suspension or revocation within thirty (30) days of the conclusion of the hearing. The suspension period shall not commence until at least 30 days after the mailing or delivery of the written decision, unless the registrant requests an earlier commencement date and there are no outstanding permits.
5. The duration of suspension of any Registration suspended pursuant to this section shall be as follows:

- (A) A first Offense shall result in a warning or a suspension period of not more than ninety (90) days and shall continue until reinstated by order of the Board pursuant to paragraph 6 of this subsection.
- (B) A second Offense shall result in a suspension period of not more than one hundred and eighty (180) days and shall continue until reinstated by order of the Board pursuant to paragraph 6 of this subsection.
- (C) Subsequent Offenses shall result in revocation of the Certificate of Registration for a period of not less than one (1) year.

*Note:* If the Board determines the particular violation charged is of such major or aggravated nature that a Registration should be revoked, nothing in this subsection shall limit the Board's authority to do so regardless of whether there be any prior offenses or suspensions.

- 6. A suspended Registration shall be reinstated by order of the Board upon written request of the holder provided that said request is submitted to the Code Official not more than 30 days prior to or 180 days after the expiration of the suspension period and provided that the suspended Registration holder has complied with all requirements of the suspension.
- 7. A revoked Registration may be reinstated by order of the Board only.
- 8. The holder shall surrender the Registered Financial Responsibility Certificate to the Code Official during the period of any suspension or revocation of the Registration.
- 9. Decisions of the Board are subject to judicial review pursuant to Chapter 536 R.S. Mo.

103.1 *Code Official.* The Code Official shall be the Director of Planning of Chesterfield, Missouri or the Director's duly authorized representative who is vested with executive and administrative authority to enforce all laws, ordinances and codes regulating construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, electrical, plumbing, drain laying and mechanical systems pursuant to Chapter 07.

103.2 *Appointment.* - Deleted.

104.1.1 *Rule-making authority.* The Code 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, copies of which shall be retained in the office of the Code Official, shall not have the effect of waiving structural or fire performance requirements

specifically provided for in this code or of violating accepted engineering practices involving public safety.

104.5 *Authority to Enter.* Upon presentation of proper credentials, the Code Official shall have the authority to enter at reasonable times any building, structure or premises to perform any duty imposed upon him by this code, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official is authorized to pursue recourse as provided by law and the person who failed to provide entry will be subject to the penalties provided in this code.

104.5.1 *Interference with Code 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.

104.8 *Code Interpretations.* When the Code Official deems it appropriate, or at the request of the Building Commission, the Code Official shall be permitted to issue formal interpretations of the provisions of this code. A written record of all such code interpretations shall be maintained and subject to review and appeal in accordance with Section 109.

105.1.1 *Records of Modifications.* The application for modification and the final decision of the Code Official shall be in writing and shall be officially recorded with the application for the permit in the permanent records of the Department of Public Works. A copy of the application and the final decision shall be distributed to the Mechanical Code Review Committee and the Building Commission.

106.1.1 *Authorization to Proceed.* The Code Official shall be permitted to authorize the commencement of construction prior to issuance of a building or mechanical permit when it can be shown that (a) the project is in compliance with the applicable regulations of Chesterfield for that portion of the work to be performed, and (b) the applicant agrees to proceed at his own risk. All necessary inspections shall be performed as required by this code.

106.1.2 *Annual permit records.* - Deleted

106.3.1 *Construction Documents.* The application for permit shall be accompanied by four or more complete sets of construction documents prepared in accordance with Section 111 of this code. The Code Official is permitted to waive the requirements for filing construction documents when the scope of the work is of a minor nature. When the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "Legal" or its equivalent used as a substitute for specific information.

106.3.3 *Time Limitation of Application.* An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently pursued or a permit has been issued. However, the Code Official may grant one or more extensions



of time for additional periods not exceeding ninety (90) days each. A permit application extension fee in the amount specified in Chapter 1100 shall be paid for each additional extension period of 90 days beyond the initial 180 days allowed after the date of filing. An additional inspection fee may be charged for an inspection to verify that work has not been started prior to granting the extension. The extension shall be requested in writing and justifiable cause demonstrated. The Code Official shall notify those delinquent applicants in writing and give them fourteen (14) days notice prior to abandonment of the application and destruction of the plans.

106.3.4 *Transfers Prohibited.* The transfer of an application for mechanical permits from one location to another shall be prohibited. When relocation is necessary, the original application shall be canceled and a new application submitted.

106.4 *Permit Issuance.* The Code Official shall examine or cause to be examined all applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of all pertinent laws, the Code Official shall notify the applicant in writing of all such deficiencies. If the Code Official is satisfied that the proposed work conforms to the requirements of this code and all laws and Ordinances applicable thereto, the Code Official shall issue a permit therefor as soon as practicable.

106.4.1.1 *Compliance with construction documents.* Work shall be installed in accordance with the approved construction documents. Any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

106.4.3 *Expiration.* Every permit issued shall become invalid unless the work commences within 180 days after permit issuance or if the work on the site authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. Each extension shall be requested in writing and justifiable cause demonstrated.

106.4.4 *Extensions.* Mechanical Permits may be extended at any time up to thirty days prior to the expiration date of the specific permit.

106.4.9 *Separate Permits.* Permit applicants shall be permitted to submit separate applications for building, mechanical, electrical, or plumbing permits. As a condition of approval the owner or owner's agent shall agree to assume full responsibility for the coordination of all applicable code requirements relating to these permits.

106.4.10 *Additional Approval Requirements.* Prior to issuing any permit, approvals shall be obtained from the following departments when applicable: The St. Louis County Department of Public Health and the Metropolitan St.

Louis Sewer District. Missouri Department of Transportation approval must be submitted when property developed fronts on right-of-way controlled by the State of Missouri.

106.4.11 *Addendums to Permits.* Once a permit is issued all addendums submitted as an amendment to the approved construction documents shall be charged an additional review fee as specified in Chapter 1100, SLCRO 1974 as amended and in accordance with this code.

106.4.12 *Integrated Permits.* The Code Official shall be permitted to issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application.

106.4.12.1 *Applicant Responsibility.* The integrated permit applicant shall be responsible for the return to the Department of Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate sub-contractor. Any change in the identity of the named sub-contractor after issuance of the permit shall result in the assessment of a transfer fee in the amount specified in Chapter 1100, SLCRO 1974 as amended.

106.4.13 *Approval of Part.* The Code Official is authorized to issue a permit for a portion of the mechanical work to be performed for a particular project, provided that adequate information and detailed statements have been filed complying with all of the pertinent requirements of this code. The holder of such permit for a portion of the mechanical work shall proceed, at the holder's own risk, with the building operation and without assurance that a permit for the entire mechanical project will be granted.

106.4.14 *Existing Violations.* If the Code Official determines that an applicant for a permit governed by this code has failed to pay any permit fees or related charges, the Code Official shall not issue such permit until the applicant pays such fees and related charges. If the Code Official determines that an applicant has failed to correct violations of this code, the Code Official shall not issue permits related to this code to such applicant except to correct such violations.

106.4.15 *Federal, State or other public entities.* The Code Official may withhold issuance of a permit for any facility or site if any Federal, State or other public entity determines that such facility or site is in violation of any code or regulation of such entity.

106.4.16 *Emergency and Disaster Work.* In the event of emergency, as defined in this code, work may begin by securing permission from the Code Official upon condition that written application be filed with the Code Official the next working day. The application shall describe in detail the nature of such work and shall state the location thereof. In the event of a disaster, as defined in this code, no work shall begin on a mechanical system unless the Code Official issues the appropriate permit.

106.5 *Fees*. The fees for plan examinations, filing fee, permits and inspection pursuant to this code shall be charged at the rate specified in Chapter 1100, SLCRO 1974 as amended, and shall be paid to the Treasurer of St. Louis County.

106.5.1 *Fees for Amending Permits*. After a permit has been issued and an amendment or supplemental revision is applied for, the fee or service charge shall be as follows:

- (A) All amendments, which involve additional work not originally applied for to complete the project, shall be charged the appropriate fee for the additional work calculated in the normal manner plus the partial permit fee. The minimum fee shall be as established in Chapter 1100, SLCRO 1974 as amended.
- (B) All amendments or supplements not involving additional work shall be charged a minimum fee or service charge even though the scope of the work may be reduced. See Chapter 1100, SLCRO 1974 as amended for the amount of the service charge.

106.5.2 *Partial Permit Fee*. The fee for a partial permit as described in this code shall be charged in addition to the permit fee as normally computed for that part of the work involved. See Chapter 1100, SLCRO 1974 as amended for amount of fees.

106.5.3 *Permit Extension Fee*. Permits that are extended in accordance with this code are charged an extension fee at the rate prescribed in Chapter 1100, SLCRO 1974 as amended.

106.5.4 *Board of Appeals Filing Fee*. All appeals filed for review by the Board of Appeals under the procedures described in this code are to be accompanied by a filing fee as prescribed in Chapter 1100, SLCRO 1974 as amended.

106.5.5 *Subcontractor Transfer Fee*. A transfer fee shall be charged whenever a subcontractor is replaced by another subcontractor. The amount of the transfer fee shall be at the rate prescribed in Chapter 1100, SLCRO 1974 as amended.

106.5.6 *Extra Inspection Fee*. An extra inspection fee shall apply for each preliminary inspection required and for each re-inspection that the Code Official must perform due to noncompliance with the approved development or site plans, construction documents or the applicable requirements of this code or work not ready or accessible for inspection when requested. The amount of such extra inspection fee shall be as prescribed in Chapter 1100, SLCRO 1974 as amended.

- (A) *Work Not Commenced, Suspended or Abandoned*: An extra inspection fee may be charged for each inspection made to determine the status of a project when work is not commenced, or is suspended or abandoned, for more than six months.

106.5.7 *Refunds.* In the case of revocation of a permit no refund shall be permitted. Any excess fee for the incomplete work on abandoned or discontinued projects shall be returned to the permit holder upon written request received not later than twelve (12) months after the date the permit was issued. All plan examination and permit processing fees and all 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 issued.

106.5.8 *Disaster Damage Repair Permit Fees.* The Code Official may reduce or waive mechanical permit fees for repairs related to a disaster as defined in this code if the permit is issued within 90 days after the end of a disaster, as determined by the Code Official, and authorizes the work indicated therein to be completed within one year of the date of issuance. The Code Official may extend the 90 day period if the Code Official determines that just cause exists.

107.1 *General.* Work for which a permit is required shall be subject to inspection by the Code Official and such work shall remain accessible and exposed for inspection purposes until approved. Neither the Code Official nor the City or any other jurisdiction shall be liable for any expenses entailed in the removal or replacement of any material required to allow full inspection. All work shall be installed in accordance with the approved construction documents. Any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

107.2.2 *Inspection requests.* It shall be the duty of the holder of the permit or their duly authorized agent to notify the Code Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. Failure of the permit holder to request and obtain required inspections shall constitute a violation of this code.

107.7 *Periodic Inspections.* Periodic inspections shall be made by the Code Official of all equipment and devices listed in Table 107.7 at the frequency specified in Table 107.7, or at such other times as the Code Official shall deem appropriate. Fees for inspections shall be paid by the owner of such equipment or devices in accordance with Chapter 1100, SLCRO 1974 as amended.

**Table 107.7 Periodic Mechanical Inspection Frequencies**

| Item | Frequency | Remarks |
|------|-----------|---------|
|------|-----------|---------|

|                                                                               |                                                                                            |                                                                                                                                                                                             |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Air filtration systems required to maintain indoor air quality                | Annually                                                                                   | Engineered systems specifically approved to allow reduced outdoor air quantities                                                                                                            |
| Amusement Devices, Kiddie Rides and concessions                               |                                                                                            |                                                                                                                                                                                             |
| Permanent Location                                                            | Twice during season                                                                        |                                                                                                                                                                                             |
| Not Permanent                                                                 | Whenever relocated                                                                         |                                                                                                                                                                                             |
| Auto Lifts                                                                    | Annually                                                                                   |                                                                                                                                                                                             |
| Boilers                                                                       | Annually                                                                                   | R-2 and R-3 residential heating boilers are exempted                                                                                                                                        |
| Conveyors, Power Operated                                                     | Annually                                                                                   |                                                                                                                                                                                             |
| Crematories                                                                   | Annually                                                                                   |                                                                                                                                                                                             |
| Dumbwaiters Power Operated over 100 lb. capacity                              | Annually                                                                                   |                                                                                                                                                                                             |
| Elevators - Freight and Passenger, Man lifts, Moving Stairways and Chairlifts | Not less than annually, up to three times per year, at the discretion of the Code Official | An elevator mechanic is required to perform tests witnessed by a qualified County Inspector during a Comprehensive Annual Elevator Inspection that meets both County and State obligations. |
| Emergency Generator                                                           | Annually                                                                                   |                                                                                                                                                                                             |
| Hoists                                                                        | Annually                                                                                   |                                                                                                                                                                                             |

|                                                           |               |                                                                 |
|-----------------------------------------------------------|---------------|-----------------------------------------------------------------|
| Incinerators                                              | Annually      | Class IA and domestic are exempted                              |
| Kitchen Exhaust Systems                                   | Semi-Annually | Domestic systems within individual dwelling units are exempted. |
| Miscellaneous Equipment                                   | Annually      |                                                                 |
| Moving Walks                                              | Annually      |                                                                 |
| Paint Spray Booth Exhaust Systems                         | Annually      |                                                                 |
| Pressure Vessels with Manhole                             | Annually      |                                                                 |
| Unfired Pressure Vessels (Air Compressors)                | Annually      |                                                                 |
| Water Heaters and/or Storage Tanks of 120 Gallons or More | Annually      |                                                                 |

107.8 *Additional Inspections.* In addition to the required inspections specified above, the Code Official may make other inspections, which in his judgment are reasonably necessary to enforce this code. The Code Official shall have the authority to inspect any construction work to verify compliance with this code and to properly enforce the rules promulgated pursuant to this code. Fees for additional inspections shall be as specified in Chapter 1100, SLCRO 1974 as amended.

107.9 *Extra Inspections.* In addition to the inspections otherwise required the Code Official is authorized to perform extra inspections or re-inspections which in his judgment are reasonably necessary due to non-compliance with Mechanical Code requirements, or work not ready or accessible for inspection

when requested. Fees for extra inspections shall be as specified in Chapter 1100, SLCRO 1974 as amended.

107.10 *Special or Qualified Inspectors.* Whenever a special or qualified inspection has been made by an insurance company or special inspector, the owner or user of equipment shall pay a certification fee as prescribed in Chapter 1100, SLCRO 1974 as amended, in lieu of the prescribed fees set forth in this code. A copy of the special or qualified inspection report dated not more than 90 days prior to the scheduled certificate month shall be transmitted to the Code Official not less than 60 days before the first day of the scheduled certificate month. Upon receipt of payment of the proper fees, the Code Official shall issue a certificate evidencing that said equipment has been inspected in accordance with the provisions of this code.

107.10.1 *Special Inspectors.* Insurance inspectors or special inspectors of mechanical equipment, such as air conditioning and cooling towers, boilers, unfired pressure vessels, hot water heaters, elevators and escalators, shall apply for a Certificate of Competency issued by the Department of Transportation and Public Works. Upon receipt of the proper application, a photostatic copy of their National Board Certificate, and a fee as prescribed in Chapter 1100, SLCRO 1974 as amended, the applicant shall be issued a Certificate of Competency, valid for one year from date of issue, and renewable annually prior to the anniversary date. If the holder of the Certificate of Competency should change his employment, a new certificate shall be issued without charge upon receipt of a request by letter, stating the change of employment, and his proper certificate. The inspection certificate shall be current for the year in which inspections are made.

107.11 *Duty to Request Final Inspection.* Upon completion of the work described in the permit application, the permit holder shall request and obtain a final inspection before any occupancy of the structure except as provided in Section 111 of the Building Code, Chapter 1115 SLCRO 1974 as amended. Failure of the permit holder to request and obtain a final inspection before occupancy will constitute a violation of this code.

108.2 *Notices of Violation.* When the Code Official determines that a violation of this code exists, the Code Official shall notify the violator as soon as practicable. The notification shall be in writing and shall be hand-delivered to the violator or his legally authorized representative or mailed to his last known address via certified mail, or served in such manner as is reasonably calculated to achieve personal service upon the violator. Any person having been notified that a violation exists by means other than a stop work order and who fails to promptly abate the violation after notification shall be subject to the penalties enumerated in this code. If a permit has been issued, the permit holder shall be notified of any violations of the approved construction documents or permit and the notice shall set forth the discrepancies.

108.4 *Violations and Penalties.* A person, firm or corporation is in violation of this code if they:

1. Fail to comply with any of the requirements thereof; or
2. Erect, construct, alter, occupy, or repair a structure in violation of the approved construction documents, a directive of the Code Official or a permit or certificate issued under the provisions of this code; or
3. Start any work requiring a permit without first obtaining such permit; or
4. Continue any work in or about a structure after having been served a 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
5. Maintain any structure or premises in which a violation exists; or
6. Fail to request a required inspection after a permit is issued.

A violation of this code may be punishable by a fine of not more than \$1,000 or by imprisonment not exceeding 90 days or by both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.4.1 *No-permit and no-inspection request penalties.* In addition to the penalties set out above, the following procedure shall be followed where the Code Official determines that work has been started prior to the acquisition of a permit required by this code or when the permit holder failed perform due diligence as per Code Official's Policy in attempting to schedule the required inspection:

1. The Code Official shall issue a stop work order when work requiring a permit was started prior to the acquisition of that permit. The Code Official shall issue a Notice of Violation when a required inspection was not requested.
2. The Code Official shall notify the violator of the penalty amount to be assessed against the violator. A no-permit penalty shall not exceed the greater of \$500 or 1 percent of the cost of construction of the work involved up to a maximum of \$1,000. A no-inspection request penalty shall not exceed \$500.

In making the assessment, the Code Official shall consider whether the violator has previously violated this code and whether the occupation or experience of the violator indicates that the violator knew or should have known that a permit or inspection was required. In no case will a penalty be assessed against a property owner unless the property owner actually performed the work involved.



If 180 days has transpired since the last inspection on record or if the permit has automatically expired, a permit extension fee shall be added to a no-inspection request penalty amount.

3. The stop work order for failure to obtain a permit or the violation for failure to request an inspection shall remain in full force and effect until such time as the penalty amount is paid and the violator has complied with all other regulations pertaining to the issuance of the required permit, or requested the required inspection.

At the violator's option, the violator may place the assessed penalty amount in escrow (by certified check or cash only) with the Department of Transportation and Public Works and the violator's right to an appeal is preserved.

4. No-permit and no-inspection request penalties are appealable to the Board of Appeals in the same manner as other decisions of the Code Official. The Code Official may revise the assessment upon notice to both the Board of Appeals and the alleged violator at any time prior to the hearing. At any time prior to the hearing, the violator may accept and pay the assessed penalty amount and the hearing will be canceled.

At the hearing before the Board of Appeals, said board shall afford both the Code Official and the alleged violator an opportunity to present any evidence or make any statements they wish to have considered.

Following the hearing, the Board of Appeals shall determine whether a permit or inspection was required:

- 4.1. If the Board of Appeals determines that a permit or inspection was required, an appropriate penalty amount shall be assessed, taking into account the same considerations as noted in 108.4.1. The stop work order for failure to obtain a permit or the violation for failure to request an inspection shall remain in full force and effect until such time as the penalty amount is paid and the violator has complied with all other regulations pertaining to the issuance of the required permit, or requesting the required inspection.
- 4.2. If the Board of Appeals determines that a permit or inspection was not required, the Code Official shall immediately cancel the stop work order for failure to obtain a permit or abate the no-inspection request violation. Any associated penalty assessment amount held in escrow shall be released.

108.4.2 *No-Certificate Penalty.* In addition to the penalties set out under 108.4.1, the following procedure shall be followed where the Code Official determines that no certificate has been issued for equipment requiring periodic inspection as noted in Section 107.7, a re-inspection failure, or for failure to pay a Mechanical Invoice for a periodic inspection.

1. The owner of equipment shall submit to the Code Official in writing, within 30 days of re-inspection failure, the reason the equipment is in a failed status and a plan to remedy the failure. No penalty will be assessed if the plan is approved by the Code Official. If the failure is not remedied in accordance with the approved plan a penalty will be assessed.

The Code Official shall notify the violator of his decision regarding the appropriate penalty amount to be assessed against the violator, which shall not exceed \$250.00. If equipment continues to remain in a failed status after 30 days from the official notification of penalty, the equipment will be deemed unsafe for use and shall be removed from service.

108.5 *Stop Work Orders*. Upon notice from the Code Official that mechanical work is being done 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, or to the owner's agent, or to 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.

108.5.1 *Unlawful Continuance*. Any person who fails to obtain permits when required, fails to request a required inspection, or continues any work in or about the structure or premises 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 specified in this code.

108.7.4 *Temporary Safeguards*. When, in the opinion of the Code Official, there is imminent danger due to an unsafe condition, the Code Official shall cause the necessary work to be done to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted.

108.8 *Closing Streets*. When necessary for the public safety, the Code 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.

108.9 *Emergency Repairs*. For the purposes of this section, the Code Official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

108.10 *Costs of Emergency Repairs*. Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the Code Official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located.

108.11 *Unsafe Equipment.* Equipment deemed unsafe by the Code Official shall not be operated after the date stated in the notice unless the required repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the Code Official in writing.

108.11.1 *Authority to Seal Equipment.* In the case of an emergency, the Code Official shall have the authority to seal out of service immediately any unsafe device or equipment regulated by this code.

108.11.2 *Unlawful to Remove Seal.* Any device or equipment sealed out of service by the Code Official shall be plainly marked with a sign or tag indicating the reason for such sealing. The sign or tag shall not be tampered with, defaced or removed except by the Code Official.

109.1 *Application for Appeal.* Any person aggrieved by any decision, ruling or order of the Code Official or the Board of Examiners may appeal to the Board of Appeals pursuant to the procedures set out in Chapter 1115, SLCRO, 1974 as amended. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

109.1.1 *Limitation of Authority.* - Deleted

109.2 *Membership of Board.* The Board of Appeals shall consist of the five members of the St. Louis County Building Commission as set forth in the St. Louis County Charter.

109.2.1 *Qualifications.* - Deleted

109.2.2 *Alternate Members.* - Deleted

109.2.3 *Chairman, Vice Chairman and Secretary.* The Board shall select one of its members to serve as chairman, one to serve as vice-chairman, and the Code Official shall designate a representative of the Department to serve as Secretary to the Board, who shall keep a detailed record of all proceedings on file in the Department.

109.2.5 *Secretary.* - Deleted

109.3 *Notice of Hearing on Appeal.* The Board shall meet and shall give notice of all appeals in accordance with the procedures set forth in Chapter 1115, SLCRO 1974 as amended.

109.4.1 *Procedure.* Hearings shall be conducted in accordance with the procedures set forth in Chapter 1115, SLCRO 1974 as amended.

109.5 *Postponed Hearing.* When a quorum is not present to hear an appeal, the hearing shall be postponed in accordance with the procedures set forth in Chapter 1115 SLCRO 1974 as amended.

109.6 *Board Decision.* The Board shall render a decision in accordance with the procedures set forth in Chapter 1115, SLCRO 1974 as amended.

109.6.1 *Notification of Decision.* The Secretary of the Board shall notify the appellant of the decision of the Board in writing in a timely manner.

109.7 *Judicial Review.* Decisions of the Board of Appeals are subject to judicial review pursuant to Chapter 536 RSMo.

## SECTION 111

### PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES

111.1 *General.* The construction documents for new construction, alteration, repairs, expansion, addition or modification of mechanical systems shall be prepared by a registered design professional. All construction documents shall be prepared by the appropriate registered design professional consistent with the professional registration laws of the State of Missouri. The construction documents shall include the name and address of the registered design professional and shall be signed, sealed and dated by the registered design professional in accordance with this code.

#### *Exceptions:*

1. Construction documents for mechanical systems in single-family dwellings that are designed by and signed by the owner of the proposed building. Such buildings shall be built for the exclusive occupancy by the owner for a period of at least one year. The Code Official may request that a registered design professional participate in the design and/or preparation of construction documents when the owner prepared documents are not comprehensive and complete or when engineering expertise is necessary to verify compliance with this code.
2. Miscellaneous structures related to buildings of the R-3 and R-4 Use Groups, such as room additions, carports, garages, sheds and other similar structures.
3. Work of a minor nature approved by the Code Official.
4. Construction documents for pre-engineered wet and dry chemical fire suppression systems.
5. Construction documents for the installation of aboveground or in-ground hydraulic auto lifts that bear the label of an approved agency.
6. Construction documents for the relocation of less than 5 automatic sprinkler heads.
7. Relocation of ceiling supply and return air diffusers without a change of occupancy.
8. Replacement of commercial rooftop units, if unit has similar design capacities and no additional structural load is applied to the roof.
9. Walk-in cooler or freezer units.

111.2 *Application of Seals.* All construction documents submitted with an application for a permit shall bear an original embossed or wet ink seal, the date and original signature of the registered design professional for each discipline on the front sheet of each discipline within each set of construction documents or on the cover sheet of each set of construction documents.

In addition, all other sheets of the construction documents other than specifications or calculations shall bear the original embossed, wet ink, or mechanically reproduced seals of the registered design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear an original seal and signature of the registered design professional. Such changes shall be clearly indicated.

## 1108.200 - Amendment to International Mechanical Code—Chapter 2 Definitions.

—Chapter 2 of the 2015 International Mechanical Code is amended by the following provisions. 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.

### SECTION 202.0 GENERAL DEFINITIONS

*Additional Inspection* : An inspection which is not otherwise required by this code, but which in the judgment of the Code Official is reasonably necessary to enforce this code.

*Board of Appeals:* The St. Louis County Building Commission created in the St. Louis County Charter.

*Building Commission:* The St. Louis County Building Commission created in the St. Louis County Charter.

*Code Official:* The Director of Planning or the Director's duly authorized representative.

*Department:* The Department of Planning.

*Disaster:* A disaster shall include but not necessarily be limited to flood, windstorm, tornado, severe storm, earthquake, bomb blast, explosion or similar natural or man-made type event. The Code Official shall make the determination whether an event shall be declared a disaster.

*Emergency:* An event or occasion that requires immediate action in order to preserve or restore the public peace, health, safety or welfare.

*Extra Inspection:* An inspection, which is required as a result of unusual or complicated construction and/or is defined as an inspection, which is made as a result of non-compliance, not ready, or lockout.

*Owner:* Any person, agent, firm or corporation having a legal or equitable interest in the property.

*Public Health Department:* The St. Louis County Department of Public Health.

*Transportation:* The St. Louis County Department of Transportation and Public Works.

1108.300 - Amendment to International Mechanical Code—Chapter 3 General Regulations.

—Chapter 3 of the 2015 International Mechanical Code is amended by the following provisions. 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.

301.3 *Identification.* - Delete.

301.4 *Plastic pipe, fittings and components.* - Delete.

301.5 *Third-party testing and certification.* - Delete.

305.3 *Structural Attachment.* Hangers and anchors shall be attached to the building construction in a manner approved by a registered design professional.

307.2.1 *Condensate Disposal.* Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Condensate shall not discharge into a street, alley or other area so as to cause a nuisance. Condensate from roof mounted equipment shall be discharged as follows:

1. Condensate shall be piped directly to the roof surface and shall be discharged a minimum of 15 feet away from the fresh air inlet to the unit, any operable window or any other fresh air intake to the building.
2. Condensate shall be piped to a section of roof that slopes to the roof drain, gutter or scupper and does not pool. At no time shall the open condensate drainage across the roof come within 15 feet of any operable window or any fresh air intake to the building.
3. Condensate may be piped directly to a roof drain or roof gutter.
4. Condensate piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth inch per foot.

307.2.3.1 Deleted

307.2.4.1 *Ductless mini-split system traps*. Ductless mini-split equipment that produces condensate and is equipped with a pump, shall be provided with an inline check valve located in the drain line, or a trap.

312.1.1 *Design Conditions*. Calculations for sizing HVAC equipment shall use the following minimum design parameters for Chesterfield:

|        | Outdoor temperature | Indoor temperature |
|--------|---------------------|--------------------|
| WINTER | DB 2 F              | DB 72 F            |
| SUMMER | DB 95 F             | DB 75 F            |
|        | WB 76 F             |                    |

312.1.2 *Air Conditioning Design Conditions*. Where air conditioning is provided in the following occupancies, it shall be designed in accordance with the specified design conditions listed in Section 312.1.1.

1. private dwellings, single or multiple, and hotel rooms
2. offices and conference rooms
3. customer areas in food and beverage service
4. customer areas in retail stores and specialty shops

1108.400 - Amendment to International Mechanical Code—Chapter 4 Ventilation.

—Chapter 4 of the 2015 International Mechanical Code is amended by the following provisions. 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.

401.2 *Ventilation Required*. Every occupied space shall be ventilated by mechanical means in accordance with Section 403 except where ventilation by natural means in accordance with Section 402 is otherwise allowed by Sections 401.2.1 through 401.2.5. Operable windows are not prohibited where

ventilation by mechanical means is required, but cannot be used to satisfy the ventilation requirements.

Exception: Ambulatory care facilities and Group I-2 occupancies shall be ventilated by mechanical means in accordance with Section 407.

#### 401.2.1 *General Requirements for Group R Occupancies.*

1. Rooms or spaces containing water closets, showers, hot tubs or spas shall be equipped with a means of mechanical exhaust which discharges to the outside.
2. Kitchens shall be equipped with a means of mechanical exhaust directly over or adjacent to a range or cook top. The mechanical exhaust system may be of the recirculating type or may exhaust directly to the outside. Recirculating systems shall be equipped with the appropriate filtration for grease removal and odor control, and must be capable of operating in a moist environment. Either type of system shall be a listed exhaust system. With either type, the mechanical exhaust systems shall be allowed to run on an intermittent basis. Provisions for makeup air shall be in accordance with Section 505.2.
3. Enclosed common core areas of all multi-family dwellings shall be provided with continuous mechanical ventilation. Any areas within the common core that require exhaust shall be provided with continuous mechanical exhaust. The mechanical ventilation must offset the mechanical exhaust requirements.
4. Where either natural or mechanical ventilation is allowed, the required ventilation shall be provided entirely by one or the other method.

401.2.2 *Occupancy Group R1.* The required ventilation for all Occupancy Group R1 buildings shall be provided with continuous mechanical ventilation and continuous mechanical exhaust. Mechanical ventilation and exhaust systems shall conform to the ventilation and exhaust requirements of this code.

Exception: Occupancy Group R1 buildings where each guest room unit has at least one door opening directly to an exterior exit access which leads directly to the exit, may have the required ventilation provided by natural ventilation with operable windows, or by mechanical ventilation. Each guest room's toilet/bath/shower/spa areas shall be provided with mechanical exhaust. The operation of the exhaust system may be on an intermittent basis. Natural ventilation in accordance with Section 402 is not permissible in a dwelling unit where the air infiltration rate is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2-inch water column (50 Pa) in accordance with Section R402.4.1.2 of the International Energy Conservation Code.



401.2.3 *Occupancy Group R2.* The required ventilation for all Occupancy Group R2 buildings may be provided by natural ventilation with operable windows or by means of mechanical ventilation. Each toilet, bath, shower, spa, or similar area shall be provided with mechanical exhaust. The operation of the exhaust system may be on an intermittent basis. Natural ventilation in accordance with Section 402 is not permissible in a dwelling unit where the air infiltration rate is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2-inch water column (50 Pa) in accordance with Section R402.4.1.2 of the International Energy Conservation Code.

401.2.4 *Occupancy Group R3.* The required ventilation for all Occupancy Group R3 buildings may be provided by natural ventilation with operable windows or by means of mechanical ventilation. Each toilet, bath, shower, spa, or similar area shall be provided with mechanical exhaust. The operation of the exhaust system may be on an intermittent basis. Natural ventilation in accordance with Section 402 is not permissible in a dwelling unit where the air infiltration rate is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2-inch water column (50 Pa) in accordance with Section R402.4.1.2 of the International Energy Conservation Code.

401.2.5 *Occupancy Group R4.* The required ventilation for all Occupancy Group R4 buildings may be provided by natural ventilation with operable windows, or by means of mechanical ventilation. Each toilet, bath, shower, spa, or similar area shall be provided with mechanical exhaust. The operation of the exhaust system may be on an intermittent basis. Natural ventilation in accordance with Section 402 is not permissible in a dwelling unit where the air infiltration rate is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2-inch water column (50 Pa) in accordance with Section R402.4.1.2 of the International Energy Conservation Code.

401.8 *Moisture sources.* Rooms containing bathtubs, showers, spas and similar bathing fixtures or other sources of excessive moisture shall be mechanically ventilated in accordance with Section 403.

1108.500 - Amendment to International Mechanical Code—Chapter 5 Exhaust Systems.

—Chapter 5 of the 2015 International Mechanical Code is amended by the following provisions. 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.

502.1.1 *Exhaust Location.* The inlet to an exhaust system shall be located in the area of heaviest concentration of contaminants. It shall be the responsibility of the registered design professional to determine the location, number, and manner that exhaust is collected.

504.8.7 *Multiple Dryers*. Multiple domestic dryers shall not be connected to a single exhaust system unless designed by a registered design professional.

504.10 *Common Exhaust Systems for Clothes Dryers Located in Multistory Structures*. Where a common multistory duct system is designed and installed to convey exhaust from multiple clothes dryers, the construction of the system shall be in accordance with all of the following:

1. The shaft in which the duct is installed shall be constructed and fire-resistance rated as required by the International Building Code.
2. Dampers shall be prohibited in the exhaust duct. Penetrations of the shaft and ductwork shall be protected in accordance with Section 607.5.5, Exception 2.
3. Rigid metal ductwork shall be installed within the shaft to convey the exhaust. The ductwork shall be constructed of sheet steel having a minimum thickness of 0.0187 inch (0.4712 mm) (No. 26 gage) and in accordance with SMACNA Duct Construction Standards.
4. An approved means for cleanout shall be provided at each offset in ductwork installed in shafts.
5. The exhaust fan motor design shall be in accordance with Section 503.2.
6. The exhaust fan motor shall be located outside of the airstream.
7. The exhaust fan shall run continuously.
8. Exhaust fan operation shall be monitored in an approved location and shall initiate an audible or visual signal when the fan is not in operation.
9. Makeup air shall be provided for the exhaust system.
10. A cleanout opening shall be located at the base of the shaft to provide access to the duct to allow for cleaning and inspection. The finished opening shall be not less than 12 inches by 12 inches (305 mm by 305 mm).
11. Screens shall not be installed at the termination.
12. The common multistory duct system shall serve only clothes dryers and shall be independent of other exhaust systems.

505.2 *Makeup Air Required*. Exhaust hood systems capable of exhausting in excess of 600 cfm shall be provided with makeup air at a rate approximately equal to the exhaust air rate. Such 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.

505.3 *Common exhaust systems for domestic kitchens located in multistory structures*. Where a common multistory duct system is designed and installed to convey exhaust from multiple domestic kitchen exhaust systems, the construction of the system shall be in accordance with all of the following:

1. The shaft in which the duct is installed shall be constructed and fire-resistance rated as required by the International Building Code.
2. Dampers shall be prohibited in the exhaust duct, except as specified in Section 505.1. Penetrations of the shaft and ductwork shall be protected in accordance with Section 607.5.5, Exception 2.
3. Rigid metal ductwork shall be installed within the shaft to convey the exhaust. The ductwork shall be constructed of sheet steel having a minimum thickness of 0.0187 inch (0.4712 mm) (No. 26 gage) and in accordance with SMACNA Duct Construction Standards.
4. The ductwork within the shaft shall be designed and installed without offsets.
5. The exhaust fan motor design shall be in accordance with Section 503.2.
6. The exhaust fan motor shall be located outside of the airstream.
7. The exhaust fan shall run continuously, and shall be connected to a standby power source.
8. Exhaust fan operation shall be monitored in an approved location and shall initiate an audible or visual signal when the fan is not in operation.
9. Where the exhaust rate for an individual kitchen exceeds 600 cfm (0.29 m<sup>3</sup> /s) makeup air shall be provided in accordance with Section 505.2.
10. A cleanout opening shall be located at the base of the shaft to provide access to the duct to allow for cleanout and inspection. The finished openings shall be not less than 12 inches by 12 inches (305 mm by 305 mm).
11. Screens shall not be installed at the termination.
12. The common multistory duct system shall serve only kitchen exhaust and shall be independent of other exhaust systems.

506.1 *General.* Commercial kitchen hood ventilation ducts and exhaust equipment shall comply with the requirements of this section. Commercial kitchen grease ducts shall be designed for the type of cooking appliance and hood served. All kitchen exhaust equipment shall be installed in accordance with NFPA 96 listed in Chapter 15.

506.2 *Corrosion protection.* Ducts exposed to the outside atmosphere or subject to a corrosive environment shall be protected against corrosion in a manner compatible with the material of duct construction to protect against premature failure.

507.3.7.2 *Cleaning Schedule.* The owner or occupant shall maintain a cleaning schedule on the premises for each commercial kitchen exhaust system. The schedule shall be available to the inspector and shall indicate methods of cleaning and time intervals between cleanings.

506.3.8.1 *Personnel Entry*. Where ductwork is 22 inches by 20 inches or greater, not less than one approved or listed opening having dimensions not less than 22 inches by 20 inches (559 mm by 508 mm) shall be provided in the horizontal sections, and in the top of vertical risers. Where such entry is provided, the duct and its supports shall be capable of supporting the additional load, and the cleanouts specified in Section 506.3.8 are not required.

507.1 *General*. Commercial kitchen exhaust hoods shall comply with the requirements of this section. Hoods shall be Type I or Type II and shall be designed to capture and confine cooking vapors and residues. A Type I or Type II hood shall be installed at or above all commercial cooking appliances in accordance with Sections 507.2 and 507.3. Where any cooking appliance under a single hood requires a Type I hood, a Type I hood shall be installed. Where a Type II hood is required, a Type I or Type II hood shall be installed. Where a Type I hood is installed, the installation of the entire system, including the hoods, ducts, exhaust equipment and makeup air system shall comply with the requirements of Sections 506, 507, 508, and 509. All kitchen exhaust hoods and cooking equipment shall be installed in accordance with NFPA 96 listed in Chapter 15.

*Exceptions:*

1. Factory-built commercial exhaust hoods which are listed and labeled in accordance with UL 710, and installed in accordance with Section 304.1 shall not be required to comply with Sections 507.1.5, 507.2.3, 507.2.5, 507.2.8, 507.3.1, 507.3.3, 507.4, and 507.5.
2. Factory-built commercial cooking recirculating systems which are tested in accordance with UL 710B, and installed in accordance with Section 304.1 shall not be required to comply with Sections 507.1.5, 507.2.3, 507.2.5, 507.2.8, 507.3.1, 507.3.3, 507.4, and 507.5. Spaces in which such systems are located shall be considered to be kitchens and shall be ventilated in accordance with Table 403.3.1.1. For the purpose of determining the floor area required to be ventilated, each individual *appliance* shall be considered as occupying not less than 100 square feet (9.3 m<sup>2</sup>).
3. Where cooking appliances are equipped with integral down-draft exhaust systems and such appliances and exhaust systems are listed and labeled for the application with NFPA 96, a hood shall not be required at or above them.

507.2 *Type I hoods*. Type I hoods shall be installed where cooking appliances produce grease or smoke as a result of the cooking process. Type I hoods shall be installed over medium-duty, heavy-duty, and extra-heavy-duty cooking appliances.

*Exceptions:*

1. A Type I hood shall not be required for an electric cooking appliance where an approved testing agency provides documentation that the appliance effluent contains  $5 \text{ mg/m}^3$  or less of grease when tested at an exhaust flow rate of 500 cfm ( $0.236 \text{ m}^3/\text{s}$ ) in accordance with UL 710B.
2. The installation of a domestic cooking appliances in a commercial building such as a residential range, that is capable of producing grease or smoke, primarily intended for warming and the code official believes the frequency of use to be minimal must comply with Section 505 and be protected by a listed automatic range top fire suppression system or comply with Section 509. This exception does not apply to Use Group or Occupancy Types A, E, and I for their primary cooking operations.

507.3 *Type II Hoods.* Type II hoods shall be installed above dishwashers and appliances that produce heat or moisture and do not produce grease or smoke as a result of the cooking process, except where the heat and moisture loads from such appliances are incorporated into the HVAC system design or into the design of a separate removal system. Type II hoods shall be installed above all appliances that produce products of combustion and do not produce grease or smoke as a result of the cooking process. Spaces containing cooking appliances that do not require Type II hoods shall be provided with exhaust at a rate of 0.70 cfm per square foot ( $0.00033 \text{ m}^3/\text{s}$ ). For the purpose of determining the floor area required to be exhausted, each individual appliance that is not required to be installed under a Type II hood shall be considered as occupying not less than 100 square feet ( $9.3 \text{ m}^2$ ). Such additional square footage shall be provided with exhaust at a rate of 0.70 cfm per square foot ( $0.00356 \text{ m}^3/(\text{s} \times \text{m}^2)$ ).

*Exceptions:*

1. Under-counter-type commercial dishwashing machines.

507.4.1 *Canopy Size and Location.* The inside lower edge of canopy-type Type I and II commercial cooking hoods shall overhang or extend a horizontal distance of not less than 6 inches (152 mm) beyond the edge of the top horizontal surface of the appliance on all open sides. Hoods over enclosed cooking appliances and dishwashers shall overhang horizontally a minimum of 6 inches on all sides which have openable doors. The vertical distance between the front lower lip of the hood and the cooking surface shall not exceed 4 feet (1219 mm).

*Exception:* The hood shall be permitted to be flush with the outer edge of the cooking surface where the hood is closed to the appliance side by a noncombustible wall or panel.

508.1.3 *Separate Makeup Air Unit.* A separate makeup air unit shall be provided when the volumetric rate of exhaust exceeds 1000 cfm or when the air balance within the kitchen area cannot be achieved by using existing equipment.

*Exception:* Makeup air that is part of the air conditioning system and dedicated to the kitchen area.

508.2 *Compensating Hoods.* Manufacturers of compensating hoods shall provide a label indicating minimum exhaust flow and/or maximum makeup airflow that provides capture and containment of the exhaust effluent.

*Exception:* Compensating hoods with *makeup air* supplied only from the front face discharge and side face discharge openings shall not be required to be labeled with the maximum makeup airflow.

509.1 *Where Required.* Commercial cooking appliances required by Section 507.2.1 to have a Type I hood shall be provided with an approved automatic fire suppression system complying with the International Building Code, the International Fire Code, and Sections 509.2 through 509.2.6.

509.1.1 Existing commercial food heat processing appliances that produce grease laden vapors or smoke, such as occurs with griddles, fryers, broilers, open and conveyor type ovens, ranges and wok ranges shall be provided with an approved automatic fire suppression system complying with the International Building Code, the International Fire Code, and Sections 509.2 through 509.2.6.

(F) 509.2 *Commercial Cooking Systems.* The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Preengineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, its listing and the manufacturer's installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.
2. Automatic sprinkler systems, NFPA 13.
3. Foam-water sprinkler system or foam-water spray systems, NFPA 16.
4. Dry-chemical extinguishing systems, NFPA 17.
5. Wet-chemical extinguishing systems, NFPA 17A.

*Exception:* Factory-built commercial cooking recirculating systems that are tested in accordance with UL710B, and listed, labeled and installed in accordance with Section 304.1 of the International Mechanical Code.

(F) 509.2.1 *Manual System Operation.* A manual actuation device shall be located at or near a means of egress from the cooking area a minimum of 10 feet (3048 mm) and a maximum of 20 feet (6096 mm) from the kitchen exhaust

system. The manual actuation device shall be installed not more than 48 inches (1200 mm) nor less than 42 inches (1067 mm) above the floor and shall clearly identify the hazard protected. The manual actuation shall require a maximum force of 40 pounds (178 N) and a maximum movement of 14 inches (356 mm) to actuate the fire suppression system.

*Exception:* Automatic sprinkler systems shall not be required to be equipped with manual actuation means.

(F) 509.2.2 *System Interconnection.* The actuation of the fire extinguishing system shall automatically shut down the fuel or electrical power supply to the cooking equipment. The fuel and electrical supply reset shall be manual.

509.2.2.1 *System Interlock.* Dedicated makeup air units shall be electrically interlocked with the automatic fire suppression system and shall shut down upon activation of the automatic fire suppression system. The exhaust fan(s) shall remain in operation during fire conditions unless the listing of the hood requires the fan(s) to shut down.

(F) 509.2.3 *Carbon Dioxide Systems.* When carbon dioxide systems are used, there shall be a nozzle at the top of the ventilating duct. Additional nozzles that are symmetrically arranged to give uniform distribution shall be installed within vertical ducts exceeding 20 feet (6096 mm) and horizontal ducts exceeding 50 feet (15 240 mm). Dampers shall be installed at either the top or the bottom of the duct and shall be arranged to operate automatically upon activation of the fire-extinguishing system. Where the damper is installed at the top of the duct, the top nozzle shall be immediately below the damper. Automatic carbon dioxide fire-extinguishing systems shall be sufficiently sized to protect against all hazards venting through a common duct simultaneously.

(F) 509.2.3.1 *Ventilation System.* Commercial-type cooking equipment protected by an automatic carbon dioxide-extinguishing system shall be arranged to shut off the ventilation system upon activation.

(F) 509.2.4 *Special Provisions for Automatic Sprinkler Systems.* Automatic sprinkler systems protecting commercial-type cooking equipment shall be supplied from a separate, readily accessible, indicating-type control valve that is identified.

(F) 509.2.4.1 *Listed Sprinklers.* Sprinklers used for the protection of fryers shall be tested in accordance with UL 199E, listed for that application and installed in accordance with their listing.

509.2.5 *Nozzles.* Access shall be provided to all nozzles or sprinklers in the automatic fire suppression system for the purposes of inspection and maintenance.

509.2.6 *System Test and Inspection.* The automatic fire suppression system shall be acceptance-tested in accordance with the fire prevention code and

installation standard listed in Section 509.2, and with the manufacturer's instructions.

510.1 *General*. This section shall govern the design and construction of duct systems for hazardous exhaust and shall determine where such systems are required. Hazardous exhaust systems are systems designed to capture and control hazardous emissions generated from product handling or processes, and convey those emissions to the outdoors. Hazardous emissions include flammable vapors, gases, fumes, mists or dusts, and volatile or airborne materials posing a health hazard, such as toxic or corrosive materials. For the purposes of this section, the health-hazard rating of materials shall be as specified in NFPA 704. Laboratory ventilation systems and hoods shall be designed and installed in accordance with NFPA 45 Chapter 8.

514.3 *Access*. A means of access shall be provided to the heat exchanger and other components of the system as required for service, maintenance, repair or replacement. Access shall be provided in accordance with Section 306.

1108.600 - Amendment to International Mechanical Code—Chapter 6 Duct Systems.

—Chapter 6 of the 2015 International Mechanical Code is amended by the following provisions. 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.

601.2 *Air Movement in egress elements*. Corridors shall not serve as supply, return, exhaust, relief or ventilation air ducts.

Exception:

1. Use of a corridor as a source of makeup air for exhaust systems in rooms that open directly onto such corridors, including toilet rooms, bath rooms, dressing rooms, locker rooms, smoking lounges and janitors closets, shall be permitted provided that each such corridor is directly supplied with outdoor air at a rate greater than the rate of makeup air taken from the corridor. A dwelling unit or guest room with an enclosed bathroom that opens directly into the dwelling unit is not considered to open directly to the corridor. Outside air for ventilation for these types of spaces must be ducted directly into the dwelling unit or guest room and may not be transferred from the corridor. The outside air must be introduced in such a manner that the outside air is allowed to traverse the entire distance of the living space before being exhausted into the bathroom. Corridors may be used as supply plenums in all types of occupancies only if the direction of airflow is from the corridor to the



space for transfer of makeup air to spaces that open directly onto the corridor. This shall be permitted for rated and nonfire rated corridors, and sprinklered and unsprinklered buildings up to a maximum of 200 cfm per space.

- A. For 100 cfm or less the air may be transferred by natural leakage at the door, or by undercutting of the door to allow the air to be transferred. Undercutting of doors shall comply with NFPA 80 Fire Doors and Fire Windows as required by the building code.
  - B. For an amount greater than 100 cfm but less than 201 cfm the air shall be transferred by means of grilles and associated ducts, or by utilizing a door louver. If the corridor is rated, either for fire or smoke, the transfer shall be accomplished with grilles, associated ducts and dampers in the ducts in compliance with the building code.
2. Where located within a dwelling unit, the use of corridors for conveying return air shall not be prohibited.
  3. Where located within tenant spaces of 1,000 square feet (93 m<sup>2</sup>) or less in area, use of corridors for conveying return air is permitted.
  4. Incidental air movement from pressurized rooms within health care facilities, provided that the corridor is not the primary source of supply or return to the room.

601.5 *Return air openings.* Return air openings for heating, ventilation and air-conditioning systems shall comply with all of the following:

1. Openings shall not be located less than 10 feet (3048 mm) measured in any direction from an open combustion chamber or draft hood of another appliance located in the same room or space.
2. Return air shall not be taken from a hazardous or insanitary location or a refrigeration room as defined in this code.
3. The amount of return air taken from any room or space shall be not greater than the flow rate of supply air delivered to such room or space.
4. Return and transfer openings shall be sized in accordance with the appliance or equipment manufacturer's installation instructions, ACCA Manual D or the design of the registered design professional.
5. Return air taken from one dwelling unit shall not be discharged into another dwelling unit.
6. Taking return air from a crawl space shall not be accomplished through a direct connection to the return side of a forced air furnace. Transfer openings in the crawl space enclosure shall not be prohibited.
7. Return air shall not be taken from a closet, bathroom, toilet room, kitchen, garage, boiler room, furnace room, or unconditioned attic.

*Exceptions:*

1. Taking return air from a kitchen is not prohibited where such return air openings serve the kitchen and are located not less than 10 feet (3048 mm) from the cooking appliance.
2. Dedicated forced air systems serving only the garage shall not be prohibited from obtaining return air from garage.
8. Separate return air is required from each floor in multi-story dwelling units regulated by this code. Open stairways shall not be used as a means to convey return air.

602.2 *Construction.* Plenum enclosure construction materials that are exposed to the airflow shall comply with the requirements of Section 703.5 of the International Building Code or such materials shall have a flame spread index of not more than 25 and a smoke-developed index of not more than 50 when tested in accordance with ASTM E 84 or 723.

The use of gypsum boards to form plenums shall be limited to systems where the air temperatures do not exceed 125° F (52°C) and the building and mechanical system design conditions are such that the gypsum board surface temperature will be maintained above the airstream dew-point temperature. Air plenums formed by gypsum boards shall not be incorporate in air-handling systems utilizing evaporative coolers.

*Exception:* Interstitial space between adjacent combustible studs or joists, allowed by the building code, complying with Section 602.3.

602.2.1 *Materials within plenums.* Except as required by Sections 602.2.1.1 through 602.2.1.7, materials within plenums shall be noncombustible or shall be listed and labeled as having a flame spread index of not more than 25 and a smoke-developed index of not more than 50 when tested in accordance with ASTM 84 or UL 723.

*Exceptions:*

1. Rigid and flexible ducts and connectors shall conform to Section 603.
2. Duct coverings, linings, tape and connectors shall conform to Sections 603 and 604.
3. This section shall not apply to materials exposed within plenums in one- and two-family dwellings.
4. This section shall not apply to smoke detectors.
5. Combustible materials fully enclosed within one of the following:
  - 5.1. Continuous noncombustible raceways or enclosures.
  - 5.2. Approved gypsum board assemblies.
  - 5.3. Materials listed and labeled for the specific protection application within a plenum.

6. Materials in Group H, Division 5 fabrication area and the areas above and below the fabrication area that share a common air recirculation path with the fabrication area.

603.10.1 *Structural Attachment*. Hangers and anchors shall be attached to the building construction in a manner approved by the Registered Design Professional.

603.16 *Weather Protection*. All ducts including linings, coverings and vibration isolation connectors installed on the exterior of the building shall be protected against the elements. Where galvanizing is used as the method of weather protection, the galvanizing shall be applied to a minimum level of G90 in accordance with ASTM A653.

604.8 *Lining Installation*. Linings shall be interrupted at the area of operation of a fire damper and at a minimum of 6 inches (152mm) upstream of and 6 inches (152mm) downstream of electric-resistance and fuel burning heaters in a duct system. Exposed duct liner edges that face opposite the direction of air flow shall be constructed in accordance with the appropriate SMACNA standard referenced in Chapter 15.

604.9 *Thermal Continuity*. - Delete.

607.2 *Installation*. Fire dampers, smoke dampers, combination fire/smoke dampers and ceiling dampers located within air distribution and smoke control systems shall be installed in accordance with the requirements of this section, and the manufacturer's installation instructions and listing. Ductwork shall be connected to damper sleeves or assemblies in such a way that collapse of the ductwork will not dislodge the damper or impair its proper operation.

1108.900 - Amendment to International Mechanical Code—Chapter 9 Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment.

—Chapter 9 of the 2015 International Mechanical Code is amended by the following provisions. 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.

918.3 *Dampers*. Volume dampers shall not be placed in the return air inlet to a furnace in a manner that will reduce the required air to the furnace.

*Exception:* This provision shall not apply to engineered non-residential applications.

1108.1000 - Amendment to International Mechanical Code—Chapter 10 Boilers, Water Heaters and Pressure Vessels.

—Chapter 10 of the 2015 International Mechanical Code is amended by the following provisions. 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.

1001.1 *Scope*. This chapter shall govern the installation, alteration and repair of boilers, water heaters and pressure vessels.

Exceptions:

1. Vessels with a nominal water containing capacity of one hundred twenty gallons or less for containing potable water under pressure, including those containing air, the compression of which serves only as a cushion.
2. Portable unfired pressure vessels and Interstate Commerce Commission containers.
3. Containers for bulk oxygen and medical gas.
4. Unfired pressure vessels that do not exceed fifteen cubic feet (122.2 gallons) in volume and two hundred fifty psig when not located in a place of public assembly.
5. Unfired pressure vessels that do not exceed five cubic feet (37.4 gallons) volume and two hundred fifty psig when located in a place of public assembly.
6. Unfired pressure vessels that do not exceed one and one-half cubic feet (11.7 gallons) in volume or an inside diameter of six inches with no limitation on pressure.
7. Pressure vessels used in refrigeration systems that are regulated by Chapter 11 of this code.
8. Pressure tanks used in conjunction with coaxial cables, telephone cables, power cables and other similar humidity control systems.
9. Any boiler or pressure vessel subject to inspection by federal or state inspectors.
10. Pressure vessels installed on the right-of-way of railroads and used directly in the operation of trains.
11. Pressure vessels designed for and operating at a working pressure not exceeding fifteen psig.
12. Any boiler constructed, reconstructed or maintained as a personal hobby or for other recreation purposes.
13. Vessels containing water and operating as water softeners, water filters, dealkalizers, demineralizers and cold water storage tanks when:

- 13.1 The temperature of the water in the vessel does not exceed one hundred twenty degrees Fahrenheit.
- 13.2 Heat is not applied to the water prior to entering the vessel or to the vessel itself.
- 13.3 The pressure of the water in the vessel does not exceed one hundred fifty psig.
- 13.4 The vessel does not contain any hazardous, toxic or explosive material.
- 14. Potable water heaters where none of the following limitations are exceeded which are governed by the Chesterfield Plumbing Code:
  - 14.1 Heat input of one hundred ninety nine thousand nine hundred ninety nine (199,999) British thermal units per hour (BTU/hr) (57.1kw).
  - 14.2 Water temperature of two hundred ten degrees Fahrenheit (210 F).
  - 14.3 Nominal water capacity of one hundred nineteen gallons (119 gallons) and which are provided with one or more safety relief valves.
  - 14.4 An operating pressure of 150 psig.

15. Tankless Water heaters serving potable water distribution systems

1003.1 *General.* All pressure vessels, unless otherwise approved, shall be constructed and certified in accordance with ASME Boiler and Pressure Vessel Code or similar approved standard, and shall be installed in accordance with the manufacturer's installation instructions and nationally recognized standards. Direct fired pressure vessels shall meet the requirements of Section 1004.

1003.3 *Welding.* Welding on pressure vessels shall be performed by an R-Stamp—holder in accordance with the National Board Inspection Code, Part 3 or in accordance with an approved standard.

1004.1 *Standards.* Boilers and water heaters shall be designed, constructed, and certified in accordance with the ASME Boiler and Pressure Vessel Code, Sections I or IV as applicable. Controls and safety devices for Boilers with fuel input ratings of 12,500,000 Btu/hr(3,662,500W) or less shall meet the requirements of ASME CSD-1. Controls and safety devices for boilers with inputs greater than 12,500,000 Btu/hr (3,662,500 w) shall meet the requirements of NFPA 85. Packaged Oil-fired boilers shall be listed and labeled in accordance with UL 726. Packaged Electric boilers shall be listed and labeled in accordance with UL 834. Solid-fuel boilers shall be listed and labeled in accordance with UL 2523.

*Exceptions.* The following shall be exempt from the ASME Code construction requirements of 1004.1:

1. Water heaters where none of the following limitations are exceeded:
  - 1.1 Heat input of less than two hundred thousand (200,000) British thermal units per hour (BTU/hr) (57.1kw).
  - 1.2 Water temperature of two hundred ten degrees Fahrenheit (210 F).
  - 1.3 Nominal water capacity of less than one hundred twenty gallons (120 gallons) and which are provided with one or more safety relief valves.
2. Coil-type hot water boilers used only for steam vapor cleaning when none of the following limitations are exceeded:
  - 2.1 One inch diameter tubing or three-fourths inch nominal pipe size with no steam drums or headers attached.
  - 2.2 Nominal water containing capacity does not exceed six gallons.
  - 2.3 Water temperature does not exceed three hundred fifty degrees Fahrenheit.
  - 2.4 Steam is not generated within the coil.
  - 2.5 One or more safety relief valves must be installed and adequate controls provided.

1006.5 *Installation.* Safety or relief valves shall be installed directly into the safety or relief valve opening on the boiler or pressure vessel. Valves shall not be located on either side of a safety or relief valve connection. The relief valve shall discharge by gravity.

*Exception:* Shutoff valves on either side of a safety or relief valve connection appropriate for the unfired system type and allowed by ASME Boiler and Pressure Vessel Code.

## SECTION 1012\CONDENSATE RETURN

1012.1 Condensate when discharging into a sanitary sewer system shall not be in excess of 140F and shall discharge into an open floor drain, a special drain connection or an approved receptor. If the floor drain or drain connection to the sewer is above the level of the return piping so that it cannot flow by gravity, an automatic sump pump shall be installed to pump the condensate from the sump to the sewer drain.

1108.1100 - Amendment to International Mechanical Code—Chapter 11 Refrigeration.

—Chapter 11 of the 2015 International Mechanical Code is amended by the following provisions. 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.

1105.3 *Refrigerant Detector*. Machinery rooms shall contain a refrigerant detector with an audible and visual alarm. The detector, or a sampling tube that draws air into the detector, shall be located in an area where refrigerant from a leak will concentrate. The alarm shall be actuated at a value not greater than the corresponding TLV-TWA values shown in Table 1103.1 OEL column for the refrigerant classification. Detectors and alarms shall be placed in approved locations. The detector shall transmit a signal to an approved location.

*Exception:* Detectors shall not be required for ammonia systems where the machinery room complies with Section 1106.3.

1107.2 *Piping Location*. Refrigerant piping that crosses an open space that affords passageway in any building shall be not less than 7 feet 3 inches (2210 mm) above the floor unless the piping is located against the ceiling of such space. Refrigerant piping shall not be placed in any elevator, dumbwaiter or other shaft containing a moving object or in any shaft that has openings to living quarters. Refrigerant piping shall not be installed in an exit enclosure.

1108.1200 - Amendment to International Mechanical Code—Chapter 12 Hydronic Piping.

—Chapter 12 of the 2015 International Mechanical Code is amended by the following provisions. 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.

1201.1 *Scope*. The provisions of this chapter shall govern the construction, installation, alteration, and repair of hydronic piping systems. This chapter shall apply to hydronic piping systems that are part of heating, ventilation, and air-conditioning systems. Such piping systems shall include, but are not limited to, steam, hot water, chilled water, steam condensate and ground source heat pump loop systems. Potable cold and hot water distribution systems shall be installed in accordance with the plumbing code.

1202.2 *Used Materials*. Reused pipe, fittings, valves or other materials shall be clean and free of foreign materials and shall be approved by the registered design professional for reuse.

1202.5 *Pipe Fittings*. Hydronic pipe fittings shall be rated for the temperatures and pressures of the systems in which they are installed and shall be constructed of materials compatible with the piping materials and

fluids in the system and shall conform to the respective pipe standards or to the standards listed in Table 1202.5.

1202.7 *Flexible Connectors, Expansion and Vibration Compensators*. Flexible connectors, expansion, and vibration control devices and fittings shall be rated for the temperatures and pressures of the systems in which they are installed and shall be constructed of materials compatible with the piping materials and fluids in the system.

1205.1.5 *Equipment and Appliances*. Shutoff valves shall be installed on connections to mechanical equipment and appliances. This requirement does not apply to components of a hydronic system such as air separators, metering devices and similar equipment.

1205.1.6 *Expansion Tanks*. - Deleted

1206.1 *General*. Piping, valves, fittings, and connections shall be installed in accordance with this code.

1206.10 *Pipe Support*. Pipe shall be supported in accordance with Section 305 or as determined by the registered design professional.

1208.1 *General*. Hydronic piping systems other than ground-source heat pump loop systems shall be tested hydrostatically at one and one-half times the maximum system design pressure. The duration of each test shall not be less than one hour. Ground-source heat pump loop systems shall be tested in accordance with section 1210.10.

1210.3 *Material rating*. Pipe and tubing shall be rated for the operating temperature and pressure of the ground-source heat pump loop system. Fitting shall be suitable for the pressure applications and recommended by the manufacturer for installation with the pipe and tubing installed. All underground piping and tubing shall be High-Density Polyethylene (HDPE). All above ground piping and tubing shall be either High-Density Polyethylene (HDPE) or Schedule 80 Polyvinyl Chloride (PVC).

1210.4 *Piping and tubing materials standards*. Ground-source heat pump ground-loop pipe and tubing shall conform to the following standards:

HDPE: ASTM D2737; ASTM D3035; ASTM F714; AWWA C901; CSA B137.1; CSA C448; NSF 358-1

PVC Schedule 80: ASTM D1785; ASTM D2241

Table 1210.4. *Ground-Source Loop Pipe*. - Deleted

1210.5 *Fittings*. Ground-source heat pump fittings shall be approved for installation with the piping materials to be installed and shall conform to the following standards:

HDPE: ASTM D2683; ASTM D3261; ASTM F1055; CSA B137.1; CSA C448; NSF 358-1



PVC Schedule 80: ASTM D2464; ASTM D2466; ASTM D2467; CSA B137.2; CSA B137.3

Table 1210.5. *Ground-Source Loop Pipe Fittings*. - Delete.

1210.6.1.1 *Plastic to metal connections*. Soldering on the metal portion of the system shall be performed not less than 18 inches (457 mm) from a plastic-to-metal adapter in the same water line.

1210.6.2 *Preparation of pipe ends*. Pipe shall be cut square, be reamed, and be free of burrs and obstructions. PVC pipe shall be chamfered. Pipe ends shall have full bore openings and shall not be undercut.

1210.6.4 *CPVC plastic pipe*. - Deleted

1210.6.5 *Cross-linked polyethylene (PEX) plastic tubing*. - Deleted

1210.6.5.1 *Compression-type fittings*. - Deleted

1210.6.5.2 *Plastic-to-metal connections*. - Deleted

1210.6.6 *Polyethylene plastic pipe and tubing for ground-source heat pump loop systems*. Joints between polyethylene plastic pipe and tubing or fittings for ground-source heat pump loop systems shall be heat fusion joints complying with Section 1210.6.6.1 or electrofusion joints complying with Section 1210.6.6.2.

1210.6.6.3 *Stab-type insert fittings*. - Deleted

1210.6.7 *Polypropylene (PP) Plastic*. - Deleted

1210.6.7.1. *Heat-fusion joints*. - Deleted

1210.6.7.2. *Mechanical and compression sleeve joints*. - Deleted

1210.6.8. *Raised temperature polyethylene (PE-RT) plastic tubing*. - Deleted

1210.6.8.1. *Compression-type fittings*. - Deleted

1210.6.8.2. *PE-RT-to metal connections*. - Deleted

1210.6.9. *PVC plastic pipe*. Joints between PVC plastic pipe and fittings shall be solvent-cemented or threaded joints complying with Section 1230.3.

1210.7.6 *Expansion tanks*. Deleted

1210.8 *Installation*. Piping, valves, fittings, and connections shall be installed in accordance with the conditions of approval. Vertically drilled loops shall be fully grouted with a bentonite based grout.

1210.10 *Tests*. Before connection header trenches are back-filled, the assembled loop system shall be pressure tested with water or air in accordance with one of the following methods:

1. 100 psi (689 kPa) for 15 minutes.
2. One and one-half (1.5) times the normal operating pressure for 24 hours.

There shall be no leaks during the test. Flow and pressure loss testing shall be performed and the actual flow rates and pressure drops shall be compared to the calculated design values. If actual flow rate or pressure drop values differ from the calculated design values by more than 10 percent, the cause shall be identified and corrective action taken.

1210.11 *Embedded piping.* - Deleted

1210.12 *Sizing of Ground-source heat pump loop.* The sizing of the ground-source heat pump loop shall be done per the manufacturer's installation instructions but at a minimum, the following criteria shall be met:

A load calculation on the building served by the ground-source heat pump loop shall be completed and the data entered into a ground loop analysis program. The maximum returning ground loop temperature shall not exceed 90° F (32° C) and the minimum returning ground loop temperature shall not be less than 35° F (2° C).

1108.1300 - Amendment to International Mechanical Code—Chapter 13 Fuel Oil Piping and Storage.

—Chapter 13 of the 2015 International Mechanical Code is amended by the following provisions. 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.

## CHAPTER 13

### FLAMMABLE AND COMBUSTIBLE LIQUID AND FUEL OIL PIPING AND STORAGE

1301.1 *Scope.* This chapter shall govern the design, installation, construction and repair of flammable and combustible liquid and fuel-oil storage and piping systems. The storage of fuel oil and flammable and combustible liquids shall be in accordance with the International Fire Code.

1301.3 *Fuel Type.* An appliance shall be designed for use with the type of fuel to which it will be connected. Such appliance shall not be converted from the fuel specified on the rating plate for use with a different fuel without securing reapproval from the appliance manufacturer and the registered design professional.

1301.4 *Flammable and Combustible Liquid Tanks, Piping and Valves.* The tank, piping and valves for appliances burning oil shall be installed in accordance with the requirements of this chapter and NFPA 31. When an oil burner is served by a tank, any part of which is above the level of the burner inlet connection and where the fuel supply line is taken from the top of the

tank, an approved antisiphon valve or other siphon-breaking device shall be installed in lieu of the shutoff valve. Flammable and combustible liquid tanks, piping and valves shall be in accordance with the International Fire Code.

1302.3 *Pipe Standards.* Flammable and combustible liquids and fuel oil piping shall comply with one of the standards listed in Table 1302.3.

**Table 1302.3 FLAMMABLE AND COMBUSTIBLE LIQUID and FUEL OIL PIPING**

| MATERIAL                                        | STANDARD (see Chapter 15)        |
|-------------------------------------------------|----------------------------------|
| Copper or copper-alloy pipe                     | ASTM B 42; ASTM B 43; ASTM B 302 |
| Copper or copper-alloy tubing (Type K, L, or M) | ASTM B 75; ASTM B 88; ASTM B 280 |
| Labeled pipe                                    | (See Section 1302.4)             |
| Nonmetallic pipe                                | ASTM D 2996                      |
| Steel pipe                                      | ASTM A 53L ASTM A 106            |
| Steel tubing                                    | ASTM A 254; ASTM A 539           |

1302.5 *Fittings and Valves.* Fittings and valves shall be listed by the manufacturer as suitable for the piping systems, and shall be compatible with, or shall be of the same material as, the pipe or tubing.

1302.7 *Pumps.* Pumps that are not part of an appliance shall be of a positive-displacement type. The pump shall automatically shut off the supply when not in operation. Fuel oil pumps shall be listed and labeled in accordance with UL 343. Flammable and combustible liquid pumps shall be listed and labeled by an approved agency.

1303.1 *Approval.* Joints and connections shall be approved and of a type approved for the liquid in the piping systems. All threaded joints and connections shall be made tight with suitable lubricant or pipe compound. Unions requiring gaskets or packings, right or left couplings, and sweat fittings employing solder having a melting point of less than 1,000 E F (538 E C) shall not be used in oil lines. Cast-iron fittings shall not be used. Joints and connections shall be tight for the pressure required by test.

1305.2 *Protection of Pipe, Equipment and Appliances.* All fuel oil pipe, tanks, equipment and appliances shall be protected from physical damage.

1305.2.1 *Flood Hazard.* All fuel oil pipe, tanks, equipment and appliances located in flood hazard areas shall be located above the elevation required by Section 1612 of the International Building Code for utilities and attendant equipment or shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to such elevation. Underground tanks shall be installed in accordance with Section 1309.

1305.6 *Fill Piping.* A fill pipe shall terminate outside of a building at a point at least 5 feet (1524 mm) from any building opening at the same or lower level. A fill pipe shall terminate in a manner designed to minimize spilling when the filling hose is disconnected. Fill opening shall be equipped with a tight metal cover designed to discourage tampering.

1305.7 *Vent Piping.* Liquid fuel vent pipes shall terminate outside of buildings at a point not less than 2 feet (610 mm) higher measured vertically or 10 feet measured horizontally from any building opening. Outer ends of vent pipes shall terminate in a weatherproof vent cap or fitting or be provided with a weatherproof hood. All vent caps shall have a minimum free open area equal to the cross-sectional area of the vent pipe and shall not employ screens finer than No. 4 mesh. Vent pipes shall terminate a minimum of 24 inches above the ground to avoid being obstructed with snow or ice. Vent pipes from tanks containing heaters shall be extended to a location where oil vapors discharging from the vent will be readily diffused. If the static head with a vent pipe filled with oil exceeds 10 pounds per square inch (psi) (69 kPa), the tank shall be designed for the maximum static head that will be imposed.

Liquid fuel vent pipes shall not be cross connected with fill pipes, lines from burners or overflow lines from auxiliary tanks.

1307.2 *Appliance Shutoff.* A shutoff valve shall be installed at the connection to each appliance. The shutoff valve shall be in the same room and within 6 feet of the appliance served. Access shall be provided to the shutoff valve.

1308.1 *Testing Required.* Fuel oil piping shall be tested in accordance with NFPA 31. Flammable and combustible liquid piping shall be tested in accordance with the International Fire Code.

## SECTION 1309 UNDERGROUND STORAGE TANK INSTALLATION

1309.1 *General.* Flammable and combustible liquid and fuel oil storage tanks shall be installed in accordance with the International Fire Code.

1309.2 *Anchoring Required.* All underground tanks shall be anchored to resist the effects of buoyancy because of a rise in the water table, flooding or

accumulation of water from fire suppression operations. Uplift protection shall be provided in accordance with NFPA 30.

#### SECTION 1310\FUEL-DISPENSING SYSTEMS

1310.1 *General.* All fuel-dispensing systems shall be installed in accordance with the International Fire Code.

1108.1500 - Amendments to International Mechanical Code—Chapter 15 Referenced Standards.

—Chapter 15 of the 2015 International Mechanical Code is amended by the following provisions. Each reference standard of the code that corresponds to one of the following numbered standards is hereby deleted where so noted or amended to read as set forth below. Each provision set out below without a corresponding standard in the code is hereby enacted and added thereto. Standards appearing in the published edition of this code which are not set forth below remain a part of this code.

**ASHRAE** American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc.  
1791 Tullie Circle, NE; Atlanta, GA 30329-2305

| Standard Reference Number | Title                    | Referenced in Code Section Number |
|---------------------------|--------------------------|-----------------------------------|
| ASHRAE Handbook - 2014    | HVAC Systems & Equipment | 1009.2                            |

**ASME** American Society of Mechanical Engineers  
345 East 47th Street, New York, NY 10017

| Standard Reference Number         | Title                                    | Referenced in Code Section Number |
|-----------------------------------|------------------------------------------|-----------------------------------|
| BPVC-2007 w/2010 and 2011 addenda | Boiler & Pressure Vessel Code-07 edition | 1003.1, 1004.1, 1006.5, 1011.1    |

**ASTM** ASTM International  
100 Barr Harbor Dr.  
West Conshohocken, PA 19428

| Standard Reference Number | Title                                                                                                                            | Referenced in Code Section Number |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| A653/A653M-13             | Standard Specification for Steel Sheet, Zinc-Coated (Galvanized) or Zinc-Iron Alloy-Coated (Galvannealed) by the Hot-Dip Process | 603.16                            |
| F853-05                   | Standard Practice for Maintenance Procedures for Amusement Rides and Devices                                                     | 2201.5.1                          |

**CAGI** Compressed Air & Gas Institute  
1300 Sumner Ave  
Cleveland, OH 44115-2851

| Standard Reference Number | Title                                      | Referenced in Code Section Number |
|---------------------------|--------------------------------------------|-----------------------------------|
| B19.1-2011                | Safety standard for air compressor systems | 2216.1                            |

**GOVERNMENT OF ST LOUIS COUNTY MISSOURI** 41 S. Central Ave.,  
Clayton, MO 63105

| Standard Reference Number | Title                               | Referenced in Code Section Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building Code             | Chapter 1115 SLCRO 1974, as amended | 107.11, 109.1, 109.3, 109.4.1, 109.5, 109.6, 201.3, 202, 301.15, 301.16, 301.17, 301.18, 302.1, 302.2, 304.8, 304.11, 308.4.2.2, 308.4.2.4, 401.4, 401.5, 406.1, 501.3.1, 501.10.2, 502.10, 502.10.1, 504.2, 504.10, 505.3, 506.3.3, 506.3.10, 506.3.12.2, 506.4.1, 509.1, 509.1.1, 510.6, 510.6.2, 510.6.3, 510.7, 510.7.1.1, 510.7.2, 510.7.3, 510.8, 511.1.5, 513.1, 513.2, 513.3, 513.4.3, 513.5, 513.5.2, 513.5.2.1, 513.5.3, 513.5.3.2, 513.6.2, 513.10.5, 513.11.1, 513.12, 513.12.2, 513.20, 601.3, 602.2, 602.2.1.5.1, 602.2.1.5.2, 602.2.1.6.1, 602.2.1.6.2, 602.3, 602.4, 603.1, 603.10, 603.13, 603.18.2, 604.5.4, 607.1.1, 607.1.2, 607.3.2.1, 607.5.1, 607.5.2, 607.5.3, 607.5.4, 607.5.4.1, 607.5.5, 607.5.5.1, 607.5.6, 607.6, 607.6.1, 607.6.2, 607.6.2.1, 607.6.3, 701.2, 701.4.1, 701.4.2, 801.3, 801.16.1, 801.18.4, 801.18.4.1, 902.1, 908.3, 908.4, 910.3, 924.1, 925.1, 926.1, 927.2, 928.1, 1105.1, 1206.4, 1210.8.2, 1305.2.1, 1402.4, 1402.4.1, 1601.1, 1901.1, 2001.1, 2217.4.1, 2217.5 |
| Electrical Code           | Chapter 1102 SLCRO 1974, as amended | 201.3, 301.7, 306.3.1, 306.4.1, 513.11, 513.12.1, 602.2.1.1, 2100.40, 2218.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Existing Building Code    | Chapter 1117 SLCRO 1974, as amended | 101.2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|                  |                                     |                                                                                                                                                                 |
|------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Plumbing Code    | Chapter 1103 SLCRO 1974, as amended | 101A.2.1, 101A.3.4, 201.3, 301.8, 512.2, 908.5, 1001.1, 1002.1, 1002.2, 1002.3, 1005.2, 1006.6, 1008.2, 1009.3, 1101.4, 1201.1, 1206.2, 1206.3, 1401.2, 2100.40 |
| Residential Code | Chapter 1116 SLCRO 1974, as amended | 101.2, 1601.1                                                                                                                                                   |

**ICC** International Code Council, Inc.  
500 New Jersey Avenue N.W., 6th floor  
Washington, D.C. 20001

| Standard Reference Number | Title                       | Referenced in Code Section Number                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IFC-15                    | International Fire Code     | 201.3, 310.1, 311.1, 502.4, 502.5, 502.7.2, 502.8.1, 502.9.5, 502.9.5.2, 502.9.5.3, 502.9.8.2, 502.9.8.3, 502.9.8.5, 502.9.8.6, 502.10, 502.10.3, 502.16.2, 509.1, 509.1.1, 510.2.1, 510.2.2, 510.4, 511.1.1 513.12.3, 513.15, 513.16, 513.17, 513.18, 513.19, 513.20.2, 513.20.3, 606.2.1, 908.7, 1101.9, 1105.3, 1105.9, 1106.5, 1106.6, 1301.1, 1301.2, 1301.4, 1308.1, 1309.1, 1310.1, 2217.6 |
| IFGC-15                   | International Fuel Gas Code | 101.2, 201.3, 301.3, 701.1, 801.1, 901.1, 906.1, 1101.5, 2100.020, 2100.040                                                                                                                                                                                                                                                                                                                       |

**State of Missouri** State of Missouri, Department of Health  
Jefferson City, MO



| Standard Reference Number | Title                                                                                                                            | Referenced in Code Section Number |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Chapter 20-Hospitals      | Missouri Rules of the Dept. of Health and Senior Services Division 30 Division of Regulations and Licensure Chapter 20 Hospitals | 1701.2                            |

**NFPA** National Fire Protection Association  
Battery March Park, Quincy, MA 02269

| Standard Reference Number | Title                                                                              | Referenced in Code Section Number |
|---------------------------|------------------------------------------------------------------------------------|-----------------------------------|
| 10-13                     | STANDARD FOR PORTABLE FIRE EXTINGUISHERS                                           | 2217.6                            |
| 12-11                     | STANDARD ON CARBON DIOXIDE EXTINGUISHING SYSTEMS                                   | 509.2                             |
| 13-13                     | STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS                                 | 509.2                             |
| 16-11                     | STANDARD FOR THE INSTALLATION OF FOAM-WATER SPRINKLER AND FOAM-WATER SPRAY SYSTEMS | 509.2                             |
| 17-13                     | STANDARD FOR DRY CHEMICAL EXTINGUISHING SYSTEMS                                    | 509.2                             |
| 17A-13                    | STANDARD FOR WET CHEMICAL EXTINGUISHING SYSTEMS                                    | 509.2                             |

|          |                                                                            |                                                           |
|----------|----------------------------------------------------------------------------|-----------------------------------------------------------|
| 30-15    | Flammable and Combustible Liquids Code                                     | 1309.2                                                    |
| 31-11    | Installation of Oil-burning Equipment                                      | 801.2.1, 801.18.1, 801.18.2, 920.2, 922.1, 1301.4, 1308.1 |
| 45-11    | Fire Protection for Laboratories using Chemicals                           | 510.1                                                     |
| 54-15    | National Fuel Gas Code                                                     | Chapter 21-301.3 (IFGC)                                   |
| 80-13    | STANDARD FOR FIRE DOORS AND OTHER OPENING PROTECTIVES                      | 601.2                                                     |
| 85-11    | Boiler and Combustion Systems Hazards Code                                 | 1004.1                                                    |
| 96-14    | Ventilation Control and Fire Protection of Commercial Cooking Operations   | 506.1, 507.1                                              |
| 99-15    | Standard for Health Care Facilities                                        | 1701.2                                                    |
| 701-2010 | Standard Methods of Fire Tests for Flame Propagation of textiles and films | 2217.2                                                    |

**SMACNA** Sheet Metal & Air Conditioning Contractors National Assoc., Inc.  
4021 Lafayette Center Road, Chantilly, VA 22021

| Standard Reference Number | Title                                               | Referenced in Code Section Number |
|---------------------------|-----------------------------------------------------|-----------------------------------|
| ANSI/SMACNA 006-2006      | HVAC Duct Construction Standards-Metal and Flexible | 504.8, 603.2, 603.4, 603.9, 604.8 |

**UL** Underwriters Laboratories, Inc.  
333 Pfingsten Road, Northbrook, IL 60062-2096

| Standard Reference Number | Title                                                                                                  | Referenced in Code Section Number |
|---------------------------|--------------------------------------------------------------------------------------------------------|-----------------------------------|
| 197-10                    | Commercial Electric Cooking Appliances                                                                 | 507.1                             |
| 199E-04                   | FIRE TESTING OF SPRINKLERS AND WATER SPRAY NOZZLES FOR PROTECTION OF DEEP FAT FRYERS                   | 509.2.4.1                         |
| 300-05                    | Standard for Fire Testing of Fire Extinguishing Systems for Protection of Commercial Cooking Equipment | 509.2, 2213.1                     |
| 710B-11                   | Recirculating Systems                                                                                  | 507.1, 509.2                      |

1108.1600 - Amendments to International Mechanical Code—Chapter 16  
Residential Mechanical Systems.

—The 2015 International Mechanical Code is hereby amended by enacting and adding thereto Chapter 16, Residential Mechanical Systems to read as follows:

1601.1 *General.* Mechanical Systems for detached one and two family dwellings and townhouses, as defined by the Chesterfield Building Code, shall be designed and installed in accordance with the applicable provisions of the Chesterfield Residential Code, Title XI, Chapter 1116, SLCRO 1974, as amended and referenced standards listed therein.

1108.1700 - Amendment to International Mechanical Code—Chapter 17  
Medical Gas Systems.

—The 2015 International Mechanical Code is hereby amended by enacting and adding thereto Chapter 17, Medical Gas Systems to read as follows:

1701.1 *Scope*. The provisions of this chapter shall govern the design, construction, installation, and repair of medical gas piping systems. This chapter shall apply to all medical gas piping systems including, but not limited to Oxygen, Surgical Air, Nitrous Oxide, Nitrogen, Carbon Dioxide, and Clinical Suction.

1701.2 *Requirements*. The medical gas systems, components, appurtenances and piping shall conform to the requirements of NFPA 99 and the "Missouri Rules of the Department of Health and Senior Services Division 30-Division of Regulations and Licensure Chapter 20 - Hospitals."

1108.1900 - Amendments to International Mechanical Code—Chapter 19 Mechanical Fire Protection Systems.

—The 2015 International Mechanical Code is hereby amended by enacting and adding thereto Chapter 19, Mechanical Fire Protection Systems to read as follows:

1901.1 *General*. Mechanical Fire Protection Systems including automatic fire suppression systems, automatic fire sprinkler systems, standpipe systems, and smoke control systems shall be designed and installed in accordance with the applicable provisions of the Chesterfield Building Code, Title XI, Chapter 1115, SLCRO 1974, as amended and referenced standards listed therein.

1108.2000 - Amendments to International Mechanical Code—Chapter 20 Elevators and Conveying Systems.

—The 2015 International Mechanical Code is hereby amended by enacting and adding thereto Chapter 20, Elevators and Conveying Systems to read as follows:

2001.1 *General*. Elevators, escalators, dumbwaiters, moving walks, hoists, automotive lifts, conveyors, freight lifts, and manlifts shall be designed and installed in accordance with the applicable provisions of the Chesterfield Building Code, as amended and referenced standards listed therein.

1108.2100 - Amendment to International Mechanical Code—Chapter 21 Fuel Gas Code.

—The 2015 International Mechanical Code is hereby amended by enacting and adding thereto Chapter 21, Fuel Gas Code which shall read as follows:

2100.020 *Fuel Gas Code Adopted*. The International Fuel Gas Code 2015 edition is hereby adopted as the Fuel Gas Code of Chesterfield.

2100.40 *References to Other Chesterfield Adopted Codes*. Throughout the International Fuel Gas Code 2015 Edition, wherever a reference appears to the "International Plumbing Code" or "plumbing code" it shall mean "The Plumbing

Code" as adopted by Chesterfield ordinance with the additions, deletions and changes prescribed by that ordinance. Wherever a reference appears to the "International Electrical Code" or "electrical code" it shall mean "The Electrical Code" as adopted by Chesterfield ordinance with the additions, deletions and changes prescribed by that ordinance.

2100.100 *Amendments to International Fuel Gas Code 2015 Edition.* The 2015 International Fuel Gas Code is amended by the following provisions. Each section, subsection or clause of the International Fuel Gas 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 International Fuel Gas Code is hereby enacted and added thereto.

102 (IFGC) *Applicability.* - Deleted.

103 (IFGC) *Department of Inspection.* - Deleted.

104 (IFGC) *Duties and Powers of Code Official.* - Deleted.

105 (IFGC) *Approval.* - Deleted.

106 (IFGC) *Permits.* - Deleted.

107 (IFGC) *Inspections and Testing.* - Deleted.

108 (IFGC) *Violations.* - Deleted.

109 (IFGC) *Means of Appeal.* - Deleted.

110 (IFGC) *Temporary Equipment, Systems and Uses.* - Deleted.

301.3 (IFGC) *Listed and Labeled.* Appliances regulated by this code shall be listed and labeled for the application in which they are used unless otherwise approved in accordance with Section 105. The approval of unlisted appliances in accordance with Section 105 shall be based upon approved engineering evaluation and the NFPA 54.

403.10.5 (IFGC) *Joints Between Different Piping Materials.* Joints between different piping materials shall be made with approved adapter fittings. Joints between different metallic piping materials at the point of delivery, and at other locations where necessary, shall be made with approved dielectric fittings to isolate electrically above-ground piping from underground piping or to isolate electrically different metallic piping materials joined underground. Dielectric fittings shall not be required in joints located within the interior of the building.

404.21 (IFGC) *Piping into Masonry Fireboxes.* Above ground gas piping serving an appliance installed in a masonry firebox shall be installed as required by this Chapter. Piping shall enter the firebox through the firebox wall a minimum of 3 inches above the firebox floor. A high temperature seal is required on the inside of the firebox and a weatherproof seal is required on the outside if exposed to weather. Fuel-gas piping serving decorative gas-fired appliances shall be allowed to be installed through an existing ash dump.

409.5.4 (IFGC) *Gas Barbeque Shutoff Valve*. Shutoff valves for gas barbeques installed outdoors shall not be required to be within 6 feet of the appliance. Such valves shall not be prohibited from being installed indoors provided they are readily accessible, permanently identified and serve no other equipment.

411.1 (IFGC) *Connecting Appliances*. Except as required by Section 411.1.1, *appliances* shall be connected to the *pipng* system by one of the following:

1. Rigid metallic pipe and fittings.
2. Corrugated stainless steel tubing (CSST) where installed in accordance with the manufacturer's instructions.
3. Semirigid metallic tubing and metallic fittings. Lengths shall not exceed 6 feet (1829 mm) and shall be located entirely in the same room as the *appliance*. Semirigid metallic tubing shall not enter a motor-operated *appliance* through an unprotected knockout opening.
4. *Listed* and *labeled appliance* connectors in compliance with ANSI Z21.24 and installed in accordance with the manufacturer's installation instructions and located entirely in the same room as the *appliance*.
5. *Listed* and *labeled* quick-disconnect devices used in conjunction with *listed* and *labeled appliance* connectors.
6. *Listed* and *labeled* convenience outlets used in conjunction with *listed* and *labeled appliance* connectors.
7. *Listed* and *labeled* outdoor *appliance* connectors in compliance with ANSI Z21.75/CSA 6.27 and installed in accordance with the manufacturer's installation instructions.
8. *Listed* outdoor gas hose connectors in compliance with ANSI Z21.54 used to connect portable outdoor appliances. The gas hose connection shall be made only in the outdoor area where the appliance is used, and shall be to the gas piping supply at an appliance shutoff valve, a listed quick-disconnect device or listed gas convenience outlet.
9. A union shall be installed between the appliance and the appliance shutoff valve.

501.16 (IFGC). *Outdoor Design Temperature*. The outdoor winter design temperature for Chesterfield shall be 2F.

504.2.9 (IFGC) *Chimney and vent locations*. Tables 504.2(1), 504.2(2), 504.2(3), 504.2(4), and 504.2(5) shall be used for chimneys and vents not exposed to the outdoors below the roof line. A Type B vent or listed chimney lining system passing through an unused masonry chimney flue shall not be considered to be exposed to the outdoors. Where vents extend outdoors above the roof more than 5 feet (1524 mm) higher than required by Figure 503.6.4, and where vents terminate in accordance with Section 503.6.4, Item 2, the

outdoor portion of the vent shall be enclosed as required by this section for vents not considered to be exposed to the outdoors or such venting system shall be engineered. A Type B vent shall not be considered to be exposed to the outdoors where it passes through an unventilated enclosure or chase insulated to a value of not less than R8.

Table 504.2(3) in combination with Table 504.2(6) shall be used for clay-tile-lined exterior masonry chimneys, provided that all of the following are met:

1. Vent connector is a Type B double wall.
2. Vent connector length is limited to 1 ½ feet for each inch (18 mm per mm) of vent diameter.
3. The appliance is draft hood equipped.
4. The input rating is less than the maximum capacity given by Table 504.2(3).
5. For a water heater, the outdoor design temperature is not less than 2° F (-17° C).

603.2 (IFGC) *Shutoff Valves*. Shutoff valves required by Section 409.5 and serving gas-fired log lighters shall be located outside of the fireplace firebox, adjacent to within 6 feet and in the same room as the fireplace.

614.8.7 (IFGC) *Multiple Dryers*. Multiple domestic dryers shall not be connected to a single exhaust system.

*Exception:* Multiple domestic clothes dryers may be connected to a single exhaust system designed by a registered design professional.

614.10 (IFGC) *Common Exhaust Systems for Clothes Dryers Located in Multistory Structures*. Where a common multistory duct system is designed and installed to convey exhaust from multiple clothes dryers, the construction of such system shall be in accordance with all of the following:

1. The shaft in which the duct is installed shall be constructed and fire-resistant rated as required by the *International Building Code*.
2. Dampers shall be prohibited in the exhaust duct. Penetrations of the shaft and ductwork shall be protected in accordance with Section 607.5.5, Exception 2, of the *International Mechanical Code*.
3. Rigid metal ductwork shall be installed within the shaft to convey the exhaust. The ductwork shall be constructed of sheet steel having a minimum thickness of 0.0187 inch (0.471 mm) (No. 26 gage) and in accordance with *SMACNA Duct Construction Standards*.
4. An approved means for cleanout shall be provided at each offset in ductwork installed in shafts.
5. The exhaust fan motor design shall be in accordance with Section 503.2 of the *International Mechanical Code*.

6. The exhaust fan motor shall be located outside of the airstream.
7. The exhaust fan shall run continuously.
8. The exhaust fan operation shall be monitored in an *approved* location and shall initiate an audible or visual signal when the fan is not in operation.
9. Makeup air shall be provided for the exhaust system.
10. A cleanout opening shall be located at the base of the shaft to provide access to the duct to allow for cleaning and inspection. The finished opening shall be not less than 12 inches by 12 inches (305 mm by 305 mm).
11. Screens shall not be installed at the termination.

618.3 (IFGC) *Dampers*. Volume dampers shall not be placed in the return air inlet to a furnace in a manner that will reduce the required air to the furnace.

*Exception:* This provision shall not apply to engineered non-residential applications.

629.1 (IFGC) *General*. Ceramic kilns with a maximum interior volume of 20 cubic feet (0.566 m<sup>3</sup>) and used for hobby and non-commercial purposes shall be installed in accordance with the manufacturer's installation instructions and the provisions of this code. Kilns shall comply with Section 301.3.

#### IFGC Chapter 8 Referenced Standards

**ICC** International Code Council, Inc.  
500 New Jersey Avenue N.W., 6th floor  
Washington, D.C. 20001

| Standard Reference Number | Title                         | Referenced in Code Section Number                                                                         |
|---------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------|
| IMC-15                    | International Mechanical Code | 101.2.5, 201.3, 301.1.1, 301.13, 304.11, 501.1, 614.2, 614.10, 618.5, 621.1, 624.1, 631.2, 632.1, 703.1.2 |

1108.2200 - Amendments to International Mechanical Code—Chapter 22 Amusement Devices.

—The 2015 International Mechanical Code is hereby amended by enacting and adding thereto Chapter 22, Amusement Devices to read as follows:



CHAPTER 22  
AMUSEMENT DEVICES  
SECTION 2201 GENERAL

2201.1 *Scope*: The provisions of this chapter shall govern the installation, repair, alteration, maintenance, operation, and inspection of every amusement ride or device and any accessories connected *or attached to such rides or devices*.

*Exceptions*:

1. Non-powered playground equipment
2. Inflatable device setup for private residential event.

2201.2 *Requirements Not Covered*. Any requirement necessary for the strength or stability of an amusement ride or device or for the protection of the health or safety of the occupants or general public, which is not specifically covered by this chapter shall be determined by the Code Official.

2201.3 *Identification*. Every amusement ride or device shall be identified by a descriptive name, manufacturer and identification number. There shall be permanently attached to every ride or device, in a readily visible location, the name of the manufacturer, name of the ride or device, the year of manufacture, and the unique identification number. The Code Official may request additional information and reports of tests and analysis, as necessary.

2201.4 *Permit-Required*. No person shall install, erect, set up or operate any amusement ride or device unless the required permit therefore has been issued. Application for such permit shall be made not less than fourteen (14) days prior to date of installation or operation. Special circumstances will be reviewed by the Code Official.

2201.4.1 *Permit Status*. A Chesterfield issued permit shall be construed to be a license to proceed with installation and erection. The operation after inspection and approval shall not be construed as authority to set aside, neglect, cancel or violate any provisions of this code nor shall issuance of such permit prevent the Code Official thereafter from requiring correction of errors or provision of additional needed safeguards. No amusement ride shall operate without a current Missouri state operating permit.

*Exception*: Inflatable bounce houses do not require a state permit.

2201.4.2 *Application*. The permit application procedure for permanent amusement rides or devices shall be as required by Section 106 of the mechanical code.

2201.4.3 The application for a Temporary amusement ride or device permit shall be accompanied by the following:

1. A copy of the site plan identifying the location of each amusement ride or device and the required separation distances showing buildings and overhead electrical wiring.
2. Copy of the general liability insurance certificate required by Section 2201.6.
3. A copy of the current certificate of compliance required by Section 2204.2.

2201.5 *Inspections*. No person shall operate or permit the operation of an amusement ride or device unless it is certified for operation pursuant to a currently valid inspection and approval as provided by this chapter and other applicable provisions of this code.

2201.5.1 Owners and operators shall comply with ASTM F-24 Standard Practice for Maintenance Procedures for Amusement Rides and Devices.

2201.6 *Insurance*. All owners or operators of amusement devices shall carry general liability insurance through a carrier licensed and operating in the State of Missouri. The minimum amount of such coverage shall be: \$1,000,000.00 per occurrence to include Bodily Injury and Property Damage. No permits shall be issued until proof of such insurance coverage is provided in the form of an insurance certificate.

2201.6.1 *Insurance Certificates*. The limits of liability specified in Section 2201.6 are minimum requirements and shall be carried by the amusement operator or owner covering all operations in Chesterfield, Missouri and said City shall be named as an additional insured. Insurance certificates shall be filed with the Code Official.

2201.7 *Fees*. Permit and inspection fees shall be as specified in Chapter 1100, SLCRO 1974 as amended.

## SECTION 2202 DEFINITIONS

2202.1 *Definitions*. For the purposes of this chapter, words and phrases listed below shall have the meanings indicated.

*Amusement Rides or Devices*: Any device or combination of devices, which carries passengers or expects persons to walk or crawl along, around or over a fixed or restricted course for the purpose of amusement.

*Inflatable devices/rides* - Structures made of flexible outer membrane or fabric that is filled with air to give shape and strength to the structure while individuals climb, jump or slide within the structure.

*Mechanical device/ride* - Any device that is propelled by actuation of either motors, hydraulics or by manual operation.

*Major attraction device/ride* - Any permanent device that has a passenger height requirement of 42 inches or greater.

*Owner:* Any person, agent, firm or corporation having a legal or equitable interest in the equipment.

*Private residential event:* Inflatable devices(s) setup on a parcel serving a single family dwelling, two family dwelling, or a townhouse for the exclusive use of the occupants of the dwelling(s) and their invited guests. This does not include inflatable devices setup for block/subdivision parties.

*Restraining Device:* A safety belt, harness, chain, bar or other physical support, retention, or restraint to the passenger of a ride or device.

*Special Amusement Buildings:* Any temporary or permanent building or portion thereof that is occupied for amusement and entertainment and the means of egress path is not readily apparent due to visual or audio distractions or is not readily available because of the nature of the attraction or mode of conveyance though the building or structure.

## SECTION 2203 OPERATORS

2203.1 *Operators.* An amusement ride or device shall be operated by a ride operator certified by the owner or his designated agent. A ride or device operator shall have knowledge of the use and function of all normal operating controls, signal systems and safety devices applicable to the ride or device and of the proper use, function, capacity and speed of the particular ride or device which is operating. When the ride or device is shut down, provision shall be made to prevent operations by the public. No person other than a certified ride operator shall be permitted to handle the controls of a ride or device during normal operation except where such ride or device is designed to be controlled by the passenger.

2203.2 All devices shall have the proper number of ride operators in accordance with the manufacturer's requirements.

## SECTION 2204 NON-DESTRUCTIVE TESTING

2204.1 *Non-Destructive Testing (NDT).* A non-destructive test as required by the manufacturer of amusement ride or device shall be performed on an annual basis, or at the frequency specified by the manufacturer. This examination shall be performed in accordance with the manufacturer's written inspection procedure by a certified testing agency. NDT is not required on inflatable bounce houses.

2204.2 *Certificate of Compliance.* A current certificate of compliance must be submitted annually by the owner certifying that each amusement device has been tested in accordance with the manufacturers' written test procedures.

## SECTION 2205 MODIFIED OR REBUILT EQUIPMENT

2205.1 *Modified and Rebuilt Rides and Devices.* An amusement ride or device which has been rebuilt or modified other than repaired and restored to its original condition shall be re-identified by a new name and identification number and shall be re-certified as a completely new piece of equipment.

## SECTION 2206 ASSEMBLY AND DISASSEMBLY

2206.1 *Assembly and Disassembly.* Assembly and disassembly of amusement rides or devices shall be by competent personnel trained and experienced in assembly and erection of such equipment.

2206.2 *Supervision.* The assembly and disassembly of an amusement ride or device shall be done by or under the immediate supervision of a person experienced in the proper performance of such work in respect to the device or structure.

2206.3 *Assembly.* Parts shall be properly aligned, and shall not be bent, distorted, cut or otherwise modified to force a fit. Parts requiring lubrication shall be lubricated in course of assembly and as required by the manufacturer. Fastening and locking devices, such as bolts, cap screws, cotter pins and lock washers shall be installed where required for dependable operation. Nuts shall be drawn tight, cotter pins shall be spread and lock nuts firmly set. Welding shall be done by welders certified in accordance with the requirements of the American Welding Society (AWS).

2206.4 *Replacement of Parts.* Parts which are excessively worn or which have been materially damaged shall be replaced or repaired.

2206.5 *Tools and Equipment.* Persons engaged in the assembly or disassembly of amusement rides or devices or temporary structures shall use tools of proper size and design to enable the work to be done safely.

2206.6 *Supports Required.* A portable amusement ride or device shall be placed on stable supports to prevent shifting, tipping, swaying or erratic motion. Use of shim blocks shall be kept to a minimum. Adequate means of drainage shall be provided to prevent water from collecting and softening supporting areas. The area surrounding the amusement ride or device shall be clear and kept free from trash and tripping hazards.

2206.7 *Permanent Foundations.* A non-portable amusement ride or device permanently erected shall be set on properly designed and constructed foundations or footings and secured to these footings in a manner to prevent shifting, tipping, swaying or erratic motion.

*Exception:* The provisions pertinent to erratic motion or sway does not apply to an amusement ride or device designed to permit flotation characteristics or flexibility.

2206.8 *Leveling and Alignment.* Corner posts, central columns or support structures of an amusement ride or device designed to operate on a vertical axis shall be plumbed and secured so that the path of the sweeps or platforms shall be level and operate on a true horizontal plane at right angles to the axis of the pivot. An amusement ride or device whose carriers are designed to operate on a horizontal axis shall be leveled so that the carriers all orbit in a true vertical plane.

2206.8.1 The base of an amusement ride or device employing a combination of orbiting planes or a ride whose carriers operate normally in a plane other than true horizontal or vertical shall be leveled, plumbed and secured so that they will not tip or shift and will be stable under the most adverse operating conditions, except for an amusement ride or device designed to permit flotation characteristics or flexibility or designed to operate properly regardless of whether the base is plumb or level.

## SECTION 2207 SAFEGUARDS

2207.1 *Guarding of Machinery.* Machinery used in or with an amusement ride or device shall be enclosed, barricaded or otherwise effectively guarded against contact. Guards removed for maintenance purposes shall be replaced before normal operation is resumed. All amusement rides or devices containing or having a mounting or mountings that would catch, wind up or entangle long hair shall have adequate guards.

2207.2 *Public Protection.* An amusement ride or device shall not be used or operated while any person is to be endangered by it. Areas in which persons may be so endangered shall be fenced, barricaded or otherwise guarded against public intrusion.

2207.3 *Signage.* Signage describing any limitations of usage or the safety of riders or operators shall be placed in a prominent location at the entry to the ride where the patrons cannot obstruct it. The signage shall include number of riders, minimum or maximum rider height, weight, age or any other restrictions imposed by the ride manufacturer.

## SECTION 2208 DESIGN LOAD AND SPEED

2208.1 *Design Load and Speed Shall Not be Exceeded.* An amusement ride or device shall not be overcrowded or loaded in excess of its safe carrying capacity, nor shall it be operated at an unsafe speed or at any speed beyond that recommended by the manufacturer. See Section 2201.3.

## SECTION 2209 INSPECTIONS

2209.1 *Daily Inspection.* Prior to carrying passengers, the owner/operator shall conduct or cause to be conducted a daily documented and signed pre-opening inspection, based on the manufacturer provided instructions, to ensure the proper operation of the ride or device. The inspection program shall include, but not be limited to the following:

1. Inspection of all passenger-carrying devices, including restraint devices and latches.
2. Visual inspection of entrances, exits, stairways, and ramps.
3. Functional test of all communication equipment necessary for the operation of the ride.
4. Inspection or test of all automatic and manual safety devices.

5. Inspection or test of the brakes, including service brakes, emergency brakes, parking brakes, and backstops.
6. Visual, inspection of all fencing, guarding, and barricades.
7. Visual inspection of the ride structure.
8. The ride or device shall be operated for a minimum of one complete operating cycle.
9. Hydraulic systems shall be checked for leaks, damaged pipes and worn or deteriorated hoses. Only manufacturer approved hydraulic fluid shall be used.
10. A record of each inspection shall be maintained and shall be readily available to the Code Official at the time of inspection.

2209.2 *Unscheduled Cessation.* An amusement ride or device, or the specifically affected element, shall be appropriately inspected and operated, without passengers, to determine that it is functioning properly following an unscheduled cessation of operation caused by:

1. Malfunction or significant adjustment, or
2. Mechanical, electrical, or operational modification, or
3. Environmental conditions that affected the operation, or any combination of the three.
4. A record of each inspection shall be maintained and shall be readily available to the Code Official at the time of inspection.

2209.3 *Documentation.* Device setup, maintenance and inspection manuals from the manufacture, along with an operator training record signed by the trainer and trainee, shall be presented to the Code Official at the time of inspection.

## SECTION 2210 WEATHER HAZARDS

2210.1 *Wind and Storm Hazards.* An amusement ride or device shall not be operated above wind limits established by the manufacturer or when storm warnings have been posted by the weather service, except as may be necessary to release or discharge passengers.

## SECTION 2211 LIGHTING

2211.1 *Lighting.* Amusement rides or devices, temporary structures, access thereto and exits there from shall, while in operation or occupied, be provided with illumination by natural or artificial means sufficient to guard against personal injuries.

## SECTION 2212 ACCESS AND EGRESS

2212.1 *Access and Egress.* Safe and adequate means of access to and egress from amusement rides, devices and temporary structures shall be provided. Such means of access and egress shall have:

1. Protection provided from hazards or falling by the use of rails, enclosures, barriers or similar means.
2. All passageways shall be kept free from debris, obstructions, projections and other hazards. All surfaces shall be maintained to prevent slipping and tripping.
3. Width of passageways shall not be less than the width of exit doors or stairs to which they lead. Headroom clearance shall not be less than 6' 8".
4. Stairways or ramps and the necessary connecting landings or platforms shall be provided whenever the entrance to or exit from such amusement device, ride, or temporary structure is above or below grade or floor level.

2212.2 *Design.* Stairways, landings and ramps shall provide the following:

1. Stairways, landings and ramps shall be designed, constructed and maintained to sustain safely a live load of at least 100 pounds per square foot.
2. Stairways, landing and ramps leading to or from an amusement ride or device intended for the public shall not be less than 36 inches wide for single lane passage. Landings shall have at least dimensions equal to the ramp width. Stair treads shall not be less than 11 inches (measured from riser to riser) and the rise shall not be greater than 7 inches (measured from tread to tread). Between any two connected levels, the treads shall be of uniform depth and the risers shall be of uniform height. The slope of ramps shall not exceed one-foot rise in 12 feet of run.
3. Guard rails shall be a minimum of 42 inches in height, non-climbable with no opening greater than 4 inches.
4. Handrails for stairs shall be a minimum of 34 inches in height and a maximum of 38 inches. The intermediate rail shall be 30 inches in height. These measurements are from nose of tread.

## SECTION 2213 BOOTHS

2213.1 *General.* Temporary booths utilized for cooking food shall be located such that at least ten (10) feet of clearance exists on two sides for the use of fire equipment or other emergency vehicles, and shall not be located within ten (10) feet of amusement rides or devices. Each booth used for cooking shall be provided with at least one 2A10BC fire extinguisher. When cooking produces grease the cooking appliance shall be under a Type 1 hood with a UL300 fire suppression system with a current service inspection tag and a Type K fire extinguisher shall also be provided.

*Exception:* Type I hoods are not required for cooking equipment in tents.

## SECTION 2214 SIGNAL SYSTEMS

2214.1 *Signal Systems.* Signal systems for the starting and stopping of amusement rides or devices shall be provided where the operator of the device does not have a clear view of the point at which passengers are loaded or unloaded. Any code of signals adopted shall be printed and kept posted at both operator's and signalman's stations. All persons who may use these signals shall be carefully instructed in their use. Signals for the movement or operation of an amusement device shall not be given until all passengers, operators, and other persons who may be endangered are in a position of safety.

## SECTION 2215 DESIGN AND CONSTRUCTION

2215.1 *Allowable Loads.* Amusement rides or devices subject to the provisions of this code shall be so designed and constructed that the maximum allowable loads will not stress any part beyond allowable limits.

2215.2 *Anchors.* Amusement rides or devices shall be anchored, guyed, stayed or otherwise supported to provide proper stability and to restrict any adverse change in stability.

2215.3 *Brakes.* If tubs or other components of an amusement ride or device may collide upon failure of normal controls, emergency brakes sufficient to prevent such collisions shall be provided. On rides or devices which make use of inclined tracks, automatic anti-rollback devices shall be installed to prevent backward movement of the tubs in case of failure of the propelling mechanism.

2215.4 *Speed Limiting Devices.* An amusement ride or device capable of exceeding its maximum safe operating speed shall be provided with a speed-limiting device.

2215.5 *Passenger Protections.* The interior and exterior parts of all passenger-carrying amusement rides or devices with which a passenger may come in contact shall be smooth and rounded, free from sharp, rough or splintered edges and corners, with no protruding studs, bolts, screws or other projections that could cause injury. Interior parts upon which or against which a passenger may be forcibly thrown by the action of the ride shall be adequately padded.

2215.5.1 *Guards.* Devices that are self-powered and that are operated by passengers shall have the driving mechanism so guarded and the guards so locked in place as to prevent passengers from gaining access to the mechanism.

2215.5.2 *Restraining Devices.* Restraining devices, such as belts, bars, foot rests and other equipment as may be necessary for safe entrance and exit and for support while the device is in operation shall be provided. Such equipment and the fastenings shall be of sufficient strength to retain the passengers. The fastenings shall be of a type, which cannot be inadvertently released.



2215.6 *Fences*. All amusement devices shall be enclosed with a fence with entrance and exit gates. Fences shall be a minimum of 42 inches high with no opening or space over 4 inches, non-climbable, and shall be self-supporting. The exit gate shall swing away from the device.

## SECTION 2216 ANCILLARY EQUIPMENT

2216.1 *Air Compressors*. Air compressors, air compressor tanks and equipment used in connection therewith, shall be constructed, equipped and maintained in accordance with ANSI/CAGI B19.1 listed in Chapter 15. The equipment shall be inspected and tested at least once a year. A record of each inspection shall be kept by the owner and/or manager on the premises where the equipment is located and shall be made available on request by the Code Official. Compressor relief valves shall be piped so as to direct the relieved air away from passengers and operators.

2216.2 *Engine Driven Power Sources*. Internal combustion power sources shall be of adequate type, design and capacity to handle the design load.

2216.2.1 *Fuel Supply*. Fuel tanks shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Where it is impossible to provide tanks of proper capacity for a complete day, the ride or device shall be shut down and unloaded or evacuated during the refueling procedure. Under no circumstances shall the fuel supply be replenished while the engines are running.

2216.2.2 *Ventilation*. An enclosed area in which an internal combustion engine is operated shall be ventilated. Exhaust fumes from the engine shall be discharged outside the area.

2216.2.3 *Location*. Internal combustion power sources shall be located in a manner permitting proper maintenance and shall be protected either by guards, fencing or enclosure.

2216.3 *Mechanical Power Transmission*. All power transmission parts shall be shielded, enclosed or barricaded to protect the public.

## SECTION 2217 FIRE PROTECTION

2217.1 *Accessibility*. Provisions shall be made for fire and emergency vehicle access to all portions of any site on which amusement devices or rides, as defined herein, are located whether permanent or temporary installations.

2217.2 *Fire Resistance of Fabrics*. Fabrics constituting part of an amusement ride or device or enclosure therefore shall be flame resistant and shall be capable of passing a flame resistant field test in accordance with Chapter 6 of NFPA 701 listed in Chapter 15.

2217.3 *Flammable Waste*. Flammable waste such as oily rags and other flammable materials shall be placed in covered metal containers. Such containers shall not be kept at or near site.

2217.4 *Flammable Liquids and Gases.* Gasoline and other volatile liquids and flammable gases shall be stored in cool and ventilated places. Smoking and the carrying of lighted cigars, cigarettes or pipes is prohibited in any area where such liquids or gases are stored or are transferred from one container to another.

2217.4.1 *Storage.* Storage and use of flammable liquids and gases shall comply with the requirements of the building code as listed in Chapter 15.

2217.5 *Special Amusement Buildings.* Temporary amusement buildings shall be equipped with an automatic fire detection system and an automatic sprinkler system throughout. Actuation of any fire detection device shall immediately sound an alarm at a constantly attended location at the building. Permanent amusement building shall comply with the building code.

2217.6 *Fire Extinguishers.* Each ride shall have at least one serviceable and tagged type ABC fire extinguisher provided by the ride operator and shall be sized in accordance with NFPA 10 and the requirements of the IFC. Extinguishers shall be within an easy reach of operator.

## SECTION 2218 ELECTRICAL INSTALLATIONS

2218.1 *Electrical Installation.* Electrical permits shall be required for permanent installations including wiring, equipment and appliances. All electrical installations shall be in accordance with the Chesterfield Electrical Code. All electrical disconnects, connection boxes, connectors, raceways and wiring shall be UL listed. The Code Official shall be permitted to require additional safety measures such as extra grounding, ground fault interrupters, etc. if in his opinion conditions at the site or the type or condition of equipment justify such additional protection. The Code Official may issue supplemental rules and regulations to further interpret the electrical requirements as provided for in paragraph 104.1.1 of this code.

2218.2 *Junction Boxes and Components.* All junction boxes and electrical components for operation of amusement rides or devices shall be segregated from passageways by fencing. All fencing shall be constructed such that it prohibits unauthorized entry, and shall be maintained for the duration of the event.

## SECTION 2219 INFLATABLE DEVICES

2219.1 *Stakes.* Inflatable devices shall be staked in accordance with the manufacturer's and Consumer Product Safety Commission requirements, whichever is more restrictive. Stakes shall be a minimum of 30 inches in length, 7/8 in diameter and driven a minimum of 24 inches into the ground. Sandbags shall not be used outdoors unless specifically approved by the manufacturer. Sandbags shall have documentation of their weight or a scale shall be provided to verify the weight.

2219.2 *Tethers.* All tethers shall be in good condition, of the proper length and size with no knots and shall not be frayed. Connections at each end shall

be made in accordance with the manufacturer's directions. The connection points at the inflatable shall be in good condition and not modified.

2219.3 *Repairs*. The inflatable shall be clean and in good condition. All repairs shall be approved by the manufacturer.

2219.4 *Blower and Fans*. Inflation devices shall be of proper CFM required by the manufacturer, UL listed and in good condition. All air supply tubes shall be utilized unless manufacturer states a different requirement.

2219.5 *Electrical Connection*. Extension cords shall be a minimum of 12 gauge wire size, listed for rough service and not over 100 feet in length. If building power is utilized to power the blower only one extension cord may be plugged into a branch circuit. GFCI protection is required.

## **Attachment 'E'**

### **1102.100 - Amendment to National Electrical Code**

Chapter 1—Article 100—Definitions.

Chapter 1 - Article 100 of the 2014 National Electrical Code is hereby amended by the addition of the following provisions. When used in this code and in standards, rules and regulations promulgated under authority of this code, the following words or phrases shall have the meanings ascribed to them in this section unless the context clearly requires otherwise.

*Interchangeability:* Words stated in the present tense include the future; gender based words are intended as neutral; the singular number includes the plural and the plural the singular.

*Terms Defined in Other Codes:* Where terms are not defined in this code and are defined in the building, mechanical, or plumbing codes adopted by Chesterfield in Chapter 07 of the City Code as amended, such terms shall have the meanings ascribed to them as in those codes.

#### **Article 100. Definitions**

##### **(A) GENERAL**

*Aid or Abet:* To help, assist, advance, facilitate or promote the acquisition of an electrical permit for work performed by an unlicensed individual not working as an employee under the direct supervision of a license holder in St. Louis County.

*Board of Appeals:* The five member panel created in Chapter 1115 SLCRO 1974 as amended which has authority to hear and decide appeals from decisions of the Code Official or the Board of Electrical Examiners pursuant to the provisions of this code.

*Building Commission :* The five member panel set forth in Article IV, Section 4.330 of the St. Louis County Charter.

*Code:* These regulations, subsequent amendments thereto, or any emergency rule or regulation which the administrative authority having jurisdiction has lawfully adopted.

*Code Official:* The Director of Transportation and Public Works or the Director's duly authorized representative who is vested with executive and administrative authority to enforce all laws ordinances and codes regulating construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, electrical, plumbing, drainlaying and mechanical systems pursuant to Chapters 1100, 1115, 1102, 1103, 1104 and 1108 SLCRO 1974, as amended.

*Construction Documents:* All of the written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of the project necessary for obtaining an electrical permit.

*Disaster:* A disaster shall include but not necessarily be limited to flood, windstorm, tornado, severe storm, earthquake, bomb blast, explosion or similar natural or man-made type event. The Code Official shall make the determination whether an event shall be declared a disaster.

*Emergency:* An event or occasion that requires immediate action in order to preserve or restore the public peace, health, safety or welfare.

*Employee:* A person who has been hired by a business entity licensed under this code, to perform work regulated by this code. The licensed business entity shall keep true and accurate payroll and other related records that are required by law for a period of at least three years after such record was made. A person is an "employee" if the person:

- Performs services for wages or salary for a business entity that submits IRS forms W-2, W-4 and 1-9 for that person.
- May be disciplined or discharged by the business entity.
- Is directed by the business entity on what work to do, when to do it and in what sequence the work will occur.
- Performs services that are incorporated into the business entity's operation and significantly affect the success of the business.
- Is required to undergo company-provided training.
- Uses the business entity's tools, equipment, materials and work facilities.

All determinations with respect to whether a person is an "employee" or "full time employee" will be decided by the Code Official.

*Full time employee:* An employee of a business entity licensed under this code who performs tasks solely for this business entity during normal hours of operation of the business entity.

*Existing Work:* Any electrical system regulated by this code which was legally installed prior to the effective date of this code, or for which a permit to install has been issued.

*Grandfathering:* Approval of the continued use of an existing system or part of an electrical system that complies with the code requirements under which the system or part was installed including the requirements for licensure and permits contained within this code.

*Registered Design Professional:* An architect or engineer, registered or licensed to practice professional architecture or engineering pursuant to the professional registration laws of the state of Missouri.

*Structure* : That which is built or constructed or a portion thereof.

*Workmanlike Manner*: An electrical installation which complies with the published American National Standard "Good workmanship in Electrical Construction."

1102.105 - Technical amendments to the requirements of the 2014 National Electrical Code.

—The following sections of the 2014 National Electrical Code, adopted by Chesterfield, are amended as herein identified and shall be part of the Electrical Code of Chesterfield or deleted therefrom as indicated.

**Article 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel.**

Ground-fault circuit-interrupter protection for personnel shall be provided as required in 210.8(A) through (C). The ground-fault circuit-interrupter shall be installed in a readily accessible location.

Informational Note: See 215.9 for ground-fault circuit-interrupter protection for personnel on feeders.

- (A) **Dwelling Units.** All 125 volt, single phase, 15- and 20- ampere receptacles installed in the locations specified in 210.8(A)(1) through (10) shall have ground-fault circuit-interrupter protection for personnel.

- (1) Bathrooms.
- (2) Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.
- (3) Outdoors.

*Exception to (3): Receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment shall be permitted to be installed in accordance with 426.28 or 421.22, as applicable.*

- (4) Crawl spaces- at or below grade level.
- (5) Unfinished basements- for the purpose of this section, unfinished basements are defined as portions or areas of the basement not intended to be habitable rooms and limited to storage areas, work areas, and the like.

*Exception No. 1 to (2) and (5): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and plug-connected in accordance with 400.7(A)(6), (A)(7) or (A)(8).*

*Exception No. 2 to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.*

Informational Note: See 760.41(B) and 760.121(B) for power supply requirements for fire alarm systems.

Receptacles installed under the exception No. 2 to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).

- (6) Kitchens-where the receptacles are installed to serve the counter top surfaces.
- (7) Sinks-where receptacles are installed within 1.8 m (6 ft.) of the outside edge of the sink.
- (8) Boathouses.
- (9) Bathtubs or shower stalls-where receptacles are installed within 1.8 m (6 ft.) of the outside edge of the bathtub or shower stall.
- (10) Laundry areas with a sink.

**210.12 Arc-Fault Circuit-Interrupter Protection.** Arc-fault circuit-interrupter protection shall be provided as required in 210.12(A),(B) and (C). The arc-fault circuit-interrupter shall be installed in a readily accessible location.

- (A) **Dwelling Units.** All 120 volt, single phase, 15- and 20-ampere branch circuits supplying outlets or devices installed in bedrooms shall be protected by any of the means described in 210.12(A)(1) through (6):
  - (1) A listed combination-type arc-fault circuit- interrupter, installed to provide protection of the entire branch circuit.
  - (2) A listed branch/feeder-type arc-fault circuit- interrupter installed at the origin of the branch circuit in combination with a listed outlet branch circuit type arc-fault circuit-interrupter installed at the first outlet box on the branch circuit. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.
  - (3) A listed supplemental arc protection circuit breaker installed at the origin of the branch circuit in combination with a listed outlet branch circuit type arc- fault circuit-interrupter installed at the first outlet box on the branch circuit where all of the following conditions are met:
    - a. The branch circuit wiring shall be continuous from the branch circuit overcurrent device to the outlet branch circuit arc-fault circuit-interrupter.

- b. The maximum length of the branch circuit wiring from the branch circuit overcurrent device to the first outlet shall not exceed 15.2 m (50 ft.) for a 14 AWG conductor or 21.3 m (70 ft.) for a 12 AWG conductor.
  - c. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.
- (4) A listed outlet branch circuit type arc-fault circuit- interrupter installed at the first outlet on the branch circuit in combination with a listed branch circuit overcurrent protective device where all of the following conditions are met:
- a. The branch circuit wiring shall be continuous from the branch circuit overcurrent device to the outlet branch circuit arc-fault circuit-interrupter.
  - b. The maximum length of the branch circuit wiring from the branch circuit overcurrent device to the first outlet shall not exceed 15.2 m (50 ft.) for a 14 AWG conductor or 21.3 m (70 ft.) for a 12 AWG conductor.
  - c. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.
  - d. The combination of the branch circuit overcurrent device and outlet branch circuit arc-fault circuit- interrupter shall be identified as meeting the requirements for a system combination-type arc-fault circuit-interrupter and shall be listed as such.
- (5) If RMC, IMC, EMT, type MC, or steel-armored type AC cables meeting the requirements of 250.118, metal wireways, metal auxiliary gutters, and metal outlet and junction boxes are installed for the portion of the branch circuit between the branch circuit overcurrent device and the first outlet, it shall be permitted to install a listed outlet branch circuit type AFCI at the first outlet to provide protection for the remaining portion of the branch circuit.
- (6) Where a listed metal or non-metallic conduit or tubing or type MC cable is encased in not less than 50 mm (2 in.) of concrete for the portion of the branch circuit between the branch circuit overcurrent device and the first outlet, it shall be permitted to install a listed outlet branch circuit type AFCI at the first outlet to provide protection for the remaining portion of the branch circuit.

*Exception: Where an individual branch circuit to a fire alarm system installed in accordance with 760.41(B) or 760.121(B) is installed in RMC, IMC, EMT, or steel sheathed cable, type AC or type MC, meeting the requirements of 250.118, with metal outlet and junction boxes, AFCI protection shall be permitted to be omitted.*



Informational Note No. 1: For information on combination- type and branch/feeder-type arc-fault circuit-interrupters, see UL 1699-2011, *Standard for Arc-Fault Circuit-Interrupters*. For information on outlet branch circuit type arc-fault circuit-interrupters, see *UL Subject 1699A, Outline of Investigation for Outlet Branch Circuit Arc- Fault Circuit-Interrupters* . For information on system combination AFCIs, see *UL Subject 1699C, Outline of Investigation for System Combination Arc-Fault Circuit-Interrupters*.

Informational Note No. 2: See 29.6.3(5) of *NFPA 72-2013 National Fire Alarm and Signaling Code*, for information related to secondary power-supply requirements for smoke alarms in dwelling units.

Informational Note No. 3: See 760.41(B) and 760.121(B) for power-supply requirements for fire alarm systems.

**210.12(B) Branch Circuit:** Extensions or Modifications-Dwelling Units. In any of the areas specified in 210.12(A), where branch circuit wiring is modified, replaced or extended, the branch circuit shall be protected by one of the following:

- (1) A listed combination-type AFCI located at the origin of the branch circuit.
- (2) A listed outlet branch circuit type AFCI located at the first receptacle outlet of the existing branch circuit.

Exception: AFCI protection shall not be required where the extension of the existing conductors is not more than 9.5 m (30 ft.) and does not include any additional outlets or devices.

**210.12(C) Dormitory Units.** All 120-volt, sing-phase, 15- and 20-ampere branch circuits supplying outlets installed in dormitory unit bedrooms, living rooms, hallways, closets, and similar rooms shall be protected by a listed arc-fault circuit interrupter meeting the requirements of 210.12(A)(1) through (6) as appropriate.

**406.12 Tamper Resistant Receptacles.** Tamper resistant receptacles shall be installed as specified in 406.12(A) and (B).

- (A) **Guest Rooms and Guest Suites of Hotels and Motels.** All nonlocking-type 125 volt, 15- and 20-ampere receptacles located in guest rooms and guest suites of hotels and motels shall be listed tamper-resistant receptacles.
- (B) **Child Care Facilities.** In all child care facilities, all nonlocking-type 125 volt 15- and 20- ampere receptacles shall be listed tamper resistant receptacles.

*Exception to (A) and (B): Receptacles in the following locations shall not be required to be tamper resistant:*

- (1) Receptacles that are more than 1.7 m (5½ ft.) above the floor.
- (2) Receptacles that are part of a luminaire or appliance.
- (3) A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord and plug-connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).
- (4) Nongrounding receptacles used for replacements as permitted in 406.4(D)(2)(a).

## **Attachment ‘F’**

### **1103.401 - Amendments to the Uniform Plumbing Code™**

Chapter 1—Administration.

Chapter 1 is not adopted and not included in the Plumbing Code adopted by the City of Chesterfield pursuant to Section 1103.020.

1103.402 - Amendments to the Uniform Plumbing Code™—Chapter 2—Definitions.

Chapter 2 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

*201.1 Terms Defined in Other Codes:* Where terms are not defined in this Code and are defined in Chapters 1003, 1008, 1100, 1115, 1116, 1117, 1102, 1105, 1107, 1108, 1109, or 1110 SLCRO 1974 as amended, such terms shall have the meanings ascribed to them in those Codes.

*Addition.* An increase in building area, aggregate floor area, height or number of stories of a structure.

*Additional Inspection.* An inspection which is not a required inspection as defined in this Code but which in the judgment of the Code Official is reasonably necessary to enforce this Code or as an inspection which is required as a result of unusual or complicated construction and/or is defined as an inspection which is made as a result of non-compliance, not ready, lockout etc. See Extra Inspection. Fees for additional inspections shall be as specified in Chapter 1100 SLCRO 1974 as amended.

*Alteration.* Any construction or renovation to an existing structure other than repair or addition.

*Authority Having Jurisdiction.* City of Chesterfield.

*Bedroom.* A room furnished with a bed and intended primarily for sleeping.

*Board.* The Board of Plumbing Examiners.

*Board of Appeals.* The St. Louis County Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Board of Registration.* The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

*Boiler.* See Water Heater Boiler.

*Building Commission.* The St. Louis County Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Code.* The City of Chesterfield Building Code.

*Building Drain.* That part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet (1525 mm) outside the building wall, or five (5) feet (1525 mm) beyond plumbing appliances, appurtenances or equipment installed outside the walls of the building such as but not limited to grease, oil, and sand interceptors.

*Building Classification .* The arrangement adopted by the Authority Having Jurisdiction for the designation of buildings in classes according to occupancy.

*Building Trap.* A device, fitting, or assembly of fittings installed in the building drain to prevent circulation of air between the drainage system of the building and the building sewer.

*Central Use Facility(s).* A restroom facility or facilities designed and sized to accommodate the total occupant load of the building, located within the distance required by the Code for maximum access and meeting the requirements of the Code within its use category.

*Certified Backflow Assembly Tester.* A person who is certified by the Missouri Department of Natural Resources as a backflow prevention device tester and possesses a backflow prevention device tester certificate issued pursuant to this code for the particular application involved.

*Certified in Plumbing Design (CPD).* A person who has successfully completed the CPD examination as a part of the international certification program for engineers and designers of plumbing systems and so designated by the American Society of Plumbing Engineers.

*Code Authority/ Code Official.* The Director of Planning of Chesterfield, Missouri or his duly authorized representative.

*Committee.* The Committee of Plumbing Code Review as created herein.

*Containment.* (Cross-connection) Protection of the public water system is obtained by installation of an approved backflow prevention assembly or air-gap separation at the user connection from the main service line(s).

*Cross-Connection.* Any actual or potential connection or structural arrangement, between a public or private potable water supply system and any other source or system through which it is possible to introduce into any part of the private or public water system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. By-pass arrangements, jumper connections, removable sections, swivel or change-over devices through which or because of which, backflow can or may occur are considered to be cross-connections.

*Cross-Connection, Direct.* A continuous, enclosed interconnection or cross-connection to allow the flow of fluid from one system to the other.

*Cross-Connection, Indirect.* A potential cross-connection such that the interconnection is not continuously enclosed and the completion of the cross-connection depends on the occurrence of one or more abnormal conditions.

*Cross-Connection, Isolation.* Protection of the user water system by installation of an approved backflow prevention device or assembly at the point of connection between the users water system and any device, equipment, appliance, appurtenance assembly or area which might constitute a real or potential cross-connection.

*Customer .* Any person who receives water from a public water system, except those persons receiving water for resale.

*Customer Service Line.* The pipeline from the public water system to the first tap, fixture, receptacle or other point of customer water use or to the first auxiliary water system or pipeline branch in a building.

*Customer Water System.* All piping, fixtures and appurtenances, including auxiliary water systems, used by a customer to convey water on his/her premises.

*Dead End.* That part or branch of a drainage piping system, which is without a free circulation of air.

*Direct Cross-Connection.* A continuous, enclosed interconnection or cross-connection to allow the flow of fluid from one system to the other.

*Disaster.* A disaster shall include but not necessarily be limited to flood, tornado, severe storm, earthquake or similar type event. The Code Official shall make the determination whether an event shall be declared a disaster.

*Downspout.* The rain leader from the roof to the building storm drain, combined building sewer, or other means of disposal located outside of the building.

*DWV.* An acronym for "drain-waste-vent" referring to the combined sanitary drainage and venting systems and the storm water drainage system. This term is technically equivalent to "soil-waste-vent" (SWV).

*Emergency.* An event or occasion that requires immediate action in order to preserve or restore the public peace, health, safety or welfare.

*Employee.* A person, who produces a product or service, employed by another usually for wages or salary in a position below the executive level.

*Engineer.* An engineer registered or licensed to practice professional engineering in Missouri in accordance with the professional registration laws of the state of Missouri.

*Extra Inspection,* is defined as an inspection, which is required as a result of unusual or complicated construction and/or is defined as an inspection,

which is made as a result of noncompliance, not ready, lockout etc. An inspection, which is not a required inspection as defined in this Code but which in the judgment of the Code Official, is reasonably necessary due to non-compliance with Code requirements, or work not ready or accessible for inspection when requested. Fees for extra inspections shall be as specified in Chapter 1100 SLCRO 1974 as amended.

*Facility.* A single tract or contiguous tracts of land and any improvements on them, upon which one (1) or more service connections are located, and which, except for easements and public right-of-way, are wholly owned, leased or otherwise subject to the control of the customer.

*Fixture Group.* A set of fixtures within a room or rooms serving an individual or group of individuals at a unique single time.

*Floor Area, Net.* The actual occupied area not including unoccupied accessory areas such as corridors, stairways, toilet rooms, mechanical rooms and closets.

*Health Department.* The St. Louis County Department of Public Health.

*HDPE.* High Density Polyethylene.

*Transportation.* The City of Chesterfield Department of Public Works.

*Irrigation Backflow Assembly.* An assembly consisting of a Reduced Pressure Zone Backflow Device and a properly sized Shock Arrestor located downstream and within 12 inches of the backflow device.

*Isolation - (Cross-Connection).* Protection of the user water system by installation of an approved backflow prevention device or assembly at the point of connection between the users water system and any device, equipment, appliance, appurtenance assembly or area which might constitute a real or potential cross-connection.

*Main & Branch System.* The conventional method of water distribution. This system utilizes a main to service several branches, which in turn service individual fixtures.

*Manifold System.*

- (1) The "home run" system utilizes a centrally located manifold to individually distribute supply lines to each fixture.
- (2) The "remote manifold" system utilizes a trunk or main, which services several small manifolds that in turn service individual fixtures.

*Master License Disabled.* Master licensee who is unable to obtain permits and receive inspections because an approved bond or the required insurance certificate, current phone and address on file is not correct, or the Master licensee is in arrears on any fees or charges owed the City of Chesterfield or St. Louis County.

*Master License Enabled.* Master licensee who is able to obtain permits, receive inspections and who has on file with approved bond and insurance certificate, current phone and address is on file with St. Louis County. The Master licensee shall not be in arrears on any fees and charges owed the City of Chesterfield or St. Louis County.

*Master License Inactive.* A Master licensee who has chosen to put his Master license inactive.

*Mechanical Code.* The City of Chesterfield Mechanical Code.

*Minor Repairs.* The term "minor repairs" shall be construed to mean repairs within the interior of any building to leaks in drains, pipes, traps and valves, opening waste or supply pipes, and traps or drains. It shall not be construed to include any work involving connections to or replacement or rearrangement of soil pipes, supply pipes, waste pipes, vent pipes or inside rain leader pipes, or the replacing or setting of any fixture, or replacement or repairs to Backflow Prevention Devices, pressure reducing or regulating valves, or any other installation, repair or alteration which in the judgment of the Chief Plumbing Inspector is of such a nature which if improperly installed, repaired or altered would endanger the public health. Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

*MSD.* The Metropolitan St. Louis Sewer District.

*Multiple Single-Family Dwelling.* Wherever the term multiple single-family dwelling is used in this Code, it shall be construed to include two-family dwellings.

*Multipurpose Residential Fire Protection Piping Systems.* A piping system intended to serve all plumbing fixtures and fire protection needs.

*Net Floor Area.* The actual occupied area not including unoccupied accessory areas such as corridors, stairways, toilet rooms, mechanical rooms, and closets.

*Office.* The Office of the Chief Plumbing Inspector. (Plumbing and Sewer Inspection).

*Other Establishment.* Any public or private structure other than a dwelling, which generates sewage.

*Parallel Water Distribution System.* A Parallel Water Distribution System usually refers to plastic pipe systems, usually PEX or PEX-AL-PEX systems, that use a manifold in the system.

*Plumbing System.* Includes all potable water building supply and distribution pipes, all plumbing fixtures and traps, all drainage and vent pipe(s), and all building drains and building sewers, including their respective joints and connection, devices, receptors, and appurtenances within the

property lines of the premises, and shall include potable water piping, potable water treating or using equipment, and water heaters and water heating boilers for potable water.

*Exclusion:* The receiving, unloading, moving, storing, hoisting, setting, aligning and leveling of casework housing plumbing components, such as laboratory fume hoods and hospital headwall units, shall not be considered to be components of plumbing systems and shall not be subject to the licensing provisions of this code.

*Exclusion:* Lawn Irrigation Systems, when connected to potable water supply and protected by a reduced principle backflow preventer assembly shall be considered to be irrigation equipment and not subject to specific Plumbing Code requirements. The lawn irrigation system is considered to be all piping, components, sprinklers, valves, etc., beyond the discharge side of the Irrigation Backflow Assembly.

*Exclusion:* Residential Fire Protection Systems, separate and independent from the water distribution system and protected by a backflow prevention assembly shall be considered to be a Stand Alone Fire Sprinkler System. The Residential Fire Protection System is considered to be all piping, components, sprinklers, valves, etc. beyond the discharge side of the Potable Water Service and Potable Water Distribution System Valve as installed and permitted under the Mechanical Code.

*Public Water System.* A system for the provision to the public of piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days per calendar year. Such system includes any collection, treatment, and storage or distribution facilities used in connection with such system.

*Quick Closing Valve.* A fast-action solenoid valve, spring loaded self-closing faucet, push-pull type valves and faucets, or any other device capable of instantaneously closing.

*Rainwater Harvesting.* A technology used to collect, convey, and store rain from relatively clean surfaces such as a roof, land surface or rock catchment for later use.

*Re-inspection.* See Extra Inspection.

*Required Inspection.* An inspection which falls within the minimum number of inspections required by this Code and Chapter 1115, 1116, 1117, SLCRO 1974 as amended.

*Roof Drain.* A drain installed to receive water collecting on the surface of a roof and to discharge it into a leader, down spout, or conductor. Roof drain includes sump receivers, clamps, grates, sumps, extensions, hangers, supports and all other appurtenances necessary for its function, security and stability.



*Roughing-In.* The installation of all parts of the plumbing system, which can be completed prior to the installation of fixtures. This includes drainage, water supply, gas piping, and vent piping and the necessary fixture supports.

1. *Ground Rough In.* All underground piping, which shall include waste, vent, and distribution piping.
2. *Stack Rough In.* All waste, vent and distribution water supply lines above ground.

*Sanitary Sewer.* A sewer, which carries sewage and excludes storm, surface, and ground water.

*Service Connection.* Any water line or pipe connected to a water distribution main or pipe for the purpose of conveying water to a point of use.

*Sewer District.* The Metropolitan St. Louis Sewer District (MSD) or private sewer company having jurisdiction in the location where work is to be performed.

*Soil Characteristics, Limiting.* Those soil characteristics which preclude the installation of a standard private sewage system including but not limited to evidence of water table or bedrock closer than four (4) feet to the ground surface and percolation rates slower than forty-five (45) minutes per inch. Also the amount of rock fragments in areas of significant potential for groundwater contamination.

*Standpipe.* A vertical pipe generally used for the storage and distribution of water for fire extinguishing.

*Strapped Plumbing .* A plumbing scheme where drain piping from upper floors is supported just below floor joists of lowest floor providing gravity flow to public or private sewer, and exits the building through a wall penetration.

*Water Customer .* Any person who receives water from a public water system.

*Water Distribution System.* All piping, conduits, valves, hydrant, storage facilities, pumps and other appurtenances, excluding service connections, which serve to deliver water from a water treatment plant or water supply source to the public.

*Water Service Pipe/Building Supply.* The pipe from the water main or other source of potable water supply, including the corporation, and meter (if installed), to the water distributing system of the building served.

*Water System.* All sources from which water is derived for drinking or domestic use by the public, also all structures, conduits and appurtenances by means of which water for use is treated, stored or delivered to consumers, except service connections from water distribution systems to buildings and plumbing within or in connection with buildings served.

*Water Supply Source.* All sources of water supply including wells, infiltration galleries, springs, reservoirs, lakes, streams or rivers from which water is derived for public water systems, including the structures, conduits, pumps and appurtenances used to withdraw water from the source or to store or transport water to the water treatment facility or water distribution system.

*Welded Joint or Seam.* Any joint or seam obtained by the joining of metal or plastic parts in the plastic molten state.

*Welder, Pipe.* A person who specializes in the welding of pipes and holds a valid certificate of competency from a recognized testing laboratory, based on the requirements of the ASME Boiler and Pressure vessels code, Section IX for metal pipe and/or based on the requirements of the AWS B2.4 Specification and/or Plastics-Pipe-Institute (PPI), Generic Butt Fusion Joining Procedure for Field Joining of Polyethylene Pipe for Welding Procedure and Performance Qualification for Thermoplastics.

*Workmanlike.* Executed in a skilled manner; i.e., generally plumb, level, square, in line, undamaged and without marring adjacent work.

## CHAPTER 3 - GENERAL REGULATIONS

1103.403 - Amendments to the Uniform Plumbing Code™—Chapter 3—General Regulations.

—Chapter 3 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

301.1.4 Deleted.

301.2.5 *Existing Buildings.* In existing buildings or premises in which plumbing installations are to be altered, repaired, or renovated, the Authority Having Jurisdiction may permit deviation from the requirements of this Code, provided that such proposal to deviate is first submitted for proper determination in order that health and safety requirements, as they pertain to plumbing, shall be observed.

1. *Reuse of Water Service.*

- (A) Existing water service may be used in connection with new buildings or new plumbing and drainage work only when they are found on examination and test to conform in all respects to the requirements governing new work and the proper authority having jurisdiction shall notify the owner to make any changes necessary to conform to this Code. No building or part thereof shall be erected or placed over any part of a water service, which is constructed of materials other than

those approved elsewhere in this Code for use under or within a building.

(B) For alterations and additions to a building with an existing 3/4" size water service:

- (1) For the installation of an additional 9 WSFUs which then results in an existing residential or commercial building to total no more than 2½ baths and a maximum total of 31 WSFUs the 3/4" size water service shall be allowed to remain with no change.
- (2) For the installation adding more than 9 WSFUs or totaling more than 31 WSFUs, the 3/4" size water service shall be replaced and sized in accordance with the provisions of Chapter 6 of this Code.

301.4 Deleted.

*301.5.3 Design Documents.* The registered professional engineer shall provide four (4) complete sets of signed and sealed documents for the alternative engineered design for submittal to the Authority Having Jurisdiction. The design documents shall include at a minimum, a floor plan and a riser diagram of the work. Where appropriate, the design documents shall indicate the direction of flow, all pipe sizes, grade of horizontal piping, loading and location of fixtures and appliances.

305.0 *Sewers Required.*

305.2 Deleted.

*310.5 Obstruction of Flow.* No fitting, fixture and piping connection, appliance, device, or method of installation that obstructs or retards the flow of water, wastes, sewage, or air in the drainage or venting systems, in an amount greater than the normal frictional resistance to flow, shall be used unless it is indicated as acceptable in this code or is approved per Section 301.2 of this code. The use of an automatic air vent type fitting is prohibited. The enlargement of a three (3) inch (80 mm) closet bend or a stub to four (4) inches (100 mm) shall not be considered an obstruction.

311.0 Deleted.

311.2 Deleted.

*311.0 Independent Systems.*

*311.1 General.* The drainage system of each new building and of new work installed in an existing building shall be separate and independent from that of any other building, and, where available, every building shall have an independent connection with a public or private sewer.

*Exception:* Where one building stands in the rear of another building on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining court, yard, or driveway, the building drain from the front building shall be permitted to be extended to the rear building.

The General requirements for building drains and building sewers serving single service Fats, Oil, or Grease (FOG) generating facilities. (See drawing # 19 in appendix M)

1. Commercial Units.

(A) Separation of sanitary, and FOG building drains exiting the building.

- (1) All sanitary, and FOG building drains shall exit the building separately and shall be combined in a sampling manhole prior to leaving the property. Storm Drains shall exit the property separately where conditions allow.

*Exception:* Where the footprint of the building on the property does not provide adequate clearance for this installation it shall be installed inside the building. Access from the outside shall be provided for this installation.

2. One, Two & Four Family Residential

(A) Separate FOG building drain not required

311.2 General requirements for building drains and building sewers serving multi-tenant one and two story buildings (also called strip stores). (See drawing #20 in appendix M).

1. There shall not be installed within the building structure a common drain to all tenant units. Each tenant will have installed an independent connection with a private sewer through a sampling tee. The private sewer will be located a minimum of five feet (5') from the building and a minimum of five feet (5') from the property line.
2. If the tenant is a FOG generating facilities there shall be a separate FOG building drain.
  - (A) All grease generating appliances and all fixtures collecting FOG laden waste shall pass through a hydromechanical grease interceptor (HGI) before connection to the separate FOG building drain.

*Exception:* Strip stores and/or commercial plumbing installations as shown in Drawing 20, containing a maximum of 75 gpm (maximum 4 inch diameter outlet) discharge from the hydromechanical interceptor may be routed to the common sanitary drain within three (3) feet of the exterior foundation wall and prior to exiting the building.

Waste drain lines from garbage disposals, dishwashers and pre-rinse sinks, before entering a grease interceptor, shall first flow through a solids interceptor.

312.3 *Building Sewer and Drainage Piping.* No building drain or other drainage piping or part thereof, constructed of materials other than those approved for use under or within a building, shall be installed, or less than one (1) foot (305 mm) below the surface of the ground.

No building sewer or drainage piping or part thereof, shall be installed under or within five (5) feet (1524 mm) of any building or structure nor less than thirty (30) inches (760 mm) below the surface of the ground.

*Exception:* Transition from all drainage thirty (30) inches (760 mm) below the surface of the ground to the building sewer at a maximum of forty-five (45°) degrees.

*312.13 Exposed ABS Piping.* ABS piping shall not be exposed to direct sunlight.

*Exception:*

- (1) ABS piping exposed to sunlight that is protected by water based synthetic latex paints
- (2) ABS piping exposed as vent termination pipe through roof.

*312.14 Exposed PVC Piping.* PVC piping shall not be exposed to direct sunlight.

*Exceptions:*

- (1) PVC piping exposed to sunlight that is protected by water based synthetic latex paints.
- (2) PVC piping wrapped with not less than 0.04 inch (1.02 mm) thick tape or otherwise protected from UV degradation.
- (3) PVC piping exposed as vent termination pipe through roof.

*313.0 Protection of Piping , Materials and Structures.*

*313.3 Deleted.*

*313.9 Deleted.*

*313.10 Deleted.*

*313.10.1 Deleted.*

*316.0 Deleted.*

*316.1 Deleted.*

*314.4.2 Welding Thermoplastic Pipe and Fittings.* Plastic pipe and fittings designed to be joined by thermoplastic welding processes used for owner and/or operator installed gas transmission mains and for other applications such as Gas Service Lines and Gas Mains, Domestic Water Mains and Potable Water Service Lines shall comply with AWS B2.4 Specification and/or Plastic-Pipe-Institute (PPI), Generic Butt Fusion Joining Procedure for Field Joining of Polyethylene Pipe, for Welding Procedure and Performance Qualification for Thermoplastics. Welding shall be performed by certified or qualified installers meeting the requirements of AWS B2.4, Individual Manufacturer Qualifications under the regulations of PPI, qualifications given by material distributor or manufacturer, or certification or qualification issued by owner. Qualification by

Manufacturers will last for the duration of one (1) year from time qualified unless installer has used the proceeded within the time allotted (determined by individual manufacturer.) The one (1) year qualification for a refresher course will commence from the date of the refresher course.

*316.1.11.1 Deleted.*

*316.2.2 Deleted.*

*320.0 Deleted.*

*321.0 Parking Garages.*

*321.1 Parking Structures Drainage.* Drainage systems for parking structures shall be designed and installed in the following manner:

1. Drainage systems for roofs and all uncovered areas shall discharge into the storm sewer in a manner prescribed by this code (See "6").
2. Drainage systems for intermediate floor areas and all other covered areas shall discharge into the sanitary sewer in a manner prescribed by this code (See "5" & "6").
3. Floor drains for parking structures, in parking areas, need not be trapped.
4. Sanitary drains shall discharge through sand and oil interceptors. The oil interceptor shall be located on the outside of the building.
5. All storm and sanitary piping that connect to sanitary or combination sewers shall be trapped prior to connection to the sewer.
6. Drainage and vent systems installed in parking structures shall not be interconnected with internal sanitary systems.
7. All drainage lines, sanitary and storm, shall be routed through inspection manhole prior to connection to sewer main or other approved discharge.

*322.0 Hospitals and Ambulatory Care Facilities and Nursing Homes.* All plumbing facilities shall comply with the Missouri Licensing Law Regulations and Codes for Hospitals and Ambulatory Care Facilities and Nursing homes.

*322.2 Water Heating Equipment.*

1. The water heating equipment shall have sufficient capacity to supply six and one-half (6-1/2) gallons of water at one hundred ten (110) degrees Fahrenheit per hour per bed for fixtures; four (4) gallons of water at one hundred and twenty (120) degrees Fahrenheit per hour per bed for kitchens, and four and one half (4-1/2) gallons of water at one hundred and sixty (160) degrees Fahrenheit per hour per bed for laundry. The rinse water temperature of automatic ware washing equipment shall be one hundred and eighty (180) degrees Fahrenheit.

2. Such water heating equipment may be of the instantaneous, semi-instantaneous, flash or storage type. Where direct fired water heaters are used, they shall be of an approved high pressure type. Submerged steam heating coil shall be of copper.

All water heating equipment shall be fabricated of non-corrosive metal or lined with non-corrosive material.

#### CHAPTER 4 - PLUMBING FIXTURES

1103.404 - Amendments to the Uniform Plumbing Code™—Chapter 4—Plumbing Fixtures.

—Chapter 4 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

*402.3.1 Nonwater Urinals approved by Authority Having Jurisdiction.*

*405.2 Deleted.*

*405.4 Deleted.*

*406.0 Special Fixtures and Specialties.*

*406.1 Water and Waste Connections.* Baptisteries, ornamental and lily ponds, aquaria, ornamental fountain basins, and similar fixtures and specialties requiring water and/or waste connections shall have adequate backflow and back-siphonage protection and shall be submitted for approval to the Authority Having Jurisdiction prior to installation.

*406.2 Restaurant kitchen and other special use sinks* may be made of approved type bonderized and galvanized sheet metal of not less than No. 16 U.S. Grade (0.0625) (1.6 mm) and stainless steel of approved quality and grade. All sheet metal plumbing fixtures shall be adequately designed, constructed, and braced in an approved manner to satisfactorily accomplish their intended purpose.

*406.3 Deleted.*

*411.2 Deleted.*

*411.2.1 Deleted.*

*418.0 Floor Drains.*

*418.2 Strainer.* Floor drains and floor sinks shall be considered plumbing fixtures, and each such drain or sink shall be provided with an approved-type strainer having a waterway equivalent to the area of the tailpiece. Floor drains and floor sinks shall be of an approved type and shall provide a watertight joint in the floor.

*418.3 Location of Floor Drains.* Floor drains shall be installed in the following areas:

- (1) All toilet rooms designated as handicapped, and toilet rooms containing two or more water closets or a combination of one water closet and one urinal, except in a dwelling unit.
- (2) Commercial kitchens and in accordance with Section 704.3.
- (3) Laundry rooms in commercial and institutional buildings and common laundry facilities in multi-family dwelling buildings.
- (4) Boiler rooms.
- (5) Commercial and Institutional Kitchens.
- (6) Toilet rooms designated for Public Use.
- (7) Within fifteen (15') feet and in the same room as a hot water heater or water heater boiler.
- (8) Within fifteen (15') feet and in the same room as backflow devices which have received approval from the Missouri Department of Natural Resources, which have in their design the capability of a discharge.
- (9) All wheel chair accessible roll-in showers shall be supplied, in addition to the shower drain, with a threshold drain outside the shower within 5 feet of the shower drain, whenever a threshold or obstacle to natural drainage to the shower drain exists. Where the drain is required, the waste line of the threshold drain shall be connected to the shower drain waste pipe above the trap.
- (10) When required by owner or designer, a floor drain shall be installed within five feet of the mop basin drain, and the waste line of that drain shall be connected to the mop basin drain waste pipe above the trap.
- (11) All basements with or without fixtures shall require a floor drain.

*411.2.14 Deleted.*

*411.2.15* Floor drains and floor sinks shall be installed in accordance with the provisions set forth in this Code and in the manner set forth hereunder:

- A. A connection for a floor drain at the automatic clothes washer above ground may be discharged directly into the riser-pipe (stand pipe) above the trap of the automatic clothes washer drain and the floor drain need not be trapped.
- B. Underground traps three inches (3") in diameter and larger for floor drains, hub drains or stand pipe receptors need not be vented if sufficient stack vents or vent stack are connected to the underground system to ensure adequate ventilation and protection of the trap seals.
- C. Traps two inches (2") in diameter installed for floor drains, hub drains and standpipe receptors shall be individually vented.



- D. The connection of a floor drain, three (3") or four (4") inches in size when installed underground shall be connected into the horizontal building drain not less than five (5') feet downstream from the soil or waste stack.
- E. Floor sinks being used as indirect waste receptors for plumbing fixtures or appliances shall be individually wasted and vented in accordance with the provisions established in this Code.
- F. Floor sinks, three (3") inch trap size and larger, being used as indirect waste receptors for drip drainage and other similar discharges may be either individually vented or line vented in accordance with the provisions established in this Code.

411.8 Deleted.

412.3 Deleted.

413.0 Deleted.

*422.6 Food Service Establishments.* Food service establishments with an occupant load of one hundred (100) or more shall be provided with separate facilities for employees and customers. Customer and employee facilities may be combined for occupant loads less than one hundred (100). Customer occupant load shall be determined as one (1) occupant per each fifteen (15) square foot or part thereof, of dining and waiting area. Where outdoor seating is provided for a restaurant, the actual outdoor seating area shall be included in the total occupant load area for the restaurant. When separate facilities are required for employees and customers and the total number of employees exceeds forty (40) at any time, a second toilet room shall be provided for employees and such toilet rooms shall be uni-sex. Employee toilet rooms do not require physically disabled accessibility if other facilities in this establishment are available which meet physically disabled accessibility requirements.

TABLE 4-1  
Minimum Plumbing Facilities

Deleted.

TABLE 422.1 MINIMUM PLUMBING FACILITIES

Each building shall be provided with sanitary facilities, including provisions for persons with disabilities as prescribed by the Authority Having Jurisdiction. Table 422.1 applies to new buildings, additions to a building, and changes of occupancy or type in an existing building resulting in increased occupant load.

*Exception:* New cafeterias used only by employees. For requirements for the physically disabled, ICC/ANSI A117.1, Accessible and Usable Buildings and Facilities, may be used. Access to public toilet facilities shall not be areas used by employees preparing food or areas used for the repair or assembly of products obtained or consumed by customers, or storage rooms, or mechanical equipment rooms.

*Exceptions:*

1. Where outdoor seating is provided for a restaurant, the actual outdoor seating area shall be included in the total occupant load for the restaurant.
2. Re-occupancy with no change of use may require a change in the number of fixtures due to increase in occupant load or re-configuration of the space.
1. The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or any fraction thereof.
2. Building categories not shown on this table shall be considered separately by the Authority Having Jurisdiction.
3. Drinking fountains shall not be installed in toilet rooms.
4. Laundry trays. One (1) laundry tray or one (1) automatic washer standpipe for each dwelling unit or one (1) laundry tray or one (1) automatic washer standpipe, or combination thereof, for each twelve (12) apartments. Kitchen sinks, one (1) for each dwelling or apartment unit.
5. For each urinal added in excess of the minimum required, one (1) water closet may be deducted. The number of water closets shall not be reduced to less than two-thirds (2/3) of the minimum requirement.
6. As required by PSAI Z4.1, Sanitation in Places of Employment.
7. Where there is exposure to skin contamination with poisonous, infectious, or irritating materials, provide one (1) lavatory for each five (5) persons.
8. Twenty-four (24) lineal inches (610 mm) of wash sink or eighteen (18") inches (457 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one (1) lavatory.
9. Laundry trays, one (1) for each fifty (50) persons. Service sinks, one (1) for each hundred (100) persons.
10. General. In applying this schedule of facilities, consideration shall be given to the accessibility of fixtures. Conformity purely on a numerical basis may not result in an installation suited to the need of the individual establishment. For example schools shall be provided with toilet facilities on each floor having classrooms, for students and for teachers.
  - (A) Surrounding materials, wall and floor space to a point two (2) feet (610 mm) in front of urinal lip and four (4') feet (1,219 mm) above the floor, and at least two (2) feet (610 mm) to each side of the urinal shall be lined with non-absorbent materials.
  - (B) Trough urinals are prohibited.
  - (C) Waterless urinals are prohibited.

11. A restaurant is defined as a business which sells food to be consumed on the premises.
  - (A) The number of occupants for a drive-in restaurant shall be considered as equal to the number of parking stalls.
  - (B) Employee toilet facilities are not to be included in the above restaurant requirements. Hand washing facilities shall be available in the kitchen for employees.
  - (C) For a drive-thru or take-out restaurant with seating, not to exceed twenty (20) customers, toilet facilities shall be provided available to customers and employees. A minimum of one (1) toilet room consisting of one (1) water closet, one (1) lavatory, and one (1) floor drain shall be available to customers.
  - (D) For a drive-thru restaurant or take-out with no seating, toilet facilities are required for employees only.
  - (E) For a facility defined as a restaurant dispensing fuel to the public which offers food and drink in a structure larger than seven hundred fifty (750) square feet, separate toilet facilities for male and female shall be provided available to customers and to employees.
    - (1) Where there are more than twelve (12) but fewer than twenty-three (23) fuel dispensing stations available, there shall be provided for the male toilet room two (2) water closets, one (1) urinal, one (1) lavatory, and one (1) floor drain and there shall be provided for the female toilet room three (3) water closets, one (1) lavatory, and one (1) floor drain.
    - (2) For each additional ten (10) fuel dispensing stations there shall be provided for the male toilet room an additional one (1) water closet or urinal, and one (1) lavatory, and there shall be provided for the female toilet room an additional one (1) water closet, and one (1) lavatory.
12. For a facility dispensing fuel to the public which offers food and drink in a structure larger than seven hundred fifty (750) square feet, separate toilet facilities for male and female shall be provided available to customers and to employees.
  - (1) Where there are more than twelve (12) but fewer than twenty-three (23) fuel dispensing stations available, there shall be provided for the male toilet room two (2) water closets, one (1) urinal, one (1) lavatory, and one (1) floor drain and there shall be provided for the female toilet room three (3) water closets, one (1) lavatory, and one (1) floor drain.
  - (2) For each additional ten (10) fuel dispensing stations there shall be provided for the male toilet room an additional one (1) water closet or

urinal, and one (1) lavatory, and there shall be provided for the female toilet room an additional one (1) water closet, and one (1) lavatory.

13. Where food is consumed indoors, water stations may be substituted for drinking fountains. Offices or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first one hundred fifty (150) persons and one (1) additional fountain for each three hundred (300) persons thereafter. At least one (1) drinking fountain of those required shall be located within twenty-five (25) feet of the entrance to the primary toilet room on any floor.
14. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theaters, auditoriums, dormitories, offices or public building.
15. The total number of water closets for females shall be at least equal to the total number of water closets and urinals provided for men. This requirement does not apply to retail or wholesale stores. For any facility which undergoes major renovation as a place of assembly for public amusement including, but not limited to, sports stadiums, arenas, auditoriums and assembly halls, there should be provided, at a minimum, the number of water closets for women as there are provided the total number of water closers and urinals for men. The term "major renovation" means any reconstruction, rehabilitation, addition or other improvement which increases the occupant load of the building by more than 20%.
16. For smaller-type Public and Professional Offices such as banks, dental offices, law offices, real estate offices, architectural offices engineering offices and similar uses. A public area in these offices shall use the requirements for Retail or Wholesale Stores.
17. Recreation or community room in multiple dwellings or apartment buildings, regardless of their occupant load, shall be permitted to have single-accommodation facilities in common-use areas within tracts or multi-family residential occupancies where the use of these areas is limited exclusively to owners, residents and their guests. Examples are community recreation or multi-purpose areas in apartments, condos, townhouses or tracts.
18. A drinking fountain shall not be required in occupancies of 30 or less. When a drinking fountain is not required, then footnotes 3, 12 and 13 are not required.
19. Provide one service sink per floor.
20. Provide one (1) service sink per structure or per wing.
21. Provide one (1) service sink per floor in facilities over Five Thousand Five Hundred (5500) square feet.

22. Provide a minimum of one (1) exterior hose bibb on all buildings.

## CHAPTER 5 - WATER HEATERS

### 1103.405 - Amendments to The Uniform Plumbing Code™—Chapter 5—Water Heaters.

—Chapter 5 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

*501.0 Deleted.*

*501.1 Deleted.*

*501.2* Any system with a new or a replacement water heating apparatus shall be provided with an approved, listed and adequately sized thermal expansion device (expansion tank), installed within ten (10) feet of, and on the cold water supply to the water heater, between the water heater shut-off valve and the water heater, at least 18 inches away from the cold water inlet fitting on the water heater. The tank may be installed in a vertical up, vertical down, or horizontal position in accordance with the manufacturer's recommendation. If the expansion tank is installed horizontally it must be adequately supported. No support shall be provided from the water heater. This expansion tank meets the requirements in 608.2 regarding protection from thermal expansion and maintenance of pressure setting of the regulator.

The measured static building pressure, and the pressure at which the expansion tank has been set shall be written in ink on a permanent durable type label (equal to an Avery #AVE6578 2" × 2 5/8; " Label) attached to the expansion tank in a visible location.

Shut-off valves for water heaters shall be installed in view of, within 10 feet of, within easy reach from the ground, and shall be readily accessible. No shutoff shall be installed on the branch to the expansion tank.

The expansion tank shall be installed in such a manner that the removal or replacement of the water heater is not impaired.

#### *Exceptions:*

1. Engineered systems that provide equivalent protection may be approved by the Authority Having Jurisdiction or his/her representative.
2. Listed non-storage instantaneous heaters having an inside diameter of not more than three (3") inches (76 mm).

3. Water heaters, 30 gallon or less, installed under counter or in confined spaces in multi-family units, where space does not permit the installation of an expansion tank, adequately sized mechanical water hammer arrestors may be used to provide for thermal expansion with the approval of the Authority Having Jurisdiction or his/her representative.

502.0 Deleted.

502.1 through 502.14 Deleted.

502.15 Deleted.

505.0 Deleted.

505.1 Deleted.

505.3 Deleted.

506.1 Deleted.

*507.5 Drainage Pan.* Where a water heater is located in an attic, in or on an attic-ceiling assembly, floor-ceiling assembly, or floor-subfloor assembly where damage results from a leaking water heater, a watertight pan of corrosion-resistant materials shall be installed beneath the water heater with not less than  $\frac{3}{4}$  of an inch (20 mm) diameter drain to an approved location. Such pan shall be not less than 1½ inches (38 mm) in depth.

*508.0 Other Water Heater Installation Requirements.*

*508.4* When a water heater is located in an attic, attic-ceiling assemble, floor-ceiling assemble, or floor-subfloor assembly, or furred space, or above the ground or basement level and does not have a floor drain available, where damage may result from a leaking water heater, a watertight safe pan of corrosion-resistant materials shall be installed beneath the water heater and shall be laid on or be supported by a structurally sound base to ensure proper drainage. The drain from the pan shall discharge to a non-concealed point of disposal to alert occupants in the event of a leak.

The pan shall have a minimum depth of 2 inches (51 mm) and shall be of such shape and capacity as to prevent splashing or flooding, and shall be made water-tight. The pan shall not be less than 3 inches (76 mm) larger than the unit in width and length. Metallic pans shall have a minimum thickness of not less than 0.0276-inch (0.7 mm) galvanized sheet metal. Non-metallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm). Non-metallic safe pans shall be permitted to be used only with electric water heaters. Pan shall have a 1 inch (25.4 mm) minimum tapping and increase to a 1-1/4 inch (31.8 mm) diameter drain made of galvanized steel, copper, brass, solid core PVC or CPVC which terminates and discharges through an air gap or air break into a properly trapped and vented, receptor, hub drain, floor drain or floor drain with a funnel grate, or to an approved location. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope). Every

passageway to an attic water heater shall have an unobstructed solid continuous flooring not less than twenty-four (24") inches (610 mm) wide from the trap door or opening to the water heater. If the trap door or opening is more than eleven (11') feet (3352 mm) above the floor, a stairway or ladder permanently fastened to the building shall be provided. Such stairway or ladder shall lead directly to the edge of the trap door or opening and shall comply with the provisions of this section.

*Exception:* A portable ladder may be used for access for water heaters in attics on the single-story portion of a Group U, Division 1 or R occupancy.

*508.5 Relief Valve Discharge.* Discharge from a relief valve into a water heater pan is permitted.

*508.6 through 512.0 Deleted.*

*510.8.4 Deleted.*

*510.8.5 Deleted.*

*510.9 Deleted.*

*510.9.1 Deleted.*

*510.9.2 Deleted.*

*Chapter 5 Part II - Deleted.*

## CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION

1103.406 - Amendments to the Uniform Plumbing Code™—Chapter 6—Water Supply and Distribution.

—Chapter 6 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one (1) of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

*601.1 Deleted.*

*601.1.1 Deleted.*

*601.2.1 Temperature Maintenance.* Where Required - Heated water distribution systems in buildings, where developed length of heated water piping from the source of the heated water to the farthest fixture exceeds hundred (100') feet, shall maintain heated water temperature in all supply piping to within twenty-five (25') feet of any heated water outlet.

*602.5 Deleted.*

*603.2 Approval of Devices or Assemblies .* Before a device or an assembly is installed for the prevention of backflow, it shall have first been approved by the Missouri Department of Natural Resources. Devices or assemblies shall be

tested in accordance with recognized standards or other standards acceptable to the Authority Having Jurisdiction. Backflow prevention devices and assemblies shall comply with Table 603.2, except for specific applications and provisions as stated in Section 603.5.1 through Section 603.5.20.

Devices or assemblies installed in a potable water supply system for protection against backflow shall be maintained in good working condition by the person or persons having control of such devices or assemblies. Such devices or assemblies shall be tested at the time of installation, repair, or relocation and not less than on an annual schedule thereafter, or more often when required by the Authority Having Jurisdiction. When found to be defective or inoperative, the device or assembly shall be repaired or replaced.

No device or assembly shall be removed from use or relocated or other device or assembly substituted, without obtaining an approved permit.

Testing or maintenance shall be performed by a certified backflow assembly tester or repairer in accordance with ASSE Series 5000 or otherwise approved by the Authority Having Jurisdiction.

603.3 Deleted.

*603.4 General Requirements.* All assemblies shall conform to listed standards and be acceptable to the Authority Having Jurisdiction over the selection and installation of backflow prevention assemblies. In addition to the standards for approval established elsewhere in this Code all Reduced Pressure Principle Backflow Prevention Assemblies and Double Check Valve Backflow Prevention Assemblies of any nature shall have the approval of the University of Southern California Foundation for Cross Connection Control and Hydraulic Research, and the Missouri Department of Natural Resources.

TABLE 6-2 Deleted.

603.4.6 Deleted.

603.4.6.1 Deleted.

603.4.6.3 Deleted.

*603.4.3 Access and Clearance.* Access and clearance shall be provided for the required testing, maintenance, and repair. Access and clearance shall be in accordance with the manufacturer's instructions, and not less than 12 inches (305 mm) or not more than 60" (1524 mm) between the lowest portion of the assembly and grade, floor, or platform. Installations elevated that exceed 5 feet (1524 mm) above the floor or grade shall be provided with a permanent platform within five (5) feet (1524 mm) below the device capable of supporting a tester or maintenance person.

*603.4.6 Integral Backflow Preventers* Fixtures, appliances or appurtenances with integral backflow preventers or integral airgaps manufactured as a unit shall be installed in accordance with their listing requirements, the



manufacturers' instructions and as acceptable by the Authority Having Jurisdiction.

603.4.8 Deleted.

*603.4.8 Drain Lines.* Drain lines serving backflow devices or assemblies shall be sized in accordance with the discharge rates of the manufacturer's flow charts of such devices or assemblies and a floor drain shall be installed within fifteen (15') feet and in the same room as backflow devices or assemblies which have received approval from the Missouri Department of Natural Resources, which have in their design the capability of a discharge.

*603.5.6 Protection from Lawn Sprinklers and Irrigation Systems.* Potable water supplies to systems having no pumps or connections for pumping equipment, and no chemical injection or provisions for chemical injection, shall be protected from backflow by a reduced-pressure principle backflow prevention assembly (RP).

*603.5.6.2 Systems with Backflow Devices.* Where systems have a backflow device installed downstream from a potable water supply pump or a potable water supply pump connection, the device shall be a reduced-pressure principle backflow prevention assembly (RP).

*603.5.8 Water-Cooled Equipment.* Water-cooled compressors, degreasers, or other water-cooled equipment shall be protected by a listed Reduced Pressure Zone backflow preventer installed in accordance with the requirements of this chapter.

*603.5.9 Aspirators.* Water inlets to water-supplied aspirators shall be equipped with a vacuum breaker or equipped with a listed Reduced Pressure Zone Backflow Preventer installed in accordance with its listing requirements and this chapter. The discharge shall drain through an air gap. When the tailpiece of a fixture to receive the discharge of an aspirator is used, the air gap shall be located above the flood-level rim of the fixture.

*603.5.10 Steam or Hot Water Boilers.* Potable water connections to steam or hot water boilers shall be protected from backflow by a reduced pressure principle backflow prevention assembly in accordance with Table 603.2. When chemicals are introduced into the system, a reduced pressure principle backflow prevention assembly shall be provided in accordance with Table 603.2.

*603.5.16 Special Equipment.* Portable cleaning equipment, dental vacuum pumps and chemical dispensers shall be protected from backflow by an air gap or a reduced pressure principle backflow preventer.

*603.5.18 Pure Water Process Systems.* The water supply to a pure water process system, such as dialysis water systems, semiconductor washing systems, and similar process piping systems, shall be protected from backpressure and backsiphonage by installation of a reduced-pressure principle backflow preventer.

*Exception:* Portable dialysis equipment meant for use in a private residence. The equipment shall be protected by using a 316 stainless steel, corrosion resistant, double check with an atmospheric port, ASSE 1022, NSF Standard 18, (vented backflow preventer), or air gap as a means of backflow prevention in lieu of a Reduced Pressure Zone Backflow Preventer.

#### *603.5.21 Installation of Backflow Preventers.*

1. No person except those qualified, licensed and/or registered and bonded under this Code shall install a Backflow Prevention Device.
2. A permit is required for the installation of all Reduced Pressure Principle Backflow Prevention Devices and Double Check Valve Assembly Backflow Prevention Devices. Permits shall be issued and inspections performed by the plumbing section of the Department of Public Works. Permits shall be issued only to those contractors who are licensed and/or registered and bonded under this Code.
3. All backflow prevention devices shall be accessible. Backflow prevention devices shall not be installed in pits or similar potentially submerged locations or in fume, chemical or fuel hoods, or in any area containing fumes that are toxic, poisonous or corrosive.
4. Pressure type vacuum breakers shall be installed at a height of at least twelve (12) inches above the flood level rim of the fixture, tank, or similar device or assembly.
5. Double check valves and reduced pressure principle valves such devices or assemblies shall be installed at not less than twelve (12) inches above the grade, floor or platform with the maximum of sixty (60) inches above floor. They shall not be installed within access panels, over any machinery or equipment, or in any location, which might create a safety, hazard to those employed in testing and maintenance of these devices or assemblies.
6. Installation shall meet current Missouri Department of Natural Resources Regulations and City of Chesterfield Current Plumbing Code Ordinance. Where a conflict occurs between this Chapter and Missouri Department of Natural Resources the more stringent requirement shall apply.

*603.5.22* Backflow devices shall be installed on the water supply from a community water system to a building, when the use of the building changes to a use that requires containment under this regulation, and/or when any potable or non-potable water is provided within the new or existing building.

*604.3 Copper or Copper Alloy Tube.* Copper or copper alloy tube for water piping shall have a weight of not less than Type L. Exception: Type M copper or copper alloy tubing shall be permitted to be used for water piping where piping is above ground in or on a building.

TABLE 6-4-A

| MATERIAL                     | Underground    |                | Water Distribution Pipe and Fittings (Inside Building) |                | Building Supply Pipe and Fittings Water Service (Outside Building) |
|------------------------------|----------------|----------------|--------------------------------------------------------|----------------|--------------------------------------------------------------------|
|                              | Inside         | Outside        | Hot                                                    | Cold           | Cold                                                               |
| Asbestos - Cement            |                |                |                                                        |                |                                                                    |
| Brass                        | X              | X              | X                                                      | X              | X                                                                  |
| Copper                       | X              | X              | X                                                      | X              | X                                                                  |
| Cast Iron                    | X              | X              | X                                                      | X              | X                                                                  |
| CPVC (Schedule 40 and above) | X <sup>1</sup> | X <sup>1</sup> | X                                                      | X              |                                                                    |
| Galvanized Malleable Iron    | X              | X              | X                                                      | X              | X                                                                  |
| Galvanized Wrought Iron      | X              | X              | X                                                      | X              | X                                                                  |
| Galvanized Steel             | X              | X              | X                                                      | X              | X                                                                  |
| HDPE                         | X              | X              |                                                        | X              | X                                                                  |
| PE                           |                |                |                                                        |                |                                                                    |
| PE-AL-PE                     |                |                | X <sup>1</sup>                                         | X <sup>1</sup> |                                                                    |
| PEX                          | X <sup>1</sup> |                | X <sup>1</sup>                                         | X <sup>1</sup> | X <sup>1</sup>                                                     |
| PEX-AL-PEX                   |                |                | X <sup>1</sup>                                         | X <sup>1</sup> |                                                                    |

|                                                            |   |   |  |   |   |
|------------------------------------------------------------|---|---|--|---|---|
| PVC ASTM<br>2241-Class 160-<br>SDR 26)                     |   | X |  |   | X |
| PVC ASTM<br>2241—Class<br>200-SDR 21                       |   | X |  |   | X |
| PVC ASTM<br>1785-Schedule<br>40                            | X | X |  | X | X |
| PVC ASTM<br>1785-Schedule<br>80                            | X | X |  | X | X |
| PVC AWWA<br>C900 (C905)<br>DR14 Class 200<br>Pressure Pipe |   | X |  |   | X |

Note: <sup>1</sup> Downstream from Pressure Reducing Valve

*604.10 Plastic Materials.* Approved plastic materials shall be permitted to be used in water service piping, provided that where metal water service piping is used for electrical grounding purposes, replacement piping therefore shall be of like materials.

*Exception 1:* When a grounding system acceptable to the Authority Having Jurisdiction is installed, inspected, and approved, metallic pipe shall be permitted to be replaced with nonmetallic pipe.

*Exception 2:* When plastic pipe is being installed in construction of water service pipe, the plastic pipe shall terminate ten (10') feet outside the building foundation wall. The metallic pipe allowed by this section shall be installed from ten (10') feet outside the foundation to and within the building to the outlet of the house valve or the outlet of the PRV whichever is further from the entrance to the building. Protection from electrolysis (corrosion) shall be provided.

Where metal water service piping is used for electrical grounding purposes, replacement piping therefore shall be of like materials.

*604.13 Water Heater Connectors.* Flexible metallic (copper and stainless steel) water heater connectors, reinforced flexible water heater connectors, or braided stainless steel or polymer braided with EPDM cores water heater connectors that connect a water heater to the piping system shall be installed in accordance with ASME A112.18.6/CSA B125.6. Copper, copper alloy, or stainless steel flexible connectors shall not exceed 24 inches (610 mm). PEX, PEX-AL-PEX, PE-AL-PE, PE-RT tubing or CPVC tubing shall not be installed within the first 18 inches (457 mm) of piping connected to a water heater.

*605.12.2 Solvent Cement Joints.* Solvent cement joints for PVC pipe and fittings shall be clean from dirt and moisture. Pipe shall be cut square and pipe shall be deburred. When surfaces to be joined are cleaned and free of dirt, moisture, oil, and other foreign material, primer purple in color shall be applied in accordance with ASTM F656. Primer shall be applied until the surface of the pipe and fitting is softened. Primer shall not be purple. Solvent cements in accordance with ASTM D2564 shall be applied to all joint surfaces. Joints shall be made while both the inside socket surface and outside surface of the pipe are wet with solvent cement. Joint shall be held in place and undisturbed for one (1) minute after assembly.

*606.2 Fullway Valve.* A fullway stop and waste valve controlling outlets shall be installed on the service entrance. Water piping supplying more than one building on one premises shall be equipped with a separate fullway stop and waste valve to each building, so arranged that the water supply can be turned on or off to an individual or separate building provided; however, that supply piping to a single-family residence and building accessory thereto shall be permitted to be controlled on one valve. Such shutoff valves shall be accessible. A fullway valve shall be installed on the discharge piping from water supply tanks at or near the tank. A fullway valve shall be installed on the cold water supply pipe to each water heater at or near the water heater.

*606.5 Control Valve.* A control valve shall be installed immediately ahead of each water-supplied fixture, appurtenance, or appliance and immediately ahead of each slip joint or appliance supply. A control valve shall be installed for sill cocks, wall hydrants, yard hydrants, street washers, and lawn irrigation systems in addition to all required backflow assemblies.

Parallel water distribution systems shall provide a control valve either immediately ahead of each fixture being supplied or installed at the manifold, and shall be identified with the fixture being supplied. Where parallel water distribution system manifolds are located in attics, crawl spaces, or other locations not readily accessible, a separate shutoff valve shall be required immediately ahead of each individual fixture or appliance served.

- a. In each dwelling unit, one or two bathrooms back to back or one over the other may be considered a group. However, in each dwelling unit with two or more bathroom groups not adjacent to each other, one or more

control valves or individual fixture valves shall be provided so that each group may be isolated from the others.

- b. In multi-dwelling units, one or more control valves shall be provided so that the water to any plumbing fixture or group of fixtures in any one dwelling unit may be shut-off without stopping flow of water to fixtures in other dwelling units.

*608.2 Excessive Water Pressure.* An approved type pressure regulator preceded by an adequate strainer shall be installed in all water service pipes near its entrance to the building and the static pressure reduced to eighty (80) pounds per square inch (552 kPa) or less. Such regulator (s) shall control the pressure to all water outlets in the building unless otherwise approved by the Authority Having Jurisdiction. Pressure at any fixture shall be limited to no more than eighty (80) psi under no-flow conditions. Sill cocks and outside hydrants may be left on full main pressure at the option of the owner. For potable water services up to and including one and one-half (1-1/2) inch (40 mm) regulators, provision shall be made to prevent pressure on the building side of the regulator from exceeding main supply pressure. Approved regulators with integral bypasses are acceptable.

*Exception:* Where the water service pipe supplies water directly to a water pressure booster system, an elevated water gravity tank, or to pumps provided in connection with a hydro-pneumatic or elevated water supply tank system a pressure-reducing valve is not required.

Each such regulator and strainer shall be accessibly located above ground or in a vault equipped with a properly sized and sloped bore-sighted drain to daylight, shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. All pipe size determinations shall be based on eighty (80%) percent of the reduced pressure when using Table 610.4.

*608.5 Discharge Piping.* The discharge piping serving a temperature relief valve, pressure relief valve, or combination of both shall have no valves, obstructions, or means of isolation and meet the following requirements:

- (1) The discharge piping shall be equal to the size of the valve outlet and shall discharge full size to the flood level of the area receiving the discharge and pointing down.
- (2) Materials shall be rated at not less than the operating temperature of the system and approved for such use.
- (3) Discharge pipe shall discharge independently by gravity through an air gap into the drainage system or outside of the building with the end of the pipe not exceeding 2 feet (610 mm) and not less than 6 inches (152 mm) above the ground and pointing downwards.
- (4) The discharge piping shall discharge in such a manner that does not cause personal injury or structural damage.

- (5) No part of such discharge pipe shall be trapped or subject to freezing.
- (6) The terminal end of the pipe shall not be threaded.

*609.0 Installation, Testing, Unions, and Location.*

*609.1 Installation.* Water piping shall be adequately supported in compliance with Table 313.3. Burred ends shall be reamed to the full bore of the pipe or tube. Changes in direction shall be made by the appropriate use of fittings, except that changes in direction in copper or copper alloy tubing shall be permitted to be made with bends, provided that such bends are made with bending equipment that does not deform or create a loss in the cross-sectional area of the tubing. Changes in direction are allowed with flexible pipe and tubing without fittings in accordance with the manufacturer's instructions. Provisions shall be made for expansion in hot-water piping. Piping, equipment, appurtenances, and devices shall be installed in a workmanlike manner in accordance with the provisions and intent of the code. Building supply yard piping shall be not less than 42 inches below finish grade.

*609.2 Deleted.*

*609.2.1 Deleted.*

*609.2.2 Deleted.*

*609.4 Deleted.*

*609.5 Deleted.*

*609.10 Deleted.*

*609.10.1 Mechanical Devices.* Where listed mechanical devices are used, the manufacturer's specifications as to location and method of installation shall be followed.

*Exception:* For one (1) family, and two (2) families attached residential units, in order to absorb water hammer a mechanical water hammer arrester shall be installed as follows:

1. Bathroom groups:

- (A) Single bathrooms, minimum size "A" or single bathrooms back to back on a branch, minimum size "B", an approved mechanical device on both the hot and cold water branches serving the bathroom group.
- (B) For more than one (1) bathroom group served by a vertical riser an approved, minimum size "B", mechanical device on both the hot and cold water at the top of the riser.
- (C) For each appliance with quick-closing valves a properly sized approved mechanical device on both the hot and cold water shall be installed as close as possible to the quick-closing valves. Appliances that include quick-closing valves are washing machines, dishwashers and ice makers. Other appliances that are not listed here may be

determined to have quick-closing valves, and shall be properly protected.

2. Lawn Irrigation Systems:

(A) Where a lawn irrigation system is installed, an Irrigation Backflow Assembly consisting of a Reduced Pressure Zone Backflow Device and within twelve (12") inches a properly sized mechanical water hammer arrestor shall be installed on the supply line to the backflow device or assembly for the irrigation system.

(1) The size of the water hammer arrestor shall be a minimum of size "C". It shall be sized based on the following Table 609.10-1.

| Table 609.10-1 |               |
|----------------|---------------|
| Pipe Size      | Arrestor Size |
| ¾"             | "C"           |
| 1"             | "D"           |
| 1¼—1½"         | "F"           |
| 2"             | "C" + "F"     |

Based on PDI Reference Standards

*610.0 Size of Potable Water Piping.*

*610.1* The size of each water meter shall be as determined by the water purveyor. Each potable water supply pipe from the meter or other source of supply to the fixture supply branches, risers, fixtures, connections, outlets, or other uses shall be based on the total demand and shall be determined according to the methods and procedures outlined in this section. Other than systems sized by the use of Table 610.4, the system shall be designed to ensure that the maximum velocities allowed by the Code and the applicable standard are not exceeded.

*610.7 Conditions for Using Table 610.4.* On any proposed water piping installation sized using Table 610.4, the following conditions shall be determined:

1. Developed length of supply pipe from the Property line to most remote outlet.



2. Difference in elevation between the property line or other source of supply and the highest fixture or outlet.

*610.8 Size of Meter and Building Pipe Using Table 610.4.* The size of the building supply pipe and the building branch piping in areas served by Missouri American Water Co. or its successor shall be determined as follows:

( *Note:* The water purveyor will determine the size of the meter installed.)

*Table 610.4* In the title line delete "and Meter Sizes."

The column in Table 610.4 titled "Meter and Street Service, Inches" is deleted.

1. Determine the available pressure at the source of supply.
2. Subtract one-half (1/2) pound per square inch pressure (3.4 kPa) for each foot (305 mm) of difference in elevation between such source of supply and the highest water supply outlet in the building or on the premises;
3. Use the "pressure range" group within which this pressure will fall using Table 610.4;
4. Select the "length" column which is equal to or longer than the required length;
5. Follow down the column to a fixture unit value equal to or greater than the total number of fixtures units required by the installation;
6. Having located the proper fixture unit value for the required length, size of building supply pipe and the building branch piping as found in the left hand columns titled "Building Supply and Branches, Inches" shall be applied.

No building supply pipe shall be less than one (1) inch (25.4 mm) in diameter. For light commercial strip centers, when the water service serves more than one tenant space, a one and one-half (1-½) inch minimum size water service shall be provided to the most remote tenant space.

*610.8.1 Size of Meter and Building Pipe Using Table 610.4.* The size of the meter and the building supply pipe and the building branch piping, in areas not served by Missouri American Water Co. or its successor shall be determined as follows:

Column in Table 610.4 titled "Meter and Street Service, Inches" is not deleted and may be used to determine the size of the building supply pipe as determined by the water purveyor.

Use the procedure in 610.8 with the following exceptions:

1. Having located the proper fixture unit value for the required length, size of meter and building supply pipe and the building branch piping as found in the two left hand columns shall be applied. No building supply

pipe shall be less than one (1) inch (25.4 mm) in diameter. For light commercial strip centers, when the water service serves more than one tenant space, a one and one-half (1-½) inch minimum size water service shall be provided to the most remote tenant space.

*610.9 Size of Branches.* When Table 610.4 is used, the minimum size of each branch shall be determined by the number of fixture units to be served by that branch, the total developed length of the system, and the street service size, minimum one (1) inch (26.7 mm) in diameter as per Section 610.8. No branch piping is required to be larger in size than that required by Table 610.4 for the building supply pipe.

*612.3.2.1 Installer Qualifications.*

1. For a multipurpose fire sprinkler system
  - (A) Licensed as a Plumber and certified by the Board of Plumbing Examiners. Technical and experience qualifications and examination criteria shall be determined by the Board of Plumbing Examiners
2. For a stand-alone sprinkler system
  - (A) Licensed as a sprinkler fitter under the St. Louis County Mechanical Code.

## CHAPTER 7 - SANITARY DRAINAGE

1103.407 - Amendments to the Uniform Plumbing Code™—Chapter 7—Sanitary Drainage.

—Chapter 7 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

If any conflict of interpretations or requirements of parts or sections of this Chapter disagree with other similar Code provisions or other City of Chesterfield Ordinance requirements, the more stringent shall apply.

*NOTE Table 7-4 Deleted.*

*703.0 Size of Drainage Piping.*

*703.1.1 Exceptions.*

1. Any portion of the building drain which is underground and which receives the discharge from a water closet shall be a minimum size of four inches (4") and the four inch (4") pipe size shall terminate at the clean-out thirty-six inches (36") above the finish floor. The minimum size of any

other portion of the drainage system, which receives the discharge from a water closet, shall be a minimum size of three inches (3").

- (A) Approval may be given by the Authority Having Jurisdiction or his representative to approve the use of a minimum size of three (3") inches for the discharge of a single water closet when there is no four (4") inches or larger underground drain readily available. This approval may be given, if such approval does not exceed the capacity of the drain, and, that it would be an undue hardship, or interrupt ongoing business activity, or require extensive demolition of a finished living area, or damage or destroy existing architectural or decorative furnishings.
2. Minimum size of the building sewer shall be six inches (6") in diameter and shall have the minimum of a two (2%) percent slope.
  3. No soil or waste stack shall be smaller than the largest horizontal branch connected thereto. A 3 × 4 inch water closet bend shall not be considered a reduction in pipe size.
  4. Any structure in which a building drain is installed shall have at least one stack vent or vent stack sized in accordance with section 904.1, not less than three inches (3") in diameter, or the size of the building drain. If the building drain is less than three inches (3") in diameter the vent shall be carried full size through the roof.
  5. Any vent pipe extending through the roof shall be not less than two (2") inches in diameter and shall extend from its terminus at least eighteen (18") inches below the interior side of the roof deck.
  6. No portion of the drainage system installed underground or below a basement or cellar shall be less than two (2") inches in diameter with the exception of vent piping which shall be a minimum of one and one-half (1-1/2") inches and condensate waste discharge lines which shall not be less than one and one-quarter (1-1/4") inches in diameter.
  7. The maximum length of two (2") inch underground kitchen sink waste piping shall not exceed fifteen (15') feet from the point of connection to a horizontal branch drain or building drain to the point where the kitchen sink waste piping extends above the floor. The clean out above the floor shall be the same size as the underground kitchen sink waste piping and shall be thirty-six (36") inches above the finished floor level.

705.2 Deleted.

705.2.5 Deleted.

*705.5.2 Solvent Cement Joints.* Solvent cement joints for PVC pipe and fittings shall be clean from dirt and moisture. Pipe shall be cut square and pipe shall be deburred. Where surfaces to be joined are cleaned and free of dirt, moisture, oil, and other foreign material, primer shall be applied in compliance

with ASTM F656. Primer shall be applied until the surface of the pipe and fitting are softened. Primer shall not be purple. Solvent cements in accordance with ASTM D2564 shall be applied to all joint surfaces. Joints shall be made while both the inside socket surface and outside surface of pipe are wet with solvent cement and joint shall be held in place and undisturbed for 1 minute after assembly.

706.0 Deleted.

706.4 Deleted.

*707.4 Location.* Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal and each run of piping, that is more than one hundred (100') feet (30480 mm) in total developed length, shall be provided with a cleanout for each one hundred (100') feet (30480 mm), or fraction thereof, in length of such piping. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees (2.36 rad). A cleanout shall be installed above the fixture connection fitting, serving each urinal, regardless of the location of the urinal in the building.

*Exceptions:*

1. Cleanouts may be omitted on a horizontal drain line less than five (5') feet (1524 mm) in length unless such line is serving sinks or urinals.
2. Cleanouts may be omitted on any horizontal drainage pipe installed on a slope of seventy-two (72°) degrees (1.26 rad) or less from the vertical angle (angle of one-fifth (1/5) bend).
3. Excepting the building drain and its horizontal branches, a cleanout shall be required on any pipe or piping, which is above the floor level a minimum of three feet (3') above the lowest floor of the building.
  - (A) In residential buildings of slab floor construction or where a stack cleanout is not accessible, the cleanout shall be installed in the building drain and shall terminate not more than five feet (5') outside the building wall.
4. An approved type of two-way cleanout fitting, installed inside the building wall near the connection between the building drain and building sewer or installed outside of a building at the lower end of a building drain and extended to grade, shall be substituted for an upper terminal cleanout.

707.4.1 Deleted.

709.0 Deleted.

710.0 Deleted.

*710.1 Backflow Protection.* Where a fixture is installed on a basement level or floor level that is lower than the next upstream manhole cover of the public

or private sewer serving such drainage piping, shall be protected from backflow of sewage by at a minimum installing an approved type of backwater valve or installing, when required by The Authority Having Jurisdiction, a plumbing line supported from floor joists by approved hangers serving that basement level or floor level (strapped plumbing) receiving the discharge from an approved watertight sump or receiving tank, (see strapped plumbing drawings, Figure 17 and Figure 18 in Appendix "M"). Fixtures on floor levels above the upstream manhole cover such elevation shall not discharge through the backwater valve or into the lower level, approved watertight sump or receiving tank, but instead shall drain by gravity to the public sewer.

Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating "Backwater Valve Downstream".

*710.2 Sewage Drainage.* Drainage piping serving fixtures that are located below the crown level of the main sewer shall discharge into an approved watertight sump or receiving tank, so located as to receive the sewage or wastes by gravity. From such sump or receiving tank, the sewage or other liquid waste shall be lifted and discharged into the building drain or building sewer by approved ejectors, pumps, or other equally efficient approved mechanical devices.

*Note:* For clarification

1. Fixtures above the upstream manhole cover drain by gravity
2. Fixtures below the upstream manhole cover and above the crown of the sewer, drain by gravity through a backwater valve, or as directed by the Authority Having Jurisdiction shall drain as indicated in item 3 below.
3. Fixtures below the upstream manhole and below the crown of the sewer shall be lifted and discharged into the building drain or building sewer by means of an approved pumping system (strapped plumbing).

*710.3 Deleted.*

*710.3.1 Deleted.*

*710.3.2 Deleted.*

*710.6 Backwater valves.* Backwater valves, gate valves, unions, full-way ball valves, motors, compressors, air tanks, and other mechanical devices required by this section shall be located where they will be accessible for inspection and repair at all times and, unless continuously exposed, shall be watertight, enclosed in a masonry pit, or a pit of Concrete, metal, or other approved material, construction, and manufacture, fitted with an adequately sized removable cover.

Backwater valves shall comply with ASME A112.14.1, have bodies of cast iron, plastic, copper alloy, or other approved materials, shall have non-corrosive bearings, seats and self-aligning discs, and shall be so constructed as to ensure a positive mechanical seal. Such valves shall remain sufficiently open

during periods of low flows to avoid screening of solids and shall not restrict capacities or cause excessive turbulence during peak loads. Unless otherwise listed, valve access covers shall be bolted type with gasket and each valve shall bear the manufacturer's name cast into body and cover.

Alternate design of Backwater Valves that may be adequately serviced without installation in a pit may be used with the approval of the Authority Having Jurisdiction.

710.14 At stream and channel crossings, a minimum depth of two (2') feet shall be allowed only where greater depths cannot be achieved. Where this minimum cover cannot be achieved, Schedule 50 ductile iron pipe with restrained joints must be used unless otherwise directed by the Authority Having Jurisdiction. Stream and channel crossings must be protected with rock blanket.

711.1 Deleted.

711.1.1 Deleted.

Table 711.1 Deleted.

Table 711.2 Deleted.

712.3 *Air Test.* The air test shall be made by attaching an air compressor testing apparatus to any suitable opening, and, after closing all other inlets and outlets to the system, forcing air into the system until there is a uniform gauge pressure of five (5) pounds per square inch (34.5 kPa) or sufficient to balance a column of mercury ten (10") inches (254 mm) in height. The pressure shall be held without introduction of additional air for a period of at least fifteen (15) minutes. Plastic pipe and fittings, may be tested under this paragraph with the approval of the Authority Having Jurisdiction, and must conform to requirements of the manufacturer.

## Part II - Building Sewers

713.0 Deleted.

713.1.1 *Building/House traps maybe installed.*

*Exception:* Building/House traps shall be installed on individual and combined, sanitary and storm house/building laterals connected to combined sewers, and where required by the Authority Having Jurisdiction. Each building trap when installed shall be provided with a cleanout and with a relieving vent or fresh air intake on the inlet side of the trap which need not be larger than one-half (1/2) the diameter of the drain to which it connects. Such relieving vent or fresh air intake shall be carried to finish grade and terminate in a screened outlet located outside the building.

713.2 When a public sewer is not available for use within two hundred (200) feet of any legal boundary of the property to be connected to the sewer,

drainage from buildings and premises may be connected to an approved private sewage disposal system, upon approval by MSP.

*715.1 Materials.* The building sewer, beginning five (5') feet (1525 mm) from any building or structure, shall be of such materials as may be approved by the Authority Having Jurisdiction under the approval procedures set forth in Chapter 3 of this Code. Sewer laterals exceeding one hundred (100') feet shall include a full size cleanout, maximum size shall be eight (8") inches, to surface within ten (10') feet of anticipated location of the building foundation wall or the first (1st) story exterior wall of a slab on grade building.

*717.0 Size of Building Sewers.* The minimum size of any building sewer shall be determined on the basis of the total number of fixture units drained by such sewer, in accordance with Table 717.1. No building sewer shall be smaller than the building drain, but in no case less than six (6") inches (152 mm) and at a uniform minimum slope of 2 percent (2%). For alternate methods of sizing building sewers, see Appendix C.

*718.3* No building sewer or other drainage piping or part thereof, which is constructed of materials other than those approved for use under or within a building, shall be installed under or within five (5') feet (1525 mm) of any building or structure, or part thereof, nor less than thirty (30") inches below the surface of the ground.

1. *Exception:* Transition from building drain to building sewer at a maximum of 45°.
2. *Exception:* Where necessary to connect to a drainage line above ground.

The provisions of this subsection include structures such as porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances.

*719.0 Cleanouts.*

*719.6* Approved manholes shall be permitted to be installed in lieu of cleanouts when first approved by the Authority Having Jurisdiction. The maximum distance between manholes shall not exceed four hundred (400') feet (121.9 m). Connections to manholes shall be by approved method.

*720.0 Sewers and Water Pipes.* Building sewers or drainage piping of clay or materials, which are not approved for use within a building, shall not be run or laid in the same trench as the water pipes.

*Exception:* The underground water service pipe and the building sewer shall not be less than ten feet (10') apart horizontally and shall be separated by undisturbed or compacted earth.

The water service pipe may be placed in the same trench with the outside building sewer and water piping may be placed in the same trench with the

inside building drain provided approval is given by the Authority Having Jurisdiction and both the following requirements are met:

1. The bottom of the water pipe, at all points, shall be at least twelve (12") inches (305 mm) above the top of the sewer or drain line.
2. The water pipe shall be placed on a solid shelf excavated at one side of the common trench with a minimum clear horizontal distance of at least twelve (12") inches (305 mm) from the sewer or drain line.

Water pipes crossing sewer or drainage piping constructed of clay or materials, which are not approved for use within a building, shall be laid a minimum of twelve (12") inches (305 mm) above the sewer or drainpipe.

*Note:* For the purpose of this section, "within the building" shall mean within the fixed limits of the building foundation.

#### *722.0 Abandoned Sewers and Sewage Disposal Facilities.*

*722.1* Every abandoned building (house) sewer, or part thereof, shall be plugged or capped in an approved manner at the connection to the sewer main or at a location acceptable to the Authority Having Jurisdiction.

*722.2* Every cesspool, septic tank, and seepage pit which has been abandoned or has been discontinued otherwise from further use or to which no waste or soil pipe from a plumbing fixture is connected, shall have the sewage removed there from and disposed of in a manner required by law, the bottom broken out and be completely filled with compacted earth, sand, gravel, concrete, or other approved material.

#### *723.0 Deleted.*

*Table 721.1*

Minimum Horizontal Distance Required From Building Sewer (feet)

|                                          |                                   |
|------------------------------------------|-----------------------------------|
| Buildings or Structures <sup>1</sup>     | 2 feet (610 mm)                   |
| Property line adjoining private property | Clear <sup>2</sup>                |
| Water Supply Wells                       | 100 feet <sup>3</sup> (30,480 mm) |
| Streams                                  | 50 feet (15,240 mm)               |
| On-site domestic water line              | 10 feet <sup>4</sup> (3048 mm)    |
| Public Water Main                        | 10 feet <sup>5, 6</sup> (3048 mm) |



*Notes:*

1. Including porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures and appurtenances.
2. See also Section 313.3.
3. All drainage piping shall clear domestic water supply wells by at least one hundred (100') feet (30480 mm) (15240).
4. See Section 609.2.
5. For parallel construction.
6. For crossings, approval by the Health Department or Authority Having Jurisdiction shall be required.

## CHAPTER 8 - INDIRECT WASTE

### 1103.408 - Amendments to the Uniform Plumbing Code™—Chapter 8—Indirect Wastes.

—Chapter 8 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

*801.3.3 Food-Handling Fixtures.* Food-preparation sinks; steam kettles, potato peelers, ice cream dipper wells, dishwashing machines, silverware washing machines, and similar equipment shall be indirectly connected to the drainage system by means of an air gap or air break. Bins, sinks, and other equipment having drainage connections and used for the storage of unpackaged ice used for human ingestion, or used in direct contact with ready-to-eat food, shall be indirectly connected to the drainage by means of an airgap. Each indirect waste pipe from food handling fixtures or equipment shall be separately piped to the indirect waste receptor and shall not combine with other indirect waste. The piping from the equipment to the receptor shall not be less than the drain on the unit, but it shall not be smaller than one (1") inch (25.4 mm).

*803.3 Pipe Size and Length* Except as hereinafter provided, the size and construction of indirect waste piping shall be in accordance with other sections of this Code applicable to drainage and vent piping. No vent from indirect waste piping shall combine with any sewer-connected vent, but shall extend separately to the outside air.

Indirect waste pipes exceeding five (5') feet (1524 mm), but less than fifteen (15') feet (4572 mm) in length shall be directly trapped, but such traps need not be vented.

Indirect waste pipes less than fifteen (15') feet (4572 mm) in length shall not be less than the diameter of the drain outlet or tailpiece of the fixture, appliance, or equipment served, and in no case less than one (1") inch (25.4 mm) in size. Angles and changes of direction in indirect waste pipes of more than fifteen (15') feet shall be provided with cleanouts so as to permit flushing and cleaning.

1. A direct connection for a floor drain at the automatic clothes washer above ground may be discharged into the riser-pipe (standpipe) above the trap of the automatic clothes washer drain and the floor drain shall not be trapped.
2. A laundry sink on ground floor may discharge, un-trapped, directly into the washer standpipe above the trap with no vent required.

*804.1 Standpipe Receptors.* Plumbing fixtures or other receptors receiving the discharge of indirect waste pipes shall be approved for the use proposed, shall be of such shape and capacity as to prevent splashing or flooding, and shall be located where they are readily accessible for inspection and cleaning. No standpipe receptor for a clothes washer shall extend more than 30 inches (762 mm), or not less than 18 inches (457 mm) above its trap. No indirect waste receptor shall be installed in a toilet room, closet, cupboard, or storeroom, nor in a portion of a building not in general use by the occupants thereof; except standpipes for clothes washers shall be permitted to be installed in toilet and bathroom areas where the clothes washer is installed in the same room.

#### *807.0 Appliances.*

*807.3 Domestic Dishwashing Machine.* The discharge from a sink, dishwasher, and garbage disposal (food-waste-grinder) may discharge through a single one and one-half (1½) inch (38 mm) trap. The discharge from the dishwasher shall be a full-sized opening, which shall be a minimum of five-eighths inch (5/8") inside diameter in size, looped up and firmly secured to the highest point under the counter and be connected with a wye fitting between the discharge of the garbage disposal (food-waste-grinder) and the trap inlet, or to the head of the garbage disposal (food-waste-grinder). An approved dishwasher air gap fitting on the discharge side of the dishwashing machine may be used. Listed air gaps shall be installed with the flood level (FL) marking at or above the flood level of the sink or drain board, whichever is higher. In the installation of a double bowl kitchen sink (residential) with a garbage disposal (food-waste-grinder), the fixture trap shall be installed on the same side of the sink in which the garbage disposal is installed.

#### *809.0 Deleted.*

811.0 Deleted.

Table 8-2 Deleted.

## CHAPTER 9 - VENTS

1103.409 - Amendments to the Uniform Plumbing Code™—Chapter 9—Vents.

—Chapter 9 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

904.0 Deleted.

*904.3 Minimum Size of Stack Vent or Vent Stack.* Any structure in which a building drain is installed shall have at least one stack vent or vent stack sized in accordance with Table 7-5 not less than four inches (4") in diameter, not less than three inches (3") in diameter for one (1) and two (2) family residential, if the building drain is less than three inches (3") in diameter the vent shall be the size of the building drain carried full size through the roof. In no case shall the aggregate cross-sectional area of all vents, in the system, be less than the cross-sectional area of the largest required common building drain serving that system.

*905.7 Vent Pipe Fittings Allowed.* All vent piping subject to back drainage shall use fittings appropriate to the sanitary waste system.

906.0 Deleted.

*906.1 Roof Termination.* Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than twelve (12") inches (305 mm) above the roof nor less than one (1') foot (305 mm) from any vertical surface.

*906.3 Use of Roof.* Vent pipes shall be extended separately or combined, of full required size, not less than twelve (12") inches (305 mm) above the roof or fire wall. Flag-poling of vents shall be prohibited. All vents within ten (10') feet (3048 mm) of any part of the roof that is used for purposes other than weather protection shall extend not less than seven (7') feet (2134 mm) above such roof and shall be securely stayed.

*906.7 Frost or Snow Closure.* Vent terminals shall be a minimum of two (2) inches (51 mm) in diameter but in no event smaller than the required vent pipe. The change in diameter shall be made inside the building at least eighteen (18") inches below the roof in an insulated space and terminate not less than twelve (12") inches (305 mm) above the roof, or as required by the Authority Having Jurisdiction.

907.0 Deleted.

907.1 Deleted.

*907.3 Residential Relief Vent.* In a residential structure a relief vent shall be connected to a waste stack a minimum of six (6") inches (152 mm) below the bottom of the joist at the lowest level except when there is a plumbing vent through the roof installed from plumbing fixtures or future rough-ins below the lowest level.

908.0 Deleted.

*908.1 Vertical Wet Venting.* Except as provided for in other sections of this Code, wet venting is limited to vertical drainage piping receiving the discharge from the trap arm of one (1) and two (2) fixture unit fixtures that also serves as a vent not to exceed four (4) fixtures. All wet vented fixtures shall be within the same story; provided, further, that fixtures with a continuous vent discharging into a wet vent shall be within the same story as the wet vented fixtures. No wet vent shall exceed six (6') feet (1829 mm) in developed length.

*908.1.4* See Appendix M.

*909.0 Special Venting for Island Fixtures.*

*909.1 General.* Alternate approved installation is described below and depicted in Drawing 7, Appendix M.

Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, and no lower than bottom of sink/fixture it serves and then returning it downward and connecting it to the horizontal sink drain more than five (5') feet (1524 mm) downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting. Drainage fittings shall be used on all parts of the vent and a minimum slope of one-quarter (1/4") inch per foot (20.9 mm/m) back to the drain shall be maintained. Pipe sizing shall be as elsewhere required in this Code with minimum size to be two (2") inch (51 mm). The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the vent.

910.0 Deleted.

910.5 Deleted.

## CHAPTER 10 - TRAPS AND INTERCEPTORS

1103.410 - Amendments to the Uniform Plumbing Code™—Chapter 10—Traps and Interceptors.

—Chapter 10 of the 2015 Uniform Plumbing Code™ are amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

1001.0 Deleted.

1001.2 Deleted.

**Table 1002.2**  
**Horizontal Distance of Trap Arms**  
(Except for water closets and similar fixtures)\*

| TRAP ARM<br>Inches | DI-<br>STANCE TRAP TO VENT<br>Feet - Inches | TRAP ARM<br>mm | DI-<br>STANCE TRAP TO VENT<br>mm |
|--------------------|---------------------------------------------|----------------|----------------------------------|
| 1-1/4              | 3'-6"                                       | 32             | 1067                             |
| 1-1/2              | 5'-0"                                       | 38             | 1524                             |
| 2                  | 8'-0"                                       | 51             | 2438                             |
| 3                  | 10'-0"                                      | 76             | 3048                             |
| 4 & Larger         | 12'-0"                                      | 102 & Larger   | 3658                             |

Slope one-fourth (1/4") inch per foot (20.9 mm/m)

\*The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring (closet flange) to the inner edge of the vent) and its vent shall not exceed six (6') feet (1829 mm)

1003.0 Deleted.

1003.1 Deleted.

**1003.3 Size.** The size (nominal diameter) of a trap for a given fixture shall be sufficient to drain the fixture rapidly, a maximum of one pipe size larger than defined in Table 702.1. The trap shall be the same size as the trap arm to which it is connected.

*Exception:* One (1) and two (2) fixture unit fixtures may have trap arms one size larger than the trap size serving the fixture.

**1008.0 Building/House Traps.** Building/House traps may be installed.

*Exception:* Building/House traps shall be installed on individual and combined, sanitary and storm house/building laterals connected to combined sewers, and where required by the Authority Having Jurisdiction.

Each building trap when installed shall be provided with a cleanout and with a relieving vent or fresh air intake on the inlet side of the trap which need not be larger than one-half the diameter of the drain to which it connects. Such relieving vent or fresh air intake shall be carried to finish grade and terminate in a screened outlet located outside the building.

*1009.0 Deleted.*

*1009.1 Deleted.*

*1009.5 Location.* Each interceptor (clarifier) cover shall be readily accessible for servicing and maintaining the interceptor (clarifier) in working and operating condition. Interceptors (clarifiers) shall include means for visual inspection and access from above for both the influent and effluent sides. Manholes (24 inches (24") in diameter, 24 inches (24") maximum in length including a roadway access cover) shall be provided for access to each compartment of an interceptor. Where depth is more than 24 inches (24"), a 36 inch (36") minimum diameter access with steps shall be provided as approved by the authority having jurisdiction. The use of ladders or the removal of bulky equipment in order to service interceptors (clarifiers) shall constitute a violation of accessibility. Location of all interceptors (clarifiers) shall be shown on the approved building plan.

*1014.0 Deleted.*

*1014.1.2 Deleted.*

*1014.1.3 Food Waste Disposal Units and Dishwashers.* Food waste disposal units, rinse sinks and or dishwashers are required to connect into a grease interceptor and they must first flow through a solids trap.

*1014.2 Hydromechanical Grease Interceptors.*

*1014.2.4* Each grease trap required by this section shall have an approved rate of flow which is not less than that as determined by 1014.2.1 for sinks and Table 1014.2.1 for the total number of connected fixtures. The total capacity in gallons (L) of fixtures discharging into any such grease trap shall not exceed two and one-half (2-1/2) times the certified gpm (L/s) flow rate of the grease trap as determined by 1014.2. Any grease trap installed with the inlet more than four (4') feet (1219 mm) lower in elevation than the outlet of any fixture discharging into such grease trap shall have an approved rate of flow which is not less than fifty (50%) percent greater than that given in Table 1014.2.1. For hydromechanical grease interceptors installed inside the building or tenant space, the number of fixtures connected to or discharged into any one (1) hydromechanical grease interceptor shall not exceed the maximum drainage fixture units (DFUs) or operating flow rate of the hydromechanical grease interceptor. Floor drains receiving incidental water are not included as a fixture for the purposes of this paragraph.

*1014.3.5 Construction Requirements.*

*1014.3.5.1 Purpose.* Gravity grease interceptors shall be designed to remove grease from effluent and shall be sized in accordance with this section. Gravity grease interceptors shall also be designed to retain grease until accumulations can be removed by pumping the interceptor. Each gravity grease interceptor shall pass through an inspection manhole, prior to any connection to the public sewer.

*1014.3.5.1.1 Components and Materials.* Gravity grease interceptors shall be constructed of cast iron or steel and protected, inside and out, by an approved corrosion resistant coating. Precast Concrete interceptors shall be constructed with a minimum wall thickness of 4", concrete strength equal to minimum 4000 PSI at 28 days of age, shall have a maximum water to cementitious ratio (w/c) of 0.45, and the entire interior, including all fittings, bolts, and appropriate connections shall be protected by a corrosion resistant coating with a minimum thickness of 18 Mil. Polyethylene prefabricated interceptors shall comply with the requirements set forth in paragraph 4.3 of IAPMO/ANSI Z1001. Fiberglass interceptors shall meet IAPMO/ANSI Z1001 for Grease Interceptors and be constructed with resins that comply with ASTM C-581. Poured concrete interceptors are prohibited. Each interceptor shall be of watertight construction and be provided with a non-perforated cover non-bolted or bolted into place, made gas and watertight.

*1014.3.6 Sizing Criteria.* Accredited third party systems (IAPMO, PDI) shall be sized using Table 1014.3.6. Where drainage fixture units (DFUs) are not known, the interceptor shall be sized based on the maximum DFUs allowed for the pipe size connected to the inlet of the interceptor and/or the manufacturer's published sizing criteria and recommendations. Refer to Table 703.2, Drainage Piping, Horizontal. Non-Certified systems shall be sized based on calculations in gallons of effective capacity, provided that the total wet volume is not less than 500 gallons and provides a minimum retention time of 30 minutes based on drainage fixture units as determined by Table 1014.3.6.

#### *1016.0 Sand Interceptors.*

*1016.1 Discharge.* When the discharge of a fixture or drain contains solids or semi-solids heavier than water that would be harmful to a drainage system or cause a stoppage within the system, the discharge shall be through a sand interceptor, or combination Sand/Gas/Oil interceptor. Multiple floor drains shall be permitted to discharge into one sand/solids interceptor. Sand interceptors shall be required where a floor drain or multiple floor drains discharge(s) through an oil interceptor, or where the discharge of a floor drain may contain solids or semi-solids that would be harmful to or tend to obstruct the system. A sand interceptor shall be installed in front of a gas/oil interceptor unless the gas/oil interceptor is designed as a combination sand/gas/oil interceptor to handle sediment and solids. Human waste is prohibited from entering an interceptor.

*1016.2 Authority Having Jurisdiction.* Sand or Solids interceptors are required where the Authority Having Jurisdiction deems it advisable to have a sand interceptor to protect the drainage system.

*1016.3 Construction and Size.* Sand or Solids interceptors shall be built of prefabricated coated steel, precast concrete where the entire interior including all fittings, bolts and appropriate connections are treated with a corrosion resistant coating, fiberglass, or other watertight material. The interceptor shall have an interior baffle for full separation of the interceptor into two sections. The outlet pipe shall be the same size as the inlet pipe of the sand or solids interceptor, the minimum being 3 inches (80 mm), and baffle shall have at least one opening equal to the diameter of the inlet pipe and at the same invert as the outlet pipe. The opening(s) shall be staggered so that there cannot be a straight line flow between the inlet pipe and the outlet pipe. The invert of the inlet pipe shall be no lower than the invert of the outlet pipe. The sand interceptor shall have a minimum dimension of 2 square feet (0.2 m<sup>2</sup>) for the net free opening of the inlet section and a minimum depth under the invert of the outlet pipe of 2 feet (610 mm).

For each 5 gpm (0.3 L/s) flow or fraction thereof over 20 gpm (1.26 L/s), the area of the sand interceptor inlet section is to be increased by 1 square foot (0.09 m<sup>2</sup>). The outlet section in two or more compartment systems shall at all times have a minimum area of 50 percent of the inlet section. The outlet section shall be covered by a solid removable cover, set flush with the finished floor, and the inlet section shall have an open grating, set flush with the finished floor and suitable for the traffic in the area in which it is located.

*TABLE 10-2 Deleted.*

- (1) For interceptor sizing by fixture see the example below.
- (2) 1/4" (.240) slope per foot based on Manning's formula with friction factor N = .012
- (3) One minute drainage period shall be used in design for Chesterfield.

*1014.7 Reserved for future use.*

*1015.0 Deleted.*

*1017.0 Oil and Flammable Liquids Interceptors.*

*1017.1 Interceptors Required.* All parking structures, repair garages and gasoline stations with grease racks or grease pits, and all factories which have oily, flammable, or both types of wastes as a result of manufacturing, storage, maintenance, repair or testing processes, shall be provided with an oil or flammable liquid interceptor which shall be connected to all necessary floor drains. The separation or vapor compartment shall be independently vented to the outer air. If two (2) or more separation or vapor compartments are used, each shall be vented to the outer air or may connect to a header which is installed at a minimum of six (6") inches (152 mm) above the spill line of the



lowest floor drain and vented independently to the outer air. The minimum size of a flammable vapor vent shall not be less than two (2") inches (51 mm), and when vented through a sidewall, the vent shall not be less than ten (10') feet (3048 mm) above the adjacent level at an approved location. The interceptor shall be vented on the sewer side and shall not connect to a flammable vapor vent. All oil and flammable interceptors shall be provided with gastight cleanout covers, which shall be readily accessible. The waste line shall not be less than three (3") inches (76 mm) in diameter with a full-size cleanout to grade an interceptor which is provided with an overflow, shall be provided with an overflow line (not less than two (2") inches (51 mm) in diameter) to an approved exterior waste oil tank having a minimum capacity of five hundred fifty (550) gallons (2080 L) and meeting the requirements of the Authority Having Jurisdiction. The waste oil from the separator shall flow by gravity or shall be pumped to a higher elevation by an automatic pump. Pumps shall be adequately sized and accessible. Waste oil tanks shall have a two (2") inch (51 mm) minimum pump-out connection at grade and a one and one-half (1-1/2") inch (38 mm) minimum vent to atmosphere at an approved location at least ten (10') feet 3048 mm) above grade.

Non-Certified systems shall be sized based on maximum fixture flow, provided that the total wet volume is not less than 500 gallons and provides a minimum retention time of 30 minutes based on peak flow, where peak flow is greater of the flow rate based on drainage fixture units as determined by Table 1014.3.6.

*1017.2.1 Components and Materials.* Gas, Oil, and Flammable Liquid interceptors shall be constructed of cast iron or steel when protected, inside and out, by an approved corrosion resistant coating. Precast concrete interceptors shall be constructed with a minimum wall thickness of 4 inches, concrete strength equal to minimum 4000 PSI at 28 days of age, shall have a maximum water to cementitious ratio (w/c) of 0.45, and the entire interior, including all fittings, bolts, and appropriate connections shall be protected by a corrosion resistant coating with a minimum thickness of 18 Mil. Polyethylene prefabricated interceptors shall comply with the requirements set forth in paragraph 4.3 of IAPMO/ANSI Z1001. Fiberglass interceptors must meet IAPMO/ANSI Z1001 for Grease Interceptors and shall be constructed with resins that comply with ASTM C-581. Poured concrete interceptors are prohibited. Each interceptor shall be of watertight construction and be provided with a non-perforated cover non-bolted or bolted into place, made gas and watertight.

*1017.3 Combination Oil and Sand Interceptor.* A combination oil and sand interceptor may be installed when the Authority Having Jurisdiction approves the design.

## CHAPTER 11 - STORM DRAINAGE

## 1103.411 - Amendments to the Uniform Plumbing Code™—Chapter 11—Storm Drainage.

—Chapter 11 of the 2015 Uniform Plumbing Code™ is amended by the following provisions. Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other Chesterfield Ordinances the more stringent requirement shall apply.

*1101.8 Areaway Drains.* All open subsurface space adjacent to a building, serving as an entrance to the basement or cellar of a building, shall be provided with a drain or drains. Such areaway drains shall be three (3") inches (76 mm) minimum diameter for areaways not exceeding one hundred (100') square feet (9.3 m<sup>2</sup>) in area, and shall be discharged in the manner provided for subsoil drains not serving continuously flowing springs or ground water (see Section 1101.5.2). Areaways in excess of one hundred (100') square feet (9.3 m<sup>2</sup>) shall not drain into subsoil. Areaway drains for areaways exceeding one hundred (100') square feet (9.3 m<sup>2</sup>) shall be sized according to Table 1101.8.

*1101.11 Deleted.*

*1101.12.1 Primary Roof Drainage.* Roof areas of a building shall be drained by roof drains or gutters. The location and sizing of drains and gutters shall be coordinated with the structural design and pitch of the roof. Unless otherwise required by the Authority Having Jurisdiction, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage shall be sized based on a storm rate of six (6") inches per hour of sixty (60) minutes duration and 100-year return period. Refer to Table D-1 (in Appendix D) for 100-year, 60 minute storms at various locations.

*1101.11.2 Deleted.*

*1101.12.2.1* Where parapet walls or other construction extend above the roof and create areas where storm water would become trapped if the primary roof drainage system failed to provide sufficient drainage, an independent secondary roof drainage system consisting of scuppers, standpipes, or roof drains shall be provided. Discharge from secondary roof drains onto any area which maybe occupied by persons or vehicles shall not be allowed to fall more than three (3) feet above the ground. Secondary roof drainage systems shall be sized in accordance with Section 1101.12.1 as amended by this Code. Overflow drains shall be the same size as the roof drains with the inlet flow line two (2") inches (51 mm) above the low point of the roof and shall be installed independent from the roof drains.

*1101.2.2.1 Separate Piping System.* The secondary roof drainage system shall be a separate system of piping, independent of the primary roof drainage system. The discharge shall be above grade, in a location observable by the building occupants or maintenance personnel. Discharge from secondary roof drains onto any area which may be occupied by persons or vehicles shall not be allowed to fall more than three (3) feet above the ground. Secondary roof drain systems shall be sized in accordance with Section 1101.11.1 based on the rainfall rate for which the primary system is sized.

No part of the primary roof drainage system such as drains, scuppers, piping, gutters, or appurtenances, which is a part of the primary roof drainage system, may be used in the design or installation of the secondary roof drainage system.

*1101.12.2.2.2 Combined System.* Deleted.

*1101.12.3* When approved by the Authority Having Jurisdiction, the requirements of Sections 1101.12.1 as amended and 1101.12.2 shall not preclude the installation of an engineered roof drainage system that has sufficient capacity to prevent water from ponding on the roof in excess of that allowed in the roof structural design with a rainfall rate of at least twice a rate of six (6") inches per hour, and with a blockage in any single point in the storm drainage system.

*1101.12* Deleted.

*1101.13.1 Rain Leaders and Conductors.* Rain leaders and conductors connected to a building storm sewer shall have a cleanout installed at the base of the outside leader or outside conductor and a minimum of three (3') feet and a maximum of five (5') feet above the finished floor on all inside conductors and interior downspouts, before it connects to the horizontal drain.

*1102.0* Deleted.

*1102.1* Deleted.

*1101.13.2* Conductors installed above ground in buildings shall be in accordance with the applicable standards reference in Table 701.2 for above ground drain, waste and vent pipe.

*1101.16.2 Combining Storm with Sanitary Drainage.* The sanitary and storm drainage system of a building shall be entirely separate, except where a combined sewer is used, in which case the building storm drain shall be connected in the same horizontal plane through a single wye fitting to the combined building sewer not less than 10 feet (3048 mm) downstream from a soil stack and outside the building and with a connection beyond the property line.

*1106.2.2 Air Test.* The air test shall be made by attaching an air compressor testing apparatus to a suitable opening and, after closing all other inlets and outlets to the system, forcing air into the system until there is a uniform gauge

pressure of 5 pounds-force per square inch (psi) (34 kPa) or sufficient to balance a column of mercury 10 inches (34 kPa) in height. The pressure shall be held without introduction of additional air for a period of not less than 15 minutes. Plastic pipe and fittings, may be tested under this paragraph with the approval of the Authority Having Jurisdiction, and must conform to requirements of the manufacturer.

*1102.4 Deleted.*

*1104.3 Deleted.*

*1109.2.2 Deleted.*

*1106.2.3 Exceptions:* When circumstances exist that make water tests, described in Section 1106.2.1 and Section 1106.2.2, impractical, and for minor maintenance, repairs and installations, the Authority Having Jurisdiction may perform the inspection tested under conditions approved by the Authority Having Jurisdiction to assure that the work has been in accordance with provisions of this Code.

1103.412 - Amendments to the Uniform Plumbing Code™—Chapter 12—Fuel Piping.

—Chapter 12 of the 2015 Uniform Plumbing Code™ is adopted and is included in this Plumbing Code for permitted installations under this chapter. Where differences between the Plumbing Code and The City of Chesterfield Mechanical Code occur, the City of Chesterfield Mechanical Code shall govern the installation of FUEL PIPING.

1103.413 - Amendments to the Uniform Plumbing Code™—Chapter 13—Health Care Facilities and Medical Gas and Medical Vacuum Systems.

—Chapter 13 of the 2015 Uniform Plumbing Code™ is adopted and is included in the Plumbing Code for permitted installations under this chapter. Where conflicts between the Plumbing Code and the City of Chesterfield Mechanical Code occur, the City of Chesterfield Mechanical Code shall govern installation of medical gas systems.

1103.415 - Amendments to the Uniform Plumbing Code™—Chapter 14—Fire-stop Protection.

—Chapter 14 of the 2015 Uniform Plumbing Code™ is adopted. All fire-stop protection shall be done in accordance with the Building Code. Where conflicts between the Plumbing Code and the City of Chesterfield Building Code occur, the City of Chesterfield Building Code shall govern the installation. Reference to these requirements in the Plumbing Code does not establish a code requirement regarding licensing of the person(s) who install fire-stop materials.

## CHAPTER 18 POTABLE WATER SUPPLY SYSTEMS

*18.0* The installation of potable water systems shall be performed in accordance with the standards and procedures established by the Missouri Department of Natural Resources, and with the following requirements:

### *18.1 Permits Required.*

1. A permit is required for the installation of a well. Permits shall be issued by the Missouri Department of Natural Resources. Failure to secure proper permits by the well driller shall be a violation of this Code.
2. It is unlawful for any person or entity to engage in or perform the work of installing potable water piping from a point two feet (2') beyond the upper well terminal seal to the last potable connection or point of discharge without first registering with St. Louis County, a proper and valid Missouri Department of Natural Resources permit for the well drilling on the premises and the required fee, which will cover the cost of processing and one (1) inspection. The installation shall be installed in accordance with this Code.

*18.2 Testing of Water for Potability Required.* No water system, which is supplied by a well, shall be filled nor building occupied until the source of water supply is tested and determined to be safe for human consumption. Testing shall be performed at or near the upper well terminal. Potability of the water shall be certified by a laboratory having suitable professional qualifications for the performance of such tests prior to filling of the interior water supply system, final inspection and/or occupancy of any building so supplied.

The Builder, Architect, Engineer, Well Driller, Plumber and property owner shall be held jointly and/or severally responsible for compliance with this section. Failure to comply shall be a violation of this Code.

## CHAPTER 22 REGULATIONS GOVERNING INDIVIDUAL SEWAGE DISPOSAL SYSTEMS FOR HOMES AND OTHER ESTABLISHMENTS WHERE PUBLIC SEWAGE SYSTEMS ARE NOT AVAILABLE

### *22.1 General Provisions.*

*22.1.1* Where either a public water supply and/or sewer system, are not available, an individual water supply and/or sanitary sewage disposal system shall be provided and constructed on the same lot and the water distribution and drainage systems shall be connected thereto. Such individual systems shall meet the standards for installation of this Chapter 22 and Chapter 25.

*22.1.2* All individual sanitary sewage disposal systems shall be constructed added to or altered in accordance with this Chapter 22.

*22.1.3* Where a public sanitary sewerage system is legally and economically available to the building to be served, or within two hundred feet (200') of the

property line, the Code Official shall require that sanitary sewage be discharged into that system.

22.1.4 All sanitary sewage shall be disposed of by an approved method of collection, treatment and effluent discharge.

22.1.5 Sanitary sewage or sanitary sewage effluent shall not be disposed of in any manner that will cause pollution of the ground surface, ground water, bathing area, lake, pond, watercourse, or tidewater, or create a nuisance nor shall it be discharged into any abandoned or unused well, or into any crevice, sink hole, or other opening either natural or artificial in a rock formation.

22.1.6 Where water under pressure is not available, all human body wastes shall be disposed of by depositing them in approved privies, chemical toilets, or such other installations acceptable to the Code Official and local Health Department Official.

22.1.7 All water-carried sanitary sewage shall pass through an approved mechanical sanitary sewage treatment plant prior to its discharge into the soil. Special wastes shall meet the standards for installation of chapters 7, 8, 9, & 10 prior to entering the septic system. Where underground disposal is not feasible, consideration will be given to special methods of collection and disposal.

22.1.7.1 All individual sewage disposal systems shall permanently display a serial number chosen by and displayed as directed by the administrative authority.

22.1.7.2 Where percolation rates are less than sixty (60) minutes per inch, fifteen to thirty percent (15 to 30%) grade, a surface water diversion swale shall be added by scraping ground to a depth of six (6") inches and clean fill added and grass planted.

22.1.7.3 Where the grade is over thirty percent (30%) a French drain deeper than the bottom of the closest trench shall be installed and piped to daylight clear of field.

22.1.8 The building contractor, design engineer, owner, plumbing contractor and drainlaying contractor are jointly responsible for compliance with this Chapter 22.

22.1.9 Abandoned individual sanitary sewage disposal systems shall be disconnected from the buildings, pumped out and the contents properly disposed of, the septic tank bottom and/or the sewage treatment tank bottom shall be broken out and the septic tank backfilled with crushed limestone, gravel or clean compacted dirt.

22.1.10 No property shall be improved in excess of its capacity to properly absorb sanitary sewage effluent in the quantities and by the means provided in this chapter.

*Note:* Nothing contained in this Chapter shall be construed to prevent the Code Official from requiring compliance with higher requirements than those contained herein where such higher requirements are essential to maintain a safe and sanitary condition.

*22.1.11 Minimum Standards.*

*22.1.11.1* The following minimum standards shall apply to piping used in Individual Sewage Disposal Systems the standards of which are not otherwise designated.

|                           |                          |                                                                                  |
|---------------------------|--------------------------|----------------------------------------------------------------------------------|
| Pumped Sewage Lines       | ASTM D2241               | Gasketed Joint Integral Bell SDR 21 Class 200                                    |
| Distribution Field Piping | ASTM F810                | Smooth wall HOPE No joint material - Thin Wall - 4 inch only                     |
| Distribution Field Piping | ASTM F405<br>ASTM F667   | Heavy Duty Tubing & Pipe - Corrugated PE - Straight lengths only, no coiled pipe |
| Distribution Field Piping | ASTM D2729               | Thin Wall PVC Perforated                                                         |
| Sewer Lateral Pipe        | ASTM D1785<br>ASTM D2665 | SCHD 40 DWV PIPE                                                                 |
| Sewer Lateral Pipe        | ASTM D3034               | SDR 35 DWV PIPE<br>SDR 26 DWV PIPE                                               |

*22.2 Insufficient Lot Area - Improper Soil Conditions.* When the Code Official determines that there is insufficient lot area, improper soil conditions or improper lot grade elevations for adequate sanitary sewage disposal for the building or land use proposed, no building permit shall be issued and no individual sanitary sewage disposal shall be permitted. In areas where soil conditions are critical, no building permit shall be issued until engineering data and test reports are submitted and approved by the Code Official.

### 22.3 Design of Individual Sewage System.

22.3.1 The design of the individual sewage disposal system must take into consideration location with respect to wells or other sources of water supply, topography, water table, soil characteristics, area available, and maximum occupancy of the building.

22.3.2 The type of system to be installed shall be determined on the basis of location, soil permeability, ground water elevation and ground elevations.

22.3.3 The system shall be designed to receive all sanitary sewage, excluding untreated special waste from the building. Drainage from footings or roofs shall not enter the system. Backwash from water softeners and swimming pool filtration systems shall not enter the system and shall be discharged properly. No storm water run-off flood or surface waters shall be permitted to flow or pond over any part of the sanitary sewage disposal system.

22.3.4 The individual sanitary sewage system shall consist of an approved mechanical sanitary sewage treatment plant, discharging into a sub-surface disposal field found adequate as such and approved by the Code Official.

22.3.5 *Backflow.* Plumbing fixtures connected to a private sewage disposal system that are subject to backflow, shall be protected by a backwater valve or a sewage ejector.

22.3.6 An approved mechanical sanitary sewage treatment plant must be designed to minimize flood damage, floodwater infiltration into the system and from the system into floodwaters. Any approved mechanical sanitary sewage treatment plant inlets and outlets and waste-disposal trenches should be above the base flood elevation. Ring levees may be needed to protect waste treatment facilities below the base flood elevation.

22.3.7 *Design Criteria.* Design criteria for sewage flow shall be selected according to type of establishment. See Table 22.3.7. For establishments not covered by Table 22.3.7 use table defining quantities of domestic sewage flows in the current edition 19 CSR 20 - 3.060.

TABLE 22.3.7  
SEWERAGE FLOWS ACCORDING TO TYPE ESTABLISHMENT

| Type of Establishment  | Flow<br>(Gallons per day per unit unless<br>otherwise indicated) |
|------------------------|------------------------------------------------------------------|
| RESIDENTIAL UNITS      |                                                                  |
| Single Family Dwelling | 120/bedroom                                                      |



|                                                                                |                                                  |
|--------------------------------------------------------------------------------|--------------------------------------------------|
| Multiple Family Dwelling (with laundry capabilities)                           | 120/bedroom                                      |
| Multiple Family Dwelling, cottages (without laundry capabilities)              | 95/bedroom                                       |
| In excess of two (2) persons per bedroom                                       | Add 50/person                                    |
| Mobile Home Parks                                                              | 300/home*                                        |
| COMMERCIAL FACILITIES                                                          |                                                  |
| Service Stations                                                               | 250/water closet or urinal plus 15/each employee |
| Transportation terminals (airports, bus stops, railroad stations and the like) | 5/passenger                                      |
| Laundromats                                                                    | 580/machine                                      |
| CAMPS                                                                          |                                                  |
| Construction or work camps (with chemical toilets)                             | 60/person 40/person                              |
| Summer camps                                                                   | 60/person                                        |
| Campgrounds with comfort station (without water and sewer hookups)             | 100/campsite                                     |
| Travel trailer/recreational vehicle park (with water and sewer hookups)        | 120/space                                        |
| ASSEMBLY and MERCANTILE                                                        |                                                  |
| Retail stores                                                                  | 120/1000 sq. ft. of retail sales area            |
| Stadium, auditorium, theater, drive-in                                         | 5/seat or space                                  |

|                                                                                    |                                                                |
|------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Swimming pools, spas, and bathhouses                                               | 10/person                                                      |
| Churches (not including a kitchen, food service facility, day care or camp)        | 3/seat                                                         |
| Churches (with a kitchen, not including a food service facility, day care or camp) | 25/member or 25/15 sq. ft. of dining area whichever is greater |
| FOOD OR DRINK ESTABLISHMENTS**                                                     |                                                                |
| Bar (not serving food)                                                             | 20/seat                                                        |
| Restaurants                                                                        | 40/seat or 40/15 sq. ft. of dining area whichever is greater   |
| 24-hour restaurant                                                                 | 75/seat                                                        |
| Food Stands                                                                        |                                                                |
| 1. Per 100 square foot of food stand floor space                                   | 50 gallons                                                     |
| 2. Add per food employee                                                           | 25 gallons                                                     |
| Other food service facilities                                                      | 5/meal                                                         |
| Meat Markets                                                                       |                                                                |
| 1. Per 100 square foot of market floor space                                       | 50 gallons                                                     |
| 2. Add per market employee                                                         | 25 gallons                                                     |
| INSTITUTIONAL**                                                                    |                                                                |
| Hospitals                                                                          | 300/bed                                                        |
| Day care facilities                                                                | 15/person                                                      |

|                                                |             |
|------------------------------------------------|-------------|
| Residential care facilities                    | 60/person   |
| Rest homes and nursing homes with laundry      | 120/bed     |
| Rest homes and nursing homes without laundry   | 60/bed      |
| Day workers at schools and office              | 15/person   |
| Day camps                                      | 25/person   |
| Day Schools with cafeteria, gym and showers    | 35/student  |
| Day Schools with cafeteria only                | 25/student  |
| Day schools with neither cafeteria nor showers | 15/student  |
| Boarding Schools                               | 100/student |

\* Must consider flow into the soil absorption system from mobile homes where taps are allowed to run to prevent freezing.

\*\* Establishments processing food shall be required to provide grease interceptors in an accessible location prior to the sewage treatment system.

*Notes:*

3. Establishments with flows greater than three thousand gallons per day (3,000 gpd) shall be regulated under Chapter 644 RSMo administered by the Department of Natural Resources.
4. Gallons per person per unit include normal infiltration for residential systems.

*22.3.8 Alternate Design.*

22.3.8.1 Where soil conditions are such that the systems mentioned above cannot be expected to operate satisfactorily, approval of an alternate design, by a registered design professional, shall be secured from the Authority Having

Jurisdiction. The minimum lot size on which an alternate disposal system may be installed for new construction shall be adequate for the alternate design as determined by the Authority Having Jurisdiction.

22.3.8.2 All individual mechanical sanitary sewage treatment plants to be installed to serve an individual single family dwelling and other structures within the City of Chesterfield, Missouri area must be tested and approved by the National Sanitation Foundation, Ann Arbor, Michigan, and meet all requirements of the N.S.F. Standard #40 specifications Class I treatment listing.

22.3.8.3 All mechanical sewage treatment plants for individual single-family dwellings and other structures must be supplied with an N.S.F. approval emblem on the equipment for inspection purposes.

22.3.8.4 All companies, manufacturers and distributors must show proof of the availability of repair parts and also the availability of a qualified service company and personnel for necessary treatment plant maintenance.

22.3.8.5 *Standards.* The design of individual sanitary sewage disposal systems must conform to the Rules and Regulations of this Section, and all other applicable State and Federal Regulations.

22.3.8.6 The individual mechanical sanitary sewage treatment plant effluent quality must conform to regulations as stated in the Rules and Regulations of Missouri Department of Natural Resources.

#### *22.4 Location of Individual Sewage Absorption System.*

22.4.1 Where the premises are served by a public water main, the minimum lot size in which an individual sanitary sewage disposal system may be installed is twenty thousand (20,000') square feet; otherwise, the required lot size on which an individual sanitary sewage disposal system may be installed is thirty thousand (30,000') square feet.

22.4.3 *Minimum Distances.* The minimum distances that shall be observed in locating the various components of the disposal system shall be as given in Table 22.4.3.

TABLE 22.4.3 MINIMUM SET-BACK DISTANCES

| Minimum Distance In Feet From          | Sewage Tank <sup>1</sup> | Disposal Area <sup>2</sup> |
|----------------------------------------|--------------------------|----------------------------|
| Private water supply well <sup>3</sup> | 100                      | 100                        |
| Public water supply well               | 300                      | 300                        |
| Cistern                                | 100                      | 100                        |

|                                                                              |      |     |
|------------------------------------------------------------------------------|------|-----|
| Spring                                                                       | 100  | 100 |
| Classified stream, lake or impoundment*                                      | 50   | 50  |
| Stream or open ditch <sup>4</sup>                                            | 25   | 25  |
| Property lines**                                                             | 10** | 25  |
| Building foundation                                                          | 10   | 25  |
| Basement                                                                     | 25   | 25  |
| Swimming pool                                                                | 20   | 20  |
| Water line under pressure                                                    | 10   | 10  |
| Suction water line                                                           | 50   | 100 |
| Upslope interceptor drain                                                    | —    | 10  |
| Downslope interceptor drain                                                  | —    | 10  |
| Top of slope of embankments or cuts of two feet (2') or more vertical height | —    | 20  |
| Edge of surficial sink holes                                                 | 50   | 100 |
| Geothermal system or equivalent                                              | 50   | 100 |
| Other soil absorption system except repair area                              | —    | 20  |

\*A classified stream is any stream that maintains permanent flow or permanent pools during drought periods and supports aquatic life.

\*\*Recommend twenty-five feet (25') downslope of property line initially but repair may be allowed to ten feet (10') of down slope property line.

1. Includes sewage tanks, intermittent sand filters and dosing chambers.

2. Includes all approved disposal systems.
3. Unplugged abandoned wells or wells with less than eighty feet (<80') of casing depth shall have one-hundred-fifty feet (150') minimum distance from all above.
4. Sewage tanks and soil absorption systems should never be located in the drainage area of a sinkhole.
5. All paved areas, underground utilities, and accessory uses shall have a minimum of ten (10') feet of undisturbed soil between that use and any portion of the sewage disposal system.

*22.4.4 General.* All sewage disposal systems shall conform with the following general principles regarding site.

*22.4.4.1 Location.* Sewage disposal system shall be located on the premises consistent with the general layout topography, soil conditions, and surroundings, including abutting lots. Locations at a higher elevation through employment of a forced system may be used with the specific permission of the Authority Having Jurisdiction.

*22.4.4.2 Watersheds .* Sewage disposal facilities may be located on any watersheds of a public water supply system with the approval of the Code Official subject to the approval of affected suppliers of water.

*22.4.4.3 Individual sanitary sewage disposal systems* situated less than three thousand (3,000') feet upstream from the public water intake structures shall not be less than two hundred (200') feet, measured horizontally, from the high water level in the public water supply reservoir or the banks of tributary streams.

*22.4.4.4 Individual sanitary sewage disposal systems* situated beyond three thousand (3,000') feet upstream from public water supply intake structures shall be located no less than one hundred (<100') feet, measured horizontally, from the high water level in the public water supply reservoir or the banks of the tributary streams.

*22.4.4.5* Prior to approval, the soil must prove satisfactory by a soil morphology evaluation, or when approved by the authority having jurisdiction, by the standard percolation test for underground disposal, as provided for in this Code or when the percolation rate average is greater than one hundred twenty (120) minutes per inch (mpi), severe geological limitations, potential ground water contamination or other limiting soil characteristics exist, a soil morphology evaluation shall be made by a qualified soil scientist or engineer pursuant to the rules and regulations set forth by the Department of Health and the Department of Natural Resources, State of Missouri.

*22.5 Percolation Tests.* The following rules and regulations shall apply to the performance of percolation tests.

22.5.1 For the percolation test, four (4) test holes shall be made in separate test locations spaced uniformly over the proposed site. The test holes must be within the area where the absorption field is to be constructed and shall be placed in an appropriate pattern, usually fifty feet (50') apart in a square pattern, with the six foot (6') test bore to be located in the proposed drain field site.

22.5.2 Dig or bore the holes with horizontal dimensions of from four to twelve (4 to 12") inches and vertical sides to the depth of the bottom of the proposed distribution trench.

22.5.3 Roughen or scratch the bottom and sides of the holes to provide a natural surface. Remove all loose material from the hole. Place two (2") inches of coarse sand or fine gravel in the hole to prevent bottom scouring.

22.5.4 Fill the hole with clear water to a minimum depth of ten inches (10") over the gravel. By refilling, if necessary, or by supplying a surplus reservoir of water (automatic siphon) keep water in the hole for at least four hours.

22.5.5 In sandy soils the saturation and swelling procedures need not be required and the test may proceed if one (1) filling of the hole has seeped away in less than ten (10) minutes.) (In sandy soils, the water depth shall be adjusted to eight inches (8") over the soil bottom of the test hole. From a fixed reference point, the drop in water level shall be measured in inches to the nearest one eights inch ( $1/8$ ") at approximately ten (10) minute intervals. A measurement can also be made by determining the time it takes for the water level to drop one inch (1") from an eight-inch (8") reference point. If eight inches (8") of water seeps away in less than ten (<10) minutes, a shorter interval between measurements shall be used but in no case shall the water depth exceed eight inches (8"). The test shall continue until three (3) consecutive percolation rate measurements vary by a range of no more than ten percent (10%).)

22.5.6 Percolation rate measurements shall be made on the day following the saturation process, except in sandy soils.

22.5.7 In other than sandy soils, the water depth shall be adjusted to eight inches (8") over the soil at the bottom of the test hole. From a fixed reference point, the drop in water level shall be measured in inches to the nearest one-eighth inch ( $1/8$ ") at approximately thirty (30)-minute intervals over a four (4) hour period, refilling between measurements to maintain an eight-inch (8") starting head.

The drop in percolation rate shall be calculated as follows:

The time interval shall be divided by the drop in water level to obtain the percolation rate in minutes per inch; the slowest percolation rate of the required tests shall be used to determine the final soil treatment system design. When results are greater than one hundred-fifty (>150) min/inch a detailed soils morphology evaluation must be conducted to justify the design;

and for reporting the percolation rate, worksheets showing all calculations and measurements shall be submitted; and depth to bedrock or other restrictive layer shall be determined in areas where it is known that bedrock may exist at depths less than six feet (6').

22.5.8 If no water remains in the hole after overnight saturation, add clear water to a depth of about eight (8") inches over the gravel. From a fixed reference point, measure the height of the water surface at approximately thirty (30) minute intervals over a four (4) hour period, refilling the hole to a depth of eight (8") inches as necessary. The drop, which occurs during the final thirty (30) minute period, is used to calculate the percolation rate.

22.5.9 In sandy soils, or other soils in which the first twelve (12) inches of water seeps away in less than thirty (30) minutes, after the overnight saturation period, the time interval between measurements can be taken as ten (10) minutes and the test run over a period of one hour. The drop, which occurs in the final ten (10) minute period, is used to calculate the percolation rate.

22.5.10 When the percolation test results are above forty five (45) minutes per one (1") fall, the engineer shall, at another suitable field location, perform a minimum of two (2) additional percolation test holes at the building site, even if the test site is at a higher elevation which would require a pressure line to lift the treated sanitary sewage effluent to that location. If the additional percolation test results exceed forty-five (45) minutes per one (1") inch fall, the engineer shall design an alternate system with approval of the plumbing official.

If the additional percolation test results are the responsibility of a registered design professional registered with the State of Missouri Board for Architects, Professional Engineers and Land Surveyors or Landscape Architects. After the test holes have been dug during the percolation and/or the morphology test a representative of the Office of Plumbing and Sewer Inspections, Chesterfield, Missouri shall be informed and requested to be present. The engineer shall contact this office twenty-four (24) hours prior to starting any test for the purpose of arranging for the Inspector's presence.

Percolation and Morphology test site plan. The registered engineer shall submit a site plan with the percolation and/or morphology test results, which must indicate:

1. Lot size, property lines and easements.
2. Test hole locations and elevations.
3. Benchmark locations and elevations.

*Note:* Benchmark should be a spike in tree, iron pipe or hub set to remain through the construction period.

4. Basement floor elevation.



5. Proposed building and accessory use location.
6. Location of potable water service piping, well or cistern. A complete investigation of all existing potable water wells or cisterns located on all adjacent properties to the proposed new building site. The location of all existing potable water wells or cisterns shall be indicated and shown on the site plan of the proposed building if within seventy-five feet (75') of the property line.
7. Driveway and all paved areas.
8. Results of the six (6') foot test bore.
9. The engineer shall flag the test holes. Test holes shall not be backfilled (covered) until after the field has been installed and approved by the Code Official.
10. Contours, at a minimum of two (2') foot intervals, in area of proposed drain field to include all adjacent areas within twenty-five (25') feet.
11. Locate proposed building sewer vent trap, building treatment unit, disposal field by elevation and distances to property lines.
12. Design of proposed treatment and disposal system.
13. The site plan shall include a statement that the engineer, or his representative, has inspected the site to determine the most suitable location for the proposed house or other establishment treatment unit and disposal field.
14. Percolation test results shall include date of test, test hole soaking period, depth of test holes, depth of water at start of test, average percolation rate for four (4) test holes.
15. Original engineer seal and signature on all documents.

*22.6 Minimum Size of Absorption Field.*

22.6.1 In no case shall less than four hundred (400') square feet of absorption area be provided.

22.6.2 The minimum required size of the absorption field per bedroom is related to the percolation rate in minutes per inch of fall and shall be in accordance with Table 16.6.2. For soils with percolation rates of less than ten (<10) minutes per inch a soil morphology test shall be required.

TABLE 22.6.2  
SQUARE FOOTAGE OF ABSORPTION FIELD REQUIRED\*

| Minutes per Inch Fall | Square Feet Per Bedroom |
|-----------------------|-------------------------|
| Between 2 and 15      | 200                     |

|                   |                                   |
|-------------------|-----------------------------------|
| Between 15 and 30 | 250                               |
| Between 30 and 45 | 300                               |
| Over 45           | Alternate system to be considered |

\*Except as provided in Section 22.10.

22.6.3 For establishments other than a single family residence, subsection 22.3.7. shall be used to estimate the sewage flow rate. (Also, see Paragraph 22.8.)

22.6.4 The thickness of the porous soil below the point of the percolation test must be determined by means of using a soil auger. The effective absorption area shall be calculated only within this porous soil.

22.7 *Morphology Tests.* The following rules and regulations shall apply to the performance of morphology tests.

22.7.1 Follow the procedure as defined in the most current edition of the Missouri Department of Health Rules Governing On-site Sewage Systems. The minimum size of hole dug for shall be twenty-four (24") inches wide and four (4') feet long at its deepest point, a minimum of five (5') feet deep, or to bedrock if at less than five (5') feet deep. A tube type morphology test may be used with the approval of the authority having jurisdiction.

22.8 *Subsoil Investigation.* In conjunction with the percolation test, and/or soil morphology test a subsoil investigation shall also be made. If rock, hardpan, or other impermeable stratum is found at a depth less than four (4') feet, or if the ground water table is less than four (4') feet below grade during any prolonged period, the Code Official shall determine whether an absorption field system is appropriate and if so the size of the absorption field required.

22.9 *Code Official Field Survey Checklist.* Upon receipt of an individual sanitary sewage system application an on-site field survey shall be performed. The property owner or his authorized representative shall be present at the Code Official's field survey and sign the Field Survey Check List. Any authorized representative must have the property owner's notarized authorization in writing to be filed with the Office of Plumbing and Sewer Inspections.

The Field Survey Check List, site plans with sewage treatment design, and all percolation data and/or all soil morphology data shall be approved by the Code Official and on file with the Office of Plumbing and Sewer Inspections prior to the issuing of the building permit.

## *22.9 Sewage Tank/Mechanical Sanitary Sewage Treatment Plant.*

22.9.1 Plans for all mechanical sanitary sewage treatment plants shall be submitted to the Code Official for approval. Such plans shall show all dimensions, reinforcing structural calculations and such other pertinent data as may be required by the Code Official. Such facilities shall have NSF approval for minimum type 1 discharge.

22.9.2 Installation of all mechanical sanitary sewage treatment plants shall comply with the manufacturing specifications and guidelines.

22.9.3 All mechanical sanitary sewage treatment plants shall be sized by an engineer but in no case shall it be less than the manufacturers specifications and guidelines or have less than a minimum treatment capacity of one hundred twenty gallons per bedroom per day (120 gals, pbd), or one thousand gallons (1000 gals) whichever is greater.

22.9.4 Mechanical sanitary sewage treatment plants shall be brought to within the maximum of fourteen (14") inches of the finished grade. Where the Code Official permits a greater depth, the access manhole, minimum inside diameter thirty-six inches, must be extended to the finished grade and the manhole shall have a concrete marker at grade.

22.9.5 The effluent from all mechanical sanitary sewage treatment plants shall be disposed of underground by sub-surface absorption or other methods as approved by the Code Official.

22.9.6 When required by the Authority Having Jurisdiction, a flow meter shall be installed to measure the actual flow leaving the treatment unit and prior to entering the sub-surface absorption field or other method as approved by the Code Official.

## *22.10 Absorption Trenches.*

22.10.1 Absorption trenches shall be designed and constructed on the basis of the required effective absorption rate.

| Percolation Rate    | Absorption Loading Area | Loading Rate           |
|---------------------|-------------------------|------------------------|
| (min./in.)<br><10** | (sq.ft./bedroom)<br>150 | (gal./sq. ft.)*<br>1.0 |
| 11—30               | 200                     | 0.8                    |
| 31—45               | 265                     | 0.45                   |
| 46—60***            | 300                     | 0.4                    |

|            |     |     |
|------------|-----|-----|
| 61—120***Æ | 600 | 0.2 |
|------------|-----|-----|

\* Gallons of sewage tank effluent per day per square foot of trench bottom.

\*\* Soils with percolation rates of one to ten minutes per inch (1—10 min./in.) or less shall either be evaluated for severe geological limitations by a registered geologist or a soil morphology examination shall be required.

\*\*\* Note: When percolation rate is greater than forty-five minutes per inch (45 min./in.), backfill above infiltration barrier shall be sand, loamy sand or sandy loam, when available. Two to four inches (2—4") of loamy soil shall be used to cap the sandy backfill. This is to keep rainwater from entering the system.

Must be designed and approved by a Missouri registered engineer.

22.10.2 All filter material shall be graveless unless approved by the Code Official. As a reference a type of graveless material that would be acceptable would be E-Z Flow Aggregate System or Enviro Chamber System or Infiltrator System Chambers or 4 inch corrugated plastic pipe meeting ASTM F405 High Density standards, or other system or material deemed equivalent by the Code Official.

If filter material is approved by the Code Official it shall cover the tile and extend the full width of the trench and shall be not be less than twelve (12") inches deep beneath the bottom of the tile, and two (2") inches above the top of the tile. The filter material shall be washed, Class "B" gravel. The filter material shall be covered by untreated building paper or by a minimum of eight (8") inches of straw for a compacted thickness of two (2") inches or other material approved by Authority Having Jurisdiction as the laying of the drain pipe proceeds.

22.10.3 All piping and piping fittings shall be designed for septic tank absorption field construction and shall be approved by the Code Official. When four 4" (inch) diameter corrugated plastic tubing is used it shall not be less than ASTM F405 High Density standards. The corrugated tubing shall have three (3) rows of not less than one-half inch ( $< \frac{1}{2}$ ") or greater than three-fourths inch ( $> \frac{3}{4}$ ") diameter holes and spaced longitudinally at four inches (4") on centers. Coiled tubing shall not be used.

22.10.4 Maximum length of lateral absorption lines shall not exceed one hundred (100') feet. The trench bottom shall be uniformly graded to slope from a minimum of two (2") inches to a maximum of four (4") inches per one hundred (100') feet.

22.10.5 Disposal field trenches shall have a bottom width of eighteen to thirty-six (18 to 36") inches; a depth of eighteen to thirty (18 to 30") inches and be spaced not less than ten (>10') feet apart (measured from edge of trenches).

22.10.6 Compaction and/or smearing of soils on the trench sidewalls and trench bottom occurring during excavation shall be avoided. When compaction and/or smearing of soils do occur the soil area shall be roughened and scratched to natural soil condition.

22.10.7 Dosing is required for all systems, except serial distribution systems, and shall be provided when the design flow requires more than 500 lineal feet of distribution line. Dosing shall be required when the distance between the bottom of the trench and a limiting condition is less than two feet (2').

*22.11 Evaporation/Irrigation Alternate Design.*

22.11.1 When an absorption disposal field cannot be used for effluent disposal due to limiting soil characteristics, an evaporation/irrigation system may be installed. When the percolation tests are greater than one hundred twenty (>120) minutes per inch, (mpi), or soil conditions are limited another alternate disposal design may be considered. The Code Official shall approve all alternate designs.

22.11.2 Evaporation irrigation trenches shall be designed and constructed on the basis of one hundred-fifty (150') lineal feet per bedroom for individual single-family dwellings. All other establishments shall be constructed on the basis of one point five (1.5') lineal feet of drain field per gallon of sewage flow, but in no case less than two hundred (200') lineal feet.

22.11.3 Maximum length of lateral evaporation irrigation lines shall not exceed one hundred (100') feet.

22.11.4 The trench bottom shall be uniformly graded to slope a maximum of two (2") inches per one hundred (100") feet.

22.11.5 Disposal field trenches shall have a bottom width of not less than eighteen (<18") inches nor greater than twenty-four (>24") inches. A maximum depth of eighteen (18") inches and a minimum depth of ten (10") inches and be spaced not less than ten (<10') feet apart (measured from edge of trenches).

22.11.6 Evaporation irrigation lines shall be constructed of four (4) inch corrugated perforated plastic piping not less than ASTM F-405 High Density specifications. The corrugated tubing shall have three (3) holes of not less than one-half inch (<½") or greater than three-fourths (>¾") diameter holes and spaced longitudinally at four inches (4") on centers. All corrugated perforated piping shall be encased with a filter wrap of spun-bonded nylon, spun-bonded polypropylene or other substantially equivalent material approved by the Code Official. The Code Official shall approve all other piping designed for evaporation/irrigation lines. Coiled tubing shall not be used.

22.11.7 The piping and the full width of the trench shall be covered by a minimum of eight (8") inches of straw for a compacted thickness of two (2") inches over pipe or other approved filter material. The trench shall then be backfilled with clean soils consisting of sandy loam, clay loam, or silky clay loam. Backfill shall be free of rocks, hard clay soils, and debris.

22.11.8 All evaporation/irrigation disposal trenches shall be aerated manually after backfilling of the trenches. All trenches shall be seeded and strawed prior to any disturbance of the aerated soil.

22.11.9 *Reserved for future use.*

22.11.10 Evidence of effluent discharge at the end of the last evaporation irrigation trench shall be interpreted as insufficient drain field footage and require the immediate addition of drain field.

22.12 *Sand Filters.*

22.12.1 *General Specifications for Design and Construction of a Sand Filter with Chlorination.*

22.12.1.1 *General.* A sand filter shall consist of a bed of clean, graded sand on which septic tank effluent is distributed by means of a siphon and pipe, with the effluent percolating through the bed to a series of under drains through which it passes to the point of disposal.

22.12.1.2 *Filter Size.* The filter size shall be determined on the basis of one point one five (1.15) gallons per square foot per day if covered and two point three (2.3) gallons per square foot per day if an open filter is to be used.

22.12.1.3 *Dosing Tank Size.* The septic tank effluent shall enter a dosing siphon tank of a size to provide one (1") inch coverage of the sand filter.

22.12.1.4 *Siphon.* The siphon shall be of a commercial type and shall discharge the effluent to the sand filter intermittently. The siphon shall be omitted if a pump is used to lift septic tank effluent to the sand filter.

22.12.1.5 *Surge Tank.* A surge tank shall be used to receive the pump discharge prior to dosing on the sand filter.

22.12.1.6 *Underdrains.* Four-inch diameter vitrified clay pipe in two (2') foot lengths laid with one-half ( $\frac{1}{2}$ ) inch open joints or unglazed farm tile in one (1') foot lengths laid with open joints, with the top half of each joint covered with four (4") inch wide strips of tar paper, burlap, or copper screen, or perforated bituminized-fiber pipe or other approved material shall be used for the under drains.

22.12.1.7 *Underdrain Bed.* The under drain pipes shall be laid at the bottom of fine sand filter, surrounded by washed gravel, crushed stone, slag, or clean bank run gravel ranging in size from one-half ( $\frac{1}{2}$ ") inch to two and one-half ( $2\frac{1}{2}$ ") inches and free of fines, dust, ashes or clay. The gravel shall extend

from at least two (2") inches below the bottom of the tile to a minimum of two (2") inches above the top of the tile.

*22.12.1.8 Underdrain Slope and Spacing.* The under drains shall have a slope from two (2") inches to four (4") inches per one hundred (100') feet and shall be placed at eight (8') foot intervals.

*22.12.1.9 Underdrain Fill.* Above the gravel or other material surrounding the under drain shall be placed two (2') feet of washed and graded sand having an effective size of from 0.35-0.5 mm and a uniformity coefficient of not over three point five (3.5) (the effective size of a sand is that size of which ten percent (10%) by weight is smaller and the uniformity coefficient is the ratio of that size of which sixty percent (60%) by weight is smaller than the effective size).

*22.12.1.10 Distribution Pipes.* The distribution pipes shall be laid at the surface of the sand, surrounded by gravel as specified for the under drains.

*22.12.1.11 Gravel Cover.* The gravel should be covered with untreated building paper and the entire area covered.

*22.12.1.12 Open Filter.* If the filter is an open one, the four (4) sides shall be constructed of wood or concrete to prevent earth erosion from entering the sand filter bed.

*22.12.1.13 Chlorine Contact Tank.* The chlorine contact tank for disinfections of sand filter effluent and individual mechanical sanitary sewage treatment plants shall provide twenty (20) minute detention at average flow but in no case shall the capacity be less than fifty (<50) gallons. Chlorine control should be provided by the use of hypochlorite or chlorine machines commercially available.

#### *22.13 Protection of Disposal Fields.*

*22.13.1* All disposal field areas shall be protected from damage caused by, but not limited to pavement, vehicles, animals, tillage or other uses, which might affect the design and/or operation of the system.

#### *22.14 Forced Line Systems.*

*22.14.1* A holding tank of a minimum of one days flow from the building or five hundred gallon capacity whichever is greater shall be used to receive the building discharge prior to entering the pump and the forced line.

*22.14.2* A slow down area shall be established between the forced line and the drain field. The slow down area shall be of sufficient size or length to prevent a surge of effluent through the drain field.

#### *22.15 Bedroom Additions to Existing Single Family Dwellings.*

*22.15.1* Where an alternation and/or additions are made to an existing single family dwelling resulting in an increase in the number of bedrooms, the existing disposal field shall be enlarged to the minimum of:

|                              |                                                                                                                                                                                                                                |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ABSORPTION<br>DISPOSAL FIELD | One hundred fifty square feet which is equal to 75 lineal feet of 2 foot wide trench per bedroom. If percolation data is available for existing absorption field the Administrative Authority may adjust footage requirements. |
| ALTERNATE<br>DESIGN:         | 100 Lineal feet per bedroom.                                                                                                                                                                                                   |
| EVAPORATION<br>IRRIGATION    |                                                                                                                                                                                                                                |

#### *22.16 Building Sewer and Land Block Step Downs.*

*22.16.1* All piping from building drain to individual sewage disposal systems shall be six (6") inches and a (6") inch vent trap shall be installed at the inlet end of the mechanical sanitary sewage treatment plant.

*22.16.2* All land block step-downs for absorption and/or evaporation/irrigation disposal trenches shall be of solid piping not less than scheduled 35 sewer piping.

*22.16.3.1* Connections between corrugated pipe and SDR 35 fittings shall be made using approved rubber coupling.

#### *22.17 Scavengers-Sewage and Waste Disposal.*

*22.17.1* All solid and liquid contents of chemical toilets, septic tanks, seepage pits, and watertight pits for septic tank effluent shall be removed and disposed of in accordance with the Rules and Regulations of the St. Louis County Health Department.

#### *22.18 Commercial Absorption Field Installations.*

*22.18.1* Design criteria for commercial absorption field installations with guidelines from paragraphs 22.3.7 and 22.5 and 22.8.

1. 35.4 minutes per one-inch (1") fall is utilized in the sample method as illustrated below.
2. When designing a system you must obtain the proper percolation rate of the soil at the construction site before making any calculations.
3. Percolation test results = 35.4 minutes per one inch (1") fall.
4. 35.4 for one-inch (1") fall - 300 sq. ft. of absorption field per bedroom - Table 16.6.2.
5. One (1) bedroom - occupancy for two (2) persons.



6. 300 sq. ft. absorption field per bedroom = 150 sq. ft. absorption field per person.
7. Water usage = 100 G.P.D. per person.
8. 100 G.P.D. per person discharging into 150 sq. ft. area of absorption field = 1.0 gallons discharging into 1.5 sq. ft. area of absorption field.
9. System being designed is a church with kitchen facilities with peak population of 500 persons.
10. Paragraph 22.5 states for this type of building the G.P.D. water usage for each person is 5 G.P.D.
11.  $500 \text{ persons} \times 5 \text{ G.P.D.} = 2500 \text{ G.P.D.}$
12. Multiply 1200 G.P.D. flow by required 1.5 sq. ft. of absorption area per gallon = 3750 sq. ft.
13. Absorption trench not to exceed 24 inches in width.
14. 2 sq. ft. = 1 Lineal ft or 24 inch wide trench.
15.  $3750 \text{ sq. ft.} \div 2 \text{ sq. ft. per lineal ft} = 1875 \text{ feet.}$

*22.19 Alternate Systems.* The following systems meeting the specified criteria are acceptable designs.

#### *22.19.1 Drip Irrigation.*

##### 1. Definition: Drip Effluent/Irrigation System

- (A) Low volume, time controlled, and site specific engineered method of uniformly distributing NSF Class 1 treated, chlorinated and de-chlorinated effluent over a specific area of soil, at a specified depth, that will allow the soil to absorb the treated effluent at a set rate (gal./day/sq. ft.) as specified in Title 19 - Department of Health, Division 20 - Environmental Health and Epidemiology, Chapter.
- (B) General Sanitation guidelines for the State of Missouri, for the morphology of the disposal area to be used.

##### 2. Components of: Drip Effluent/Irrigation Systems

The components of the system shall include the items listed below:

##### (A) Treatment Tank

Treatment of the domestic wastewater shall be accomplished by the extended aeration process with non-mechanical flow equalization, pretreatment of the influent and filtration, chlorination and de-chlorination of the final effluent.

The use of ultraviolet treatment may be added at the option of the registered design professional. The treatment system shall provide primary, secondary, and tertiary treatment of the wastewater flow and be contained

within a reinforced pre-cast concrete tank meeting ACT standard 318-95, minimum size One thousand (1000) gallon. Systems utilizing fiberglass, steel or plastic tanks are subject to review and individual approval to be considered for this application and shall be provided with protection against corrosion and deterioration. All tanks shall be prevented from flotation when dewatered as required.

(B) Holding Tank

A minimum One Thousand (1000) gallon low inlet pre-cast holding tank, with an access riser, necessary plumbing and electrical connections, all of which are cast into the tank at time of manufacture, will receive the treated effluent. No other openings should exist in order to eliminate possible ground water infiltration. The following components shall be installed in the tank:

- (1) Pump: A properly sized, high head, filtered, intake effluent pump rated for continuous duty and designed for use in effluent water conditions shall be installed in the system. Pressure and flow requirements shall be determined by hydraulic calculation of elevation change, pipe friction loss, drip line pressure loss and pressure required to flush drip tubing at the recommended rate of one point five (1.5) ft per sec. Minimum size of pump, sized by the registered engineer responsible for the design, is to be indicated on the drawings submitted for review.
- (2) Pump Control: Pump operation shall be controlled by properly set floats connected to a vapor-proof junction box and wired in conjunction with the dosing controller.
- (3) Pump Discharge Line: The pump discharge line from the pump to the field discharge manifold will include an adjustable pressure relief valve capable of being set at ninety percent (90%) of the pumps maximum discharge pressure so as to allow the pump to be able to run at a reduced working pressure in case of filter plugging.
- (4) Air Vent: A one (1") inch Air Vent shall be installed on the pump discharge line at the highest point available prior to installation of the drip tubing, at the highest points and at the end on both the Distribution and the Return Manifolds.
- (5) Filter: A properly sized Disc "T" type Filter of one hundred-twenty (120) mesh, or approved equivalent, shall be installed on the discharge end of the pumping system and be located in a position to be monitored, cleaned and maintained on a regular basis.
- (6) Dosing Controller: The dosing controller shall be externally mounted and be capable of twenty-four (24) hour continuous operation with repeatable start and stop times, and be able to be programmed as required to meet the desired application rates. The controller shall have HOA capability, (hand or automatic), and shall have adequate

alarm, both horn and light, and alarm test capability, and be able to actuate twenty-four (24) volt solenoid on the discharge manifold for a specific time after pre-selected number of dosing cycles. The Dosing Controller shall control all zones.

(C) Drip Tubing Field

The following components shall be included in the Drip Tubing Field:

- (1) Distribution Manifold: The distribution manifold from the pump to the drip tubing lines shall be of PVC Sch. 40 and shall be properly sized using standard hydraulic principals, this being a pressurized system, for the hydraulic load and pressure loss desired. One end of the drip tubing run, or lateral, will be connected to the distribution manifold at the designed system distance and depth required, by means of a properly sized compression fitting at ninety (90°) degrees to the manifold. A properly sized air and vacuum relief valve shall be installed in this manifold at the highest points and at the end.
- (2) Drip Tubing: Tubing is to be seventeen (17) millimeter O.D. with a minimum of fifty (50) mil wall. Emitters shall be pressure compensating and of the same material as the tubing, self-flushing, able to pass particles up to eight hundred (800)microns, shall be factory installed on two (2') foot centers and have a discharge rate of 0.61 gph at a pressure range of seven to sixty (7 to 60). The length allowed for each run shall be determined by performance graphs of the product and the topography of the site using standard hydraulic principles, this being a pressurized system. Inspector is to be given, at time of inspection, a minimum one (1') foot length sample of the installed tubing, which contains an emitter, and the identification tags taken from the coil of the installed tubing.
- (3) Return Manifold: The Return Manifold shall be of PVC Sch.40 and shall be properly sized using standard hydraulic principals, this being a pressurized system, for the hydraulic load and pressure loss desired. The discharge end of the drip tubing shall be connected at ninety (90°) degrees to the manifold with a properly sized positive locking fitting to the return manifold. The return manifold shall connect the discharge end of the drip tubing run, or lateral, to the primary treatment tank and shall be laid out in a reverse return configuration so that the drip lateral that is first on the distribution manifold of the system is last on the return manifold in a manner that assures pressure balance in the system and therefore uniform flow. A properly sized air and vacuum relief valve shall be installed in this manifold at the highest points and at the end. A solenoid valve shall be connected in the return manifold in order to depressurize the line for the flushing cycle allowing the maximum flow rate to be generated during flushing. Frequency of flushing and length of flush

time shall be determined by the size of the field and rate of use expected. All manifolds shall have the capability of being individually flushed and drained.

### 3. City of Chesterfield Requirements

The following shall be provided to the Department of Planning prior to approval for occupancy or as indicated:

- (1) Certification by Design Professional: Upon completion of construction of the Drip Effluent/Irrigation Private Sewage System and prior to the occupancy permit being issued, it shall be the responsibility of the registered design professional who submitted the design to provide a signed and sealed letter stating his/her approval of the installation to the Department of Planning.
- (2) Initial Maintenance Policy: A two-year (2) maintenance policy shall be obtained for the treatment plant, pumps, filters, related equipment, and other components of the Drip Effluent/Irrigation Private Sewage System. A copy of this maintenance policy shall be provided as soon as possible, but no later than thirty (30) days following issuance of occupancy permit, to the Department of Planning. Maintenance policies obtained after the initial maintenance policy are recommended but not required to be provided. Failure to properly service the system on a regular basis could cause system malfunction requiring extensive repairs and loss of system use. A record of maintenance and a copy of all maintenance policies must be maintained on site.
- (3) Annual Inspection: An inspection of the installation of the Drip Effluent/Irrigation Private Sewage System shall be conducted annually with a copy of the inspection report filed with the Department of Planning. A record of inspections including the date of the inspection, the license number and name of the inspector, and the name, address, and phone number of the inspectors employer shall be kept on the premises and shall be prominently posted in a permanent weather proof container in plain view of the sewage system.
  - a. Owner Instruction: Copies of approved system drawings, and the requirements of these rules and regulations shall be provided to the owner/s prior to, or at the time of occupancy.
  - b. Subsequent Owner Notification: A copy of all test reports, records of all maintenance, copies of approved system drawings, and the requirements of these rules and regulations shall be provided to subsequent owners at the time of transfer of title.

*Note:* Typical Drip Effluent/Irrigation Private Sewage System schematic is attached in the Appendix and is a part of the requirements for the installation of this type of sewage system.

#### *22.19.2 Low Pressure Piping (L.P.P.).*

1. *L.P.P. GOALS:*
  - (A) Uniform distribution of effluent
  - (B) Dosing and resting cycles
  - (C) Shallow placement of trenches
2. *L.P.P. consist of:*
  - (A) Class I waste treatment tank - 1200 gallon minimum
  - (B) Pumping tank, flow chamber - 1000 gallon minimum
  - (C) Submerged, non-corrosive sump pump and lever control
  - (D) High water alarm
  - (E) Supply line and manifold
  - (F) Distribution laterals
  - (G) Suitable site and soil depth
3. *Low Pressure Piping:* The following requirements must be met:
  - (A) Use five-thirty two (5/32") inch holes every five (5') feet of pipe. Holes must be drilled in a straight line on one side of the pipe.
  - (B) Pea gravel or washed gravel 6 inches in bottom of trench, two to four (2—4") inches over pipe.
  - (C) Trenches must be on contour, a transit will be required. Trench width six (6") inches, depth eighteen to twenty-two (18—22") inches.
  - (D) Use two (2') foot manifold pipe if pump distance is more than one hundred (>100') feet from dosing chamber.
  - (E) Minimum size pump allowed 4/10 H.P. However ½ H.P. is recommended.
  - (F) Two chamber dosing tank - 1000 gallon minimum.
  - (G) To pressurize this system, stand pipes using 5/32 inch holes must be used. Two psi minimum required.
  - (H) Piping can be 160 psi but recommend schedule 40. Use of SDR21 on two (2") inch manifold will help the flow rate.
  - (I) Minimum field size - 600 lineal feet for a 3 bedroom house.
  - (J) A minimum of 12 inches of soil between the bottom of trench and a restrictive horizon, e.g. bedrock, hardpan, seasonal high water table.
  - (K) If lateral lines are lower than the dosing tank, a 1/3" deep hole will be required in the pump line.
  - (L) If effluent will run back down from the manifold, a check valve will be required.

- (M) The manifold pipe should be trenched one foot below the lateral lines (24—30 inch depth). Manifold pipe must be backfilled with tightly tamped soil.
- (N) Ball valves will be required.
- (O) Laterals should be longer than 80' due to friction loss.
- (P) Pumps:
  - (1) Must be NEMA approved.
  - (2) Must have reliable high water alarm system. Alarm must be on separate circuit from the pump and be audible.
  - (3) A test switch is needed for the alarm.
  - (4) Mercury float switches are required.
  - (5) Pump must be non-corrosive and have a double seal.
  - (6) Pump should be situated on top of two concrete blocks.
  - (7) Controls should be attached to outlet pipe.
  - (8) High water float must be mounted 2 feet above upper "Pump On" control.
  - (9) Pump outlet pipe should be connected to supply manifold with threaded PVC union.
  - (10) Wiring must be maintained watertight.
  - (11) Junction boxes\*\* will be required for high water alarm and pump wiring. It is preferable to mount junction box on wood outside dosing tank.

\*\*Model #10-0086 "J-pak" 4 hole with 6 liquid tight non-corrosive connections. Each box contains four (4) cable connectors for 16 AWG or 18 AWG 3 conductor SO jacketed cable and one (1) connector for 12 AWG or 14 AWG 3 conductor UF type cable and one (1) connector for 18 AWG 2 conductor S.O. jacketed cable suitable for mercury float switch.\*\*

#### 4. *Additional Information on Laterals:*

- (A) Lateral lines should be 1-H inch PVC (160 psi) or (Sch.40).
- (B) End of each lateral is capped and turned up to provide access. Use 90 degree elbows, bury cap 2 inches below ground.
- (C) Laterals should not slope away from manifold.
- (D) Each lateral must be 12 inches higher than supply manifold to prevent backflow.
- (E) Small earthen dams are placed at the beginning of each trench and at twenty (20") inch intervals.

- (F) The first hole should be thirty (30") inches from the manifold, and the last hole should be thirty (30") inches from the end of the lateral pipe.

1103.423 - Amendments to the Uniform Plumbing Code—Chapter 23—  
Dwelling Unit Fire Sprinkler Systems.

—Chapter 23 is a new addition to the ordinance referencing the 2009 Uniform Plumbing Code™.

APPENDICES CHESTERFIELD ORDINANCE

APPENDIX A

1103.418A - Amendments to the Uniform Plumbing Code—Appendix A  
Recommended Rules for Sizing the Water Supply System.

—Appendix A of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

APPENDIX B

1103.418B - Amendments to the Uniform Plumbing Code—Appendix B—  
Explanatory Notes on Combination Waste and Vent.

—Appendix B of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

Amendments to the Uniform Plumbing Code—Appendix C Alternate Plumbing  
Systems.

Appendix C of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

## APPENDIX D

### Appendix D Sizing Storm Water Drainage Systems.

Appendix D of the 2015 Uniform Plumbing Code™ is amended by the following provisions.

Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

Appendix D of the 2015 Uniform Plumbing Code™ is amended and included in the Plumbing Code with the following change:

1. In Table D-1 the Maximum Rates of Rainfall for St. Louis Missouri shall be 6.0 inches per hour and 0.063 GPM/Square Foot in lieu of the values listed.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

## APPENDIX E

### Appendix E Manufactured/Mobile Home Parks and Recreation Vehicle Parks.

Appendix E of the 2015 Uniform Plumbing Code™ is amended by the following provisions.

Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

Appendix E is included in the Plumbing Code with the following changes:

The City of Chesterfield Mechanical Code shall govern installation of Part D FUEL SUPPLY.

## APPENDIX G

### Appendix G Sizing of Venting Systems.

Appendix G of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

## APPENDIX H

Deleted.

## APPENDIX I



Appendix I Installation Standard for PEX Tubing Systems for Hot- and Cold-Water Distribution.

Appendix I of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this Chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

## APPENDIX J

Appendix J Combination of Indoor and Outdoor Combustion and Ventilation Opening Design.

Appendix J of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

## APPENDIX K

Appendix K Potable Rainwater Catchment Systems.

Appendix K of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

1103.418L - Amendments to the Uniform Plumbing Code™—Appendix L—Alternate Plumbing Systems.

—Appendix L of the 2015 Uniform Plumbing Code™ is amended by the following provisions.

Each section in the UPC that corresponds to one of the following provisions is hereby deleted where so noted or amended to read as set forth below. Each section set forth below without a corresponding provision in the UPC is added thereto.

Appendix L is accepted by the Plumbing Code as a reference only and may be used as an engineered system if approved by the authority having jurisdiction.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent shall apply.

## APPENDIX L

### Appendix L Sustainable Practices.

Appendix L of the 2015 Uniform Plumbing Code is included in the Plumbing Code with no changes.

If any conflict of interpretations, requirements, or ordinance sections of this chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent requirement shall apply.

1103.418M - Amendments to the Uniform Plumbing Code™—Appendix M—Code Illustrations.

—Appendix M, a copy of which is maintained on the St. Louis County internet under Public Works, is hereby enacted and added as an additional appendix to the 2015 Uniform Plumbing Code™.

The drawings contained in Appendix M are intended to aid in the clarification of various methods, installation practices and piping configurations, which conform to the requirements of this Code.

If any conflict of interpretations, requirements, or Ordinance sections of this Chapter occur between other similar Code provisions and other City of Chesterfield Ordinances the more stringent shall apply.

## **Attachment 'G'**

### **1110.100 - Amendments to Chapter 1—ICC International Property Maintenance Code**

Chapter 1—Administration and Enforcement.

Chapter 1 of the International Property Maintenance Code, year 2015 edition, is amended by the following provisions. Each section, subsection or clause of the code that numerically corresponds to one (1) 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.

101.1 *Title.* These regulations shall be known as the Property Maintenance Code of the City of Chesterfield, Missouri, hereinafter referred to as "this code."

102.3 *Application of Other Codes.* The Building, Mechanical, Plumbing and Electrical Codes referenced in this code and listed in Chapter 7 of this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes, the provisions of this code shall apply. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Unified Development Code of Chesterfield, nor the Plumbing Code, Electrical Code, Waste Management Code, Existing Building Code, Building Code, and Residential Code as adopted by the City of Chesterfield.

103.1 *General.* The authority of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the "Code Official."

103.2 *Appointment.* Delete.

103.5 *Fees.* The fees for activities and services performed by the Department of Transportation and Public Works in carrying out its responsibilities under this code shall be as indicated in sections 1110.050 (municipal contracts) and 1110.1065 of this code. Research fees shall be calculated per Section 114.070 SLCRO 1974 as amended.

106.4 *Violation Penalties.* Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served, shall be deemed a separate offense.

107.2 *Form.* Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.

2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code; except, however, that the time allowed in any correction order pertaining to the removal of graffiti in compliance with section 302.9 shall not exceed thirty (30) days and said correction order shall further advise that the matter will be referred to the City Attorney for prosecution without further notice at the expiration of the prescribed period if the graffiti violation has not been remedied.
5. Inform the property owner of the right to appeal.

107.3 *Method of Service.* Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally; or
2. A copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice and in or about the premises affected by such notice; or
3. Sent by first-class mail addressed to the last known mailing address in the County real estate record; or
4. If the notice is returned showing that the letter was not delivered and a copy was not already posted on the property, a copy thereof shall be posted in a conspicuous place in or about the structure or on the premises affected by such notice and in or about the premises affected by such notice, or served in such other manner as is reasonably calculated to achieve actual service upon the owner of the structure.

## SECTION 110 DEMOLITION

110.1 *General.* The demolition of all structures shall be in accordance with the provisions of the Building Code as adopted by the City of Chesterfield.

110.2 *Notices and orders.* Delete.

110.3 *Failure to comply.* Delete.

110.4 *Salvage materials.* Delete.

## SECTION 111\MEANS OF APPEAL

111.1 *Application for Appeal.* Any person directly affected by a decision of the Code Official or a notice or order issued under this code shall have the right to appeal within thirty days to the board of appeals pursuant to the

procedures adopted in Chapter 1115 SLCRO 1974, as amended. An appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of compliance will be used.

111.1.1 *Filing fee*. An application for appeal may not be filed without full payment of the filing fee prescribed in Chapter 1100.130 SLCRO 1974 as amended.

111.2 *Membership of board*. Delete.

111.2.1 *Alternate members*. Delete.

111.2.2 *Chairman*. Delete.

111.2.3 *Disqualification of members*. Delete.

111.2.4 *Secretary*. Delete.

111.2.5 *Compensation of members*. Delete.

111.3 *Notice of meeting*. Delete.

111.4 *Open meeting*. Delete.

111.4.1 *Procedures*. Delete.

111.5 *Postponed hearing*. Delete.

111.6 *Board decision*. Delete.

111.6.1 *Records and copies*. Delete.

111.6.2 *Administration*. Delete.

## SECTION 112 STOP WORK ORDER

112.4 *Failure to Comply*. 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 a fine of up to \$1,000.00, 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.

1110.200 - Amendments to Chapter 2—ICC International Property Maintenance Code—Chapter 2—Definitions.

—Chapter 2 of the International Property Maintenance Code, year 2015 edition, is amended by the following provisions. Each section, sub-section, definition or clause of the code that corresponds to one of the following provisions is hereby deleted where so noted or amended as set forth below. Each provision set out below without a corresponding section, sub-section, definition or clause in the code is hereby enacted and added thereto.

## SECTION 201 GENERAL

201.3 *Terms Defined in Other Codes.* Where terms are not defined in this code and are defined in the City of Chesterfield Building, Plumbing, Mechanical, and Electrical Codes and in the City of Chesterfield Unified Development Code, such terms shall have the meaning ascribed to them therein.

## SECTION 202 GENERAL DEFINITIONS

*Code Official.* The Director of Transportation Public Works or any person(s) or agent(s) employed or designated by the Director to enforce this code.

*Vehicle.* A device normally required to be licensed and intended to transport persons or property and which is drawn, driven or otherwise transported on land, air or water.

1110.300 - Amendments to Chapter 3—ICC International Property Maintenance Code—Chapter 3—General Requirements.

—Chapter 3 of the International Property Maintenance Code, year 2015 edition, is amended by the following provisions. 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.

## SECTION 302 EXTERIOR PROPERTY AREAS

302.4 *Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches (203 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.4 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

## SECTION 304 EXTERIOR STRUCTURE

304.10.1 *Stair Dimension Tolerances*. Treads and risers shall be significantly the same in depth or height so as to not create a trip hazard.

304.12 *Handrails and Guards*. Every flight of stairs which is more than four risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, landing or balcony which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition.

304.12.1 *Handrail and Guard Installations*. The replacement or installation of handrails and/or guards shall be in accordance with the Building Code listed in Chapter 8 of this code.

304.14 *Insect Screens*. During the period from April 15 to November 15, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

*Exception:* Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

## SECTION 305 INTERIOR STRUCTURE

305.4.1 *Stair Dimension Tolerances*. Treads and risers shall be significantly the same in depth or height so as to not create a trip hazard.

305.5 *Handrails and Guards*. Every flight of stairs which is more than four risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, landing or balcony which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition.

304.5.1 *Handrail and/or Guard Installations*. The replacement or installation of handrails and/or guards shall be in accordance with the Residential Code as adopted by the City of Chesterfield.

1110.400 - Amendments to Chapter 4—ICC International Property Maintenance Code—Chapter 4—Light, Ventilation and Space Requirements.

—Chapter 4 of the International Property Maintenance Code, year 2015 edition, is amended by the following provisions. Each section, subsection or clause of the code that numerically corresponds to one (1) 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.

404.4.1 *Area for Sleeping Purposes.* For the purposes of determining occupancy load, every bedroom occupied by one person shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.

404.5 *Overcrowding.* Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5  
MINIMUM AREA REQUIREMENTS

| MINIMUM AREA IN SQUARE FEET |                                 |               |                     |
|-----------------------------|---------------------------------|---------------|---------------------|
| SPACE                       | 1—2 occupants                   | 3—5 occupants | 6 or more occupants |
| Living room                 | No requirements                 | 120           | 150                 |
| Dining room                 | No requirements                 | 80            | 100                 |
| Kitchen                     | 50                              | 50            | 60                  |
| Bedrooms                    | Shall comply with Section 404.4 |               |                     |

1110.500 - Amendments to Chapter 5—ICC International Property Maintenance Code—Chapter 5—Plumbing Facilities and Fixture Requirements.

—Chapter 5 of the International Property Maintenance Code, year 2015 edition, is amended by the following provisions. Each section, subsection or clause of the code that numerically corresponds to one (1) 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.

504.1 *General.* All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe,



sanitary and functional condition. No accordion type plastic, or other flexible material, is allowable on any drains or traps.

505.3 *Supply*. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixture, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks. Supply lines to the hot and cold water valves at the sink must be metal, or metal braid composition, not plastic.

507.1 *General*. Drainage of roofs, paved areas, yards and courts, and other open areas on the premises shall not be modified or altered to discharge in a manner that creates a public nuisance.

1110.600 - Amendments to Chapter 6—ICC International Property Maintenance Code—Chapter 6—Mechanical and Electrical Requirements.

—Chapter 6 of the International Property Maintenance Code, year 2015 edition, is amended by the following provisions. Each section, subsection or clause of the code that numerically corresponds to one (1) 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.

602.3 *Heat Supply*. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a temperature of not less than 68 degrees F (20 degrees C) in all habitable rooms, bathrooms, and toilet rooms.

*Exception:* When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Residential Code and Mechanical Code as adopted by the City of Chesterfield.

602.4 *Occupiable Work Spaces*. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 of each year to maintain a temperature of not less than sixty-five (65) degrees Fahrenheit (eighteen degrees centigrade) during the period the spaces are occupied. Exceptions: 1. Processing, storage and operation areas that require cooling or special temperature conditions; 2. Areas in which persons are primarily engaged in vigorous physical activities.

605.2 *Receptacles*. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at

least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter ("GFCI"). All receptacles in a bathroom shall be GFCI protected. Every bathroom shall have at least one receptacle. All receptacles intended to serve the kitchen countertop shall be GFCI protected. All receptacles installed outdoors shall be GFCI protected.

1110.700 - Amendments to Chapter 7—ICC International Property Maintenance Code—Chapter 7—Fire Safety Requirements.

—Chapter 7 of the International Property Maintenance Code, year 2015 edition, is amended by the following provisions. Each section, subsection or clause of the code that numerically corresponds to one (1) 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.

702.2 *Aisles*. The required width of aisles in accordance with the Building Code shall be unobstructed.

702.3 *Locked Doors*. All means of egress doors shall be readily operable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Building Code as adopted by the City of Chesterfield.

702.4 *Emergency Escape Openings*. Required emergency escape and rescue openings shall be openable from the inside of the room without the use of keys or tools. Bars, grills, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the Building Code as adopted by the City of Chesterfield and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates, or similar devices are installed in existing buildings, smoke detectors shall be installed in accordance with Section 704 of this code.

703.2 *Opening Protectives*. Required opening protectives shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable. Door closers at individual units at apartment complexes will be required where it is determined that they were a part of the original approved equipment or the door closers were previously installed.

## **Attachment 'H'**

### **1118.101 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition**

#### Chapter 1 Scope and Administration.

The following provisions amend Chapter 1 Scope and Administration in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

101.1 *Title.* These regulations shall be known as the Swimming Pool and Spa Code of the City of Chesterfield, herein after referred to as "this code."

101.5 *Applicability of Chesterfield, Missouri Codes and Ordinances.* Throughout this code, whenever the terms NFPA 70, International Plumbing Code, International Mechanical Code, International Property Maintenance Code, International Building Code, International Residential Code, International Existing Building Code, Zoning Ordinance or Floodplain Management Regulations Ordinance appears it shall be deemed to mean the codes adopted by the City of Chesterfield.

101.6 *Correction of violations of other codes.* Repairs or alterations mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this code unless the code requiring such repair or alteration so provides.

102.9.1 *Licensing.* Applicable licensing provisions of the Mechanical Code, the Electrical Code and the Plumbing Code shall apply to work regulated under this code.

102.9.2 *Compliance with City and municipal zoning and other applicable codes and ordinances.* Subject to the provisions of this code, neither the granting of a permit, nor the approval of construction documents, nor inspections made by the building official, or the building official's authorized representative, during the erection, movement or demolition of a building or 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 Zoning Ordinance, or the zoning ordinance or other applicable laws. Provided, however, that nothing in this code shall be construed to subject any land or structure owned or controlled by the City of Chesterfield to any municipal zoning or other ordinances.

SECTION 103  
DEPARTMENT OF BUILDING SAFETY

103.1 *Creation of enforcement agency.* SECTION 103 DEPARTMENT OF BUILDING SAFETY (Sections 103.1 through 103.4.1) in the International Swimming Pool and Spa Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 103 DEPARTMENT OF BUILDING SAFETY in the International Building Code.

SECTION 104  
DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 *General.* SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL (Sections 104.1 through 104.12) in the International Swimming Pool and Spa Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL in the International Building Code.

SECTION 105  
PERMITS

105.1 *Required.* SECTION 105 PERMITS (Sections 105.1 through 105.6.3) in the International Swimming Pool and Spa Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 105 PERMITS in the International Building Code.

SECTION 106  
*Reserved for future use.*

SECTION 107  
SUBMITTAL DOCUMENTS

107.1 *General.* SECTION 107 SUBMITTAL DOCUMENTS (Sections 107.1 through 107.5) of the International Building Code is adopted as part of this code.

SECTION 108  
*Reserved for future use.*

SECTION 109  
FEES

109.1 *Payment of fees.* SECTION 109 FEES (Sections 109.1 through 109.6) of the International Building Code is adopted as part of this code.

SECTION 110  
INSPECTIONS

110.1 *General.* SECTION 106 INSPECTIONS (Sections 106.1 through 106.19) in the International Swimming Pool and Spa Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 110 INSPECTIONS in the International Building Code.

SECTION 111  
CERTIFICATE OF OCCUPANCY

111.1 *Use and occupancy.* SECTION 111 CERTIFICATE OF OCCUPANCY (Sections 111.1 through 111.4) of the International Building Code is adopted as part of this code.

SECTION 112  
SERVICE UTILITIES

112.1 *Connection of service utilities.* SECTION 112 SERVICE UTILITIES (Sections 112.1 through 112.3) of the International Building Code is adopted as part of this code.

SECTION 113  
BOARD OF APPEALS

113.1 *General.* SECTION 108 MEANS OF APPEALS (Sections 108.1 through 108.7) in the International Swimming Pool and Spa Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 113 BOARD OF APPEALS in the International Building Code.

SECTION 114  
VIOLATIONS

114.1 *Unlawful acts.* SECTION 107 VIOLATIONS (Sections 107.1 through 107.7.3) in the International Swimming Pool and Spa Code, 2015 edition is deleted in its entirety and adopted in lieu thereof is SECTION 114 VIOLATIONS in the International Building Code.

SECTION 115  
STOP WORK ORDER

115.1 *Authority.* SECTION 115 STOP WORK ORDER (Sections 115.1 through 115.3) in the International Building Code is adopted as part of this code.

SECTION 116  
UNSAFE STRUCTURES AND EQUIPMENT

116.1 *Conditions.* SECTION 116 UNSAFE BUILDINGS AND EQUIPMENT (Sections 116.1 through 116.5) in the International Building Code is adopted as part of this code.

SECTION 117  
EMERGENCY MEASURES

117.1 *Imminent danger.* SECTION 117 EMERGENCY MEASURES (Sections 117.1 through 117.6) in the International Building Code is adopted as part of this Code.

SECTION 118  
UNFIT BUILDINGS AND STRUCTURES

118.1 *General*. SECTION 118 DEMOLITION (Sections 118.1 through 118.4) in the International Building Code is adopted as part of this code.

## SECTION 119 DEMOLITION OF STRUCTURES

119.1 *Demolition of structures*. SECTION 119 DEMOLITION OF STRUCTURES (Sections 119.1 through 119.3) of the International Building Code is adopted as part of this code.

1118.102 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition—Chapter 2 Definitions.

—The following provisions amend Chapter 2 Definitions in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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 Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, International Existing Building Code, International Property Maintenance Code or NFPA 70, such terms shall have the meanings ascribed to them as in those codes.

## SECTION 202 DEFINITIONS

Retain all definitions listed in Section 202 of the International Swimming Pool and Spa Code, 2015 edition and add the following definitions to the section.

*Affected Parties*. The owner, occupant, lessee, mortgagee, agent and all other persons having an interest in the structure or its premises as shown by the records of the Recorder of Deeds as of the date said structure is declared to be a public nuisance by the building official.

*Board of Appeals*. The Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Code Official*. The Code Official as defined herein.

*Building Code Review Committee*. The Committee established by, and acting in accordance with, section 1115.060 of the Building Code, SLCRO 1974, Title XI, Chapter 1115, as amended.

*Building Commission*. The Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

*Building Official.* The Code Official as defined herein.

*Code Official.* The Director of Planning or the Director's duly authorized representative.

*Dangerous.* Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, partially collapsed, has moved off its foundation or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under service loads.
3. The building or structure or any portion thereof is likely to collapse partially or completely because:
  - 3.1. Of dilapidation, deterioration or decay;
  - 3.2. Of construction in violation of the this code;
  - 3.3. The soil supporting the foundation is unstable, moved or removed;
  - 3.4. The foundation is inadequate, decayed or deteriorated; or
  - 3.5. It is damaged due to fire, earthquake, wind or flood; or any other similar cause.
4. The exterior walls or other vertical structural member list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
5. Any building or structure with substantial structural damage.

*Disaster.* A disaster shall include but not necessarily be limited to flood, windstorm, tornado, severe storm, earthquake, bomb blast, explosion or similar natural or man-made type event. The building official shall make the determination whether an event shall be declared a disaster.

*Electrical Code Review Committee.* The Committee established by, and acting in accordance with the Electrical Code, SLCRO 1974, Title XI, Chapter 1102, as amended.

*Flood Hazard Area.* An area that has been determined to be prone to flooding in accordance with section 1612 of the International Building Code or Section R322 of International Residential Code as applicable.

*Lowest Floor.* The floor of the lowest enclosed area, including a basement. An unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage, in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of section 1612 of the International Building Code.

*Mechanical Code Review Committee.* The Committee established by, and acting in accordance with the Mechanical Code, SLCRO 1974, Title XI, Chapter 1108, as amended.

*Plumbing Code Review Committee.* The Committee established by, and acting in accordance with the Plumbing Code, SLCRO 1974, Title XI, Chapter 1103, as amended.

*Zoning Ordinance.* City of Chesterfield Unified Development Code, Article 31.

1118.103 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition—Chapter 3 General Compliance.

—The following provisions amend Chapter 3 General Compliance in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

302.1 *Electrical.* Electrical requirements for aquatic facilities shall be in accordance with NFPA 70.

302.5 *Backflow protection.* Water supplies for pools and spas shall be protected against backflow in accordance with the International Plumbing Code.

302.6 *Waste-water discharge.* Where waste water from pools or spas, backwash from filters and water from deck drains discharge to the building drainage system, such installation shall be in accordance with the International Plumbing Code.

305.2.1 *Barrier height and clearances.* Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 72 inches (1829 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.

*Exception:* For residential swimming pools the top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.



2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

305.2.10 *Poolside barrier setbacks.* The pool or spa side of the required barrier shall be not less than 60 inches (1524 mm) from the water's edge.

*Exception:* For residential swimming pools the pool or spa side of the required barrier shall be not less than 20 inches (508 mm) from the water's edge.

305.5 *Onground residential pool structure as a barrier.* An onground residential pool wall structure or a barrier mounted on top of an onground residential pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, the wall complies with the requirements of Section 305.2 and the pool manufacturer allows the wall to serve as a barrier.
2. Where the barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, and the wall and the barrier on top of the wall comply with the requirements of Section 305.2.
3. Ladders or steps used as a means of access to the pool are surrounded by a barrier that meets the requirements of Section 305.
4. Barriers that are mounted on top of onground residential pool walls are installed in accordance with the pool manufacturer's instructions.

Table 306.5 Minimum Drainages Slopes for Deck Surfaces

| Surface | Minimum Drainage Slope (Inch Per Foot) |
|---------|----------------------------------------|
|---------|----------------------------------------|

|                                                        |     |
|--------------------------------------------------------|-----|
| Exposed aggregate                                      | 1/4 |
| Textured, hand-finished concrete                       | 1/8 |
| Travertine/brick-set pavers, public pools or spas      | 3/8 |
| Travertine/brick-set pavers, residential pools or spas | 1/8 |
| Wood, residential pools or spas only                   | 1/8 |
| Wood/plastic composite                                 | 1/8 |

306.9.1 *Hose bibbs*. Hose bibbs shall be provided for rinsing down the entire deck and shall be installed in accordance with the International Plumbing Code.

306.10 *Decking surface*. Materials used for decking surfaces shall only be the materials listed in Table 306.5 or materials approved by the code official.

311.4 *Piping and fittings*. Plastic piping and fittings used in circulation systems shall be provided in accordance with the International Plumbing Code.

311.4.1 *Fittings*. Fittings used in circulation systems shall be provided in accordance with the International Plumbing Code.

311.4.2 *Joints*. Joints shall be provided in accordance with the International Plumbing Code.

311.4.3 *Piping subject to freezing*. Piping subject to freezing shall be installed in accordance with the International Plumbing Code.

311.4.4 *Suction outlet fitting assemblies*. Suction outlet fitting assemblies shall be installed in accordance with the International Plumbing Code.

311.5 *System draining*. Equipment shall be designed and fabricated to drain the water from the equipment, together with exposed face piping, by removal of drain plugs, manipulating valves, or by other methods. Drainage shall be in accordance with the International Plumbing Code.

311.9 *Hydrostatic pressure test*. Circulation piping, other than that integrally included in the manufacture of the pool or spa shall be subject to hydrostatic pressure testing in accordance with the International Plumbing Code.

318.2 *Protection of potable water supply.* Potable water supply systems shall be designed, installed and maintained in accordance with the International Plumbing Code.

320.1 *Backwash water or draining water.* Backwash water and draining water shall be discharged in accordance with the International Plumbing Code.

*Exception:* Residential pools may discharge into storm sewers or shall be drained by other means as approved by the code official.

321.4 *Residential pool and deck illumination.* Where lighting is installed for, and in, residential pools and permanent residential spas, such lighting shall be installed in accordance with NFPA 70.

1118.104 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition—Chapter 4 Public Swimming Pools.

—The following provisions amend Chapter 4 Public Swimming Pools in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

401.1 *Public swimming pools.* The provisions of this chapter shall apply to public swimming pools. Public swimming pools covered in this chapter include Class A, Class B, Class C, Class E and Class F pools.

401.4.1 *Class A pool tolerances.* Dimensional tolerances for Class A pools shall be determined by the authority that governs such pools but not less than the construction tolerances shown in Table 401.4.

402.2 *Manufactured and fabricated diving equipment.* Manufactured and fabricated diving equipment shall be in accordance with this Chapter and shall be designed for swimming pool use.

403.1 *Maximum bather load.* The maximum bather load of Class A, Class B, Class C and Class F pools shall be in accordance with Table 403.1.

Table 403.1 Maximum Bather Load

| Pool Type                      | Bather Load                                |
|--------------------------------|--------------------------------------------|
| A, B, C, F                     | 20 sq. ft. of water surface area per user  |
| Diving area (per diving board) | 300 sq. ft. of water surface area per user |
| Deck at A, B, C, F             | 50 sq. ft. of deck surface area per user   |

For SI: 1 square foot = 0.0929 square meters

405.1 *Wading pools.* Class F wading pools shall be separate pools with an independent circulation system, shall be physically separated from other classes of pools by a minimum distance of 15 feet (4572 mm) or by a barrier in accordance with Section 305 and shall be constructed in accordance with Sections 405.2 through 405.6.

405.6 *Suction entrapment avoidance.* Wading pools shall not have suction outlets. Skimmers or overflow gutters shall be installed and shall accommodate 100 percent of the circulation system flow rate.

*Exception:* Wading pools having gravity or suction outlets for cleaning/maintenance purposes only, shall comply with APSP-7 and shall have suction outlet covers that are flush to the floor so as not to present a tripping hazard.

410.2 *Plumbing Fixtures.* Class A through F public swimming pools shall be provided with plumbing fixtures in accordance with Section 609.

*Exception:* Class C pools are required to provide only the rinse showers as required by Section 609 when the other plumbing fixtures required by Section 609 are provided within the associated lodgings.

1118.105 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition—Chapter 5 Public Spas and Public Exercise Spas.

—The following provisions amend Chapter 5 Public Spas and Public Exercise Spas in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

## SECTION 510 CIRCULATION SYSTEMS

510.1 *General.* Circulation systems for spas shall comply with Section 311 and the provisions of this section.

510.2 *Turnover.* Circulation equipment shall be sized to turn over the entire water capacity of the spa as specified in Table 510.2. The system shall be designed to provide the required turnover rate based on the maximum pressure and flow rate recommended by the manufacturer of the filter with clean filter media.

Table 510.2 Maximum Bather Load and Turnover Rate

| Class of Pool | Temperature                | Maximum Bather Load                      | Maximum Turnover Time (hours) |
|---------------|----------------------------|------------------------------------------|-------------------------------|
| E             | ≤72° - 93°F (22° - 34°C)   | >2500 gallons/person                     | 4 hours                       |
| E             | ≤72° - 93°F (22° - 34°C)   | >450 gallons/person                      | 2 hours                       |
| E             | ≤72° - 93°F (22° - 34°C)   | ≤450 gallons/person                      | 1 hour                        |
| E             | ≥93°F - 104°F (34° - 40°C) | All                                      | 0.5 hours                     |
| Deck at E     |                            | 50 sq. ft. of deck surface area per user |                               |

For SI: 1 square foot = 0.0929 square meters, 1 gallon = 0.0038 cubic meters

1118.106 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition—Chapter 6 Aquatic Recreation Facilities.

—The following provisions amend Chapter 6 Aquatic Recreation Facilities in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

TABLE 604.2 TURNOVER TIME

| Class of Pool | Maximum Turnover Time <sup>a</sup> (hours) |
|---------------|--------------------------------------------|
| D-1           | 2                                          |
| D-2           | 1                                          |
| D-3           | 1                                          |
| D-4           | 2                                          |

|     |     |
|-----|-----|
| D-5 | 0.5 |
| D-6 | 0.5 |

For SI: 1 inch = 25.4 mm.

- a. Pools with a sand bottom require a 1-hour turnover time.

608.1 *Occupant load.* The occupant load for the pools or spas in the facility shall be calculated in accordance with Table 608.1. The occupant load shall be the combined total of the number of users based on the pool or spa water surface area and the deck area surrounding the pool or spa. The deck area occupant load shall be based on the occupant load calculation where a deck is provided or based on an assumed 5 foot wide (1219 mm) deck surrounding the entire perimeter of the pool or spa, whichever is greater.

Table 608.1, OCCUPANT LOAD - Delete and replace with:

Table 608.1 Occupant Load

| Pool Type               | Occupant Load                              |
|-------------------------|--------------------------------------------|
| D-1                     | 15 sq. ft. of water surface area per user  |
| D-2                     | 10 sq. ft. of water surface area per user  |
| D-3                     | Per manufacturer                           |
| D-4                     | 15 sq. ft. of water surface area per user  |
| D-5                     | 15 sq. ft. of water surface area per user  |
| D-6                     | 10 sq. ft. of water surface area per user  |
| Deck                    | 50 sq. ft. of deck surface area per user   |
| Diving area (per board) | 300 sq. ft. of water surface area per user |

For SI: 1 square foot = 0.0929 square meters

609.2 *Number of fixtures.* Pools shall have toilet facilities with the number of fixtures in accordance with Table 609.2. Separate toilet facilities shall be provided for each sex. The minimum number of fixtures shall be calculated at 50 percent male and 50 percent female based on the total occupant load. Where applying the fixture ratios in Table 609.2, results in fractional numbers shall be rounded to the next whole number.

Table 609.2 Minimum Plumbing Fixtures

| Water Closets (Fixtures Per Person)                                                                  |                                                                                | Urinals (Fixtures Per Person)                          | Lavatories (Fixtures Per Person)                                                                     |                                                                       | Cleansing Showers                                                                                                | Rinse Showers                                          | Drinking Fountains/Facilities (Fixtures Per Person)      | Other                          |
|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|--------------------------------|
| Male<br>1:1-100<br>2:101-200<br>3:201-400                                                            | Female<br>1:1-25<br>2:26-50<br>3:51-100<br>4:101-200<br>6:201-300<br>8:301-400 | Male<br>1:1-100<br>2:101-200<br>3:201-400<br>4:401-600 | Male<br>1:1-200<br>2:201-400<br>3:401-600<br>4:601-750                                               | Female<br>1:1-100<br>2:101-200<br>3:201-400<br>5:301-500<br>6:501-750 | Min. of 1 for each sex for every 4000 square foot of collective water surface and deck area or fraction thereof. | Min. of 1 on the deck at the entry to each pool or spa | 1:1-250<br>2:251-500<br>3:501-750                        | 1 service sink or laundry tray |
| Over 400, add 1 fixture for each additional 500 males and 1 fixture for each additional 125 females. |                                                                                | Over 600, add 1 fixture for each additional 300 males. | Over 750, add 1 fixture for each additional 250 males and 1 fixture for each additional 200 females. |                                                                       |                                                                                                                  |                                                        | Over 750, add 1 fixture for each additional 500 persons. |                                |

609.3.1 *Rinse shower*. Rinse showers shall be located on the deck at the entrance to each pool in accordance with Table 609.2.

609.9 *Infant care*. Baby-changing tables shall be provided in each male, female and unisex toilet facility.

1118.108 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition—Chapter 8 Permanent Inground Residential Swimming Pools.

—The following provisions amend Chapter 8 Permanent Inground Residential Swimming Pools in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

801.2 *General*. In addition to the requirements of this chapter, permanent inground residential pools shall comply with the requirements of Chapter 3.

1118.111 - Amendments to the International Swimming Pool and Spa Code, 2015 Edition—Chapter 11 Referenced Standards.

—The following provisions amend Chapter 11 Referenced Standards in the International Swimming Pool and Spa Code, 2015 edition. Each code section that corresponds to one (1) of the following 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.

**APSP** - The Association of Pool & Spa Professionals. Amend Referenced Standards.

|                              |                                                                                               |                                         |
|------------------------------|-----------------------------------------------------------------------------------------------|-----------------------------------------|
| <b>APSP</b>                  | The Association of Pool & Spa Professionals<br>2111 Eisenhower Avenue<br>Alexandria, VA 22314 |                                         |
| Standard<br>reference number | Title                                                                                         | Referenced in<br>code section<br>number |
| ANSI/APSP/ICC 4<br>- 12      | Standard for Aboveground/Onground<br>Residential Swimming Pools                               | 702.2.1                                 |



|                             |                                                                                                                                        |                                      |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| ANSI/APSP/ICC 7<br>- 13     | American National Standard for Suction<br>Entrapment Avoidance in Swimming<br>Pools, Wading Pools, Spas, Hot Tubs, and<br>Catch Basins | 310.1, 405.6                         |
| ANSI/APSP/ICC<br>14 - 11    | American National Standard for Portable<br>Electric Spa Energy Efficiency                                                              | 303.2                                |
| ANSI/APSP/ICC<br>15a - 2013 | American National Standard for<br>Residential Swimming Pool and Spa<br>Energy Efficiency                                               | 303.3                                |
| ANSI/APSP/ICC<br>16 - 11    | American National Standard for Suction<br>Fittings for Use in Swimming Pools,<br>Wading Pools, Spas, and Hot Tubs                      | 202, 311.4.1,<br>311.4.4,<br>505.2.1 |

**GOVERNMENT OF ST. LOUIS COUNTY, MISSOURI.** Add the following St. Louis County Codes, Ordinances and Standards:

|                                                                    |                                                                                                                |                                         |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <b>GOVERNMENT OF ST. LOUIS<br/>COUNTY, MISSOURI</b>                | St. Louis County Department of<br>Transportation and Public Works<br>41 S. Central Ave.<br>St. Louis, MO 63105 |                                         |
| Standard reference number                                          | Title                                                                                                          | Referenced in<br>code section<br>number |
| Building Code - Title XI, Chapter<br>1115 SLCRO 1974, as amended   | Building Code                                                                                                  | 202                                     |
| Electrical Code - Title XI, Chapter<br>1102 SLCRO 1974, as amended | Electrical Code                                                                                                | 202                                     |

|                                                                                 |                                   |            |
|---------------------------------------------------------------------------------|-----------------------------------|------------|
| Existing Building Code - Title XI, Chapter 1117 SLCRO 1974 as amended           | Existing Building Code            | 201.3      |
| Floodplain Management Regulations - Title X, Chapter 1008 SLCRO 1974 as amended | Floodplain Management Regulations | 101.5      |
| Mechanical Code - Title XI, Chapter 1108 SLCRO 1974, as amended                 | Mechanical Code                   | 202        |
| Plumbing Code - Title XI, Chapter 1103 SLCRO 1974, as amended                   | Plumbing Code                     | 202        |
| Zoning Ordinance - Title X, Chapter 1003 SLCRO 1974 as amended                  | Zoning Ordinance                  | 101.3, 202 |

**ICC** - International Code Council. Amend Referenced Standards.

|                           |                                                                                                    |                                                                    |
|---------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| <b>ICC</b>                | International Code Council, Inc.<br>500 New Jersey Avenue, NW<br>6th Floor<br>Washington, DC 20001 |                                                                    |
| Standard reference number | Title                                                                                              | Referenced in code section number                                  |
| IBC - 15                  | International Building Code                                                                        | 101.3, 201.3, 202, 304.2, 306.1, 307.2, 307.4, 307.8, 307.9, 410.1 |
| IECC - 15                 | International Energy Conservation Code                                                             | 201.3, 316.4                                                       |

|           |                                         |                                                                                                                         |
|-----------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| IEBC - 15 | International Existing Building Code    | 101.3, 201.3                                                                                                            |
| IFC - 15  | International Fire Code                 | 201.3                                                                                                                   |
| IFGC - 15 | International Fuel Gas Code             | 201.3, 316.4                                                                                                            |
| IMC - 15  | International Mechanical Code           | 101.3, 201.3, 316.4                                                                                                     |
| IPC - 15  | International Plumbing Code             | 101.3, 201.3, 302.2, 302.5, 302.6, 306.8, 306.8.1, 318.2, 410.1                                                         |
| IPMC - 15 | International Property Maintenance Code | 101.3, 201.3                                                                                                            |
| IRC - 15  | International Residential Code          | 101.3, 102.7.1, 201.3, 202, 304.2, 306.1, 306.3, 306.8, 307.2, 307.4, 307.8, 307.9, 316.4, 321.2.1, 703.1, 802.1, 802.2 |

**NFPA** - National Fire Protection Association. Amend Referenced Standards:

|                           |                                                                                      |                                            |
|---------------------------|--------------------------------------------------------------------------------------|--------------------------------------------|
| <b>NFPA</b>               | National Fire Protection Association<br>1 Batterymarch Park<br>Quincy, MA 02169-7471 |                                            |
| Standard reference number | Title                                                                                | Referenced in code section number          |
| NFPA 70 - 2014            | National Electric Code                                                               | 101.3, 201.3, 302.1, 316.4, 321.2.1, 321.4 |



## Attachment 'I'

a) Definitions. When used in this chapter:

- 1) *City*: shall mean the City of Chesterfield, St. Louis County, Missouri.
- 2) *Director*: Shall mean the Director of Planning of the City of Chesterfield, Missouri, and shall include his authorized agents.
- 3) *Explosives* and *explosive materials* when used herein shall mean gunpowder used for blasting, all forms of high explosives, fuses, detonators and other detonating agents, smokeless powders, and any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion containing any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing, that ignition by fire, by friction, by concussion, by percussion, by detonation of, by any part of the compound or mixture may cause such a sudden generation of highly heated gasses that the resultant gas pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb; but explosives shall not include small arms ammunition, gasoline, kerosene, or oils, greases or other petroleum products intended for lubrication purposes. For the purposes of this ordinance, explosives shall be classified as Class A, high explosives and Class B, low explosives and said classifications shall be as follows:

*Class A, high explosives*: Those explosives possessing detonating qualities such as dynamite, nitroglycerin, picric acid, lead azide, fulminate of mercury, smokeless powder, blasting caps and detonating primers.

*Class B, low explosives*: Those explosives not otherwise specified herein as Class A Explosives, including, but not limited to, explosives presenting a flammable hazard such as propellant explosives and photographic flash powder.

- 4) *Blasting agent*: Shall mean any material or mixture consisting of a fuel and oxidizer intended for blasting, not otherwise classified herein as an explosive, in which none of the ingredients are classified as explosives provided that the finished product, as mixed and packaged for use or shipment, cannot be detonated by means of a No. 8 test blasting cap when

unconfined.

- 5) *Blasting Cap No. 8*: A No. 8 test blasting cap is one containing two (2) grams of a mixture of eighty (80) percent mercury fulminate and twenty (20) percent potassium chlorate or a cap of equivalent strength.
  - 6) *Pyrotechnics*: Shall mean and include any combustible or explosive composition or manufactured articles designated and prepared for the purpose of producing audible or visual effects which are commonly referred to as fireworks.
  - 7) *Person*: Shall mean any individual, firm, co-partnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee or personal representative thereof.
  - 8) *Singular and plural*: Words used in the singular number shall include the plural and in the plural the singular.
  - 9) *Small arms ammunition*: Shall mean any shotgun, rifle, pistol or revolver cartridge.
  - 10) *Scaled distance* shall mean the actual distance (in feet) to the nearest structure, divided by the square root of the maximum explosive weight (in pounds) per eight-millisecond (or greater) delay. If delay intervals less than eight (8) milliseconds are employed or if instantaneous blasting is employed, scaled distance shall be computed by dividing the actual distance (in feet) by the square root of the total explosive weight in pounds.
  - 11) *Uncontrolled structures* shall mean any building not owned or controlled by the explosives user.
- b) *Scope*. This section shall apply to the manufacture, storage, sale, transportation or use of explosives and blasting agents in the City. It shall not apply to the discharge of small arms ammunition when discharged in connection with hunting or target shooting or other lawful uses connected with firearms.
- c) *Exception—Military or Governmental Use*. Nothing contained in this section shall be construed as applying to the regular military or naval forces of the United States, the duly authorized Militia of the State, the Police or Fire Departments or to regular employees of the City in the proper performance of their official duties.

d) *Exception—Amount of Explosives.* It shall be unlawful for any person to possess, store, stock or hold for resale, any amount of explosives, blasting agents or blasting caps unless such person has first obtained a written permit therefore from the Director as hereinafter provided, except for the following items and amounts:

- 1) Thirty (30) pounds of smokeless powder and one thousand (1,000) small arms primers for hand loading of small arms ammunition.
- 2) Thirty (30) pounds of explosives or blasting agents in industrial research laboratories and laboratories of technical institutes, colleges, universities and similar institutions.
- 3) Pyrotechnics which shall be governed by other ordinances of the City.

**Permit—Storage of Explosives—Requirements.—**

Application for such permit to possess, store, stock or hold for sale those items specified in Section 711.070 hereof shall be made to the Director at the Courthouse on forms provided and shall contain the following information:

- (1) Name of applicant.
- (2) Address of residence.
- (3) Place of business.
- (4) Occupation.
- (5) Age.
- (6) Experience in the use of explosives and such other information relative thereto as the Director may prescribe or require.
- (7) Maximum amount of each kind of explosives, blasting agents or blasting caps applicant intends to store or stock at any one time and the location and type of construction of the magazine or storage place of same.

**711.080 - Permit Shall Be Granted—When.—**

A person shall be entitled to a permit to store or stock explosives or blasting agents in the City who has met the following requirements:

- (1) Filed an application as provided in Section 711.070 hereof.
- (2) Secured whatever construction, occupancy or other permits which the applicant may otherwise be required by law to obtain.
- (3) Obtained a proper storage facility for the storage of such explosives as the same may be required by this chapter.

**711.090 - Storage of Explosives.—**

1. No person shall store any explosive materials in a manner not in conformity to this chapter.
2. Any change, addition, or modification to an approved storage facility shall not be made unless authorized by a new permit under Section 711-080.

#### 711.100 - Types of Storage Facilities.—

For purposes of this chapter, there shall be five (5) types of storage facilities. These types, together with the classes of explosive materials which shall be stored therein, are as follows:

- (a) *Type 1 storage facilities.* Permanent storage facilities for the storage of high explosives, subject to the limitations prescribed by sections 711.130 and 711.146. Other classes may also be stored therein.
- (b) *Type 2 storage facilities.* Portable indoor and outdoor storage facilities for the storage of high explosives, subject to the limitations prescribed by sections 711.130, 711.134(b) and 711.146. Other classes may also be stored therein.
- (c) *Type 3 storage facilities.* Portable outdoor facilities for the temporary storage of high explosives while attended (for example, a "day-box"), subject to the limitations prescribed by sections 711.130 and 711.146. Other classes may also be stored therein.
- (d) *Type 4 storage facilities.* Facilities for the storage of low explosives, subject to the limitations prescribed by sections 711.130(b), 711.138(b) and 711.146. Blasting agents may also be stored therein.
- (e) *Type 5 storage facilities.* Facilities for the storage of blasting agents, subject to the limitations prescribed by sections 711.130(a) and (c), 711.140(b), and 711.146.

#### 711.110 - Inspection of Storage Facilities.—

Any person storing explosive materials shall open and inspect his storage facilities at intervals not greater than three (3) days to determine whether the explosives therein are intact and to determine whether there has been unauthorized entry or attempted entry into the storage facilities or the unauthorized removal of facilities or their contents.

#### 711.115 - Storage Records to Be Kept.—

Records shall be kept of all Class A high explosives when such are kept in or on any premises in the portions of the City covered by this chapter or when stored in facilities licensed under the terms of this chapter. Such records shall consist of:

- a. Quantities of all materials entering or leaving the facility.
- b. Dates and times of all material entering or leaving the facility or premise.
- c. A description, brand name and serial number(s) of all involved material.
- d. Names of the person(s) removing any involved material and the reason for the removal.
- e. Any other information that the Director may require in a written notification to the licensee or permittee.

Such written records shall be kept at or near the storage facility and shall be available at all times to the Director or his agent.



711.120 - Removal of Explosive Materials.—

All explosive materials must be kept in storage facilities meeting the standards prescribed by this chapter unless they are:

- (a) In the process of manufacture, or
- (b) Being physically handled in the operating process of a licensee or user, or
- (c) Being used, or
- (d) Being transported to a place of storage or use by a permittee or by a person who has lawfully acquired explosive materials in the manner required by this chapter.

711.130 - Location of Storage Facilities.—

(a)(1) Except as otherwise provided in this chapter, storage facilities in which any explosive materials are stored shall be located at minimum distances from inhabited buildings, passenger railways, public highways, and from other storage facilities in which explosive materials are stored as specified in the American Table of Distances (Appendix A). Provided, that this table shall not apply to any indoor storage facility. When a storage facility is not barricaded, the distances shown in the American Table of Distances shall be doubled. For purposes of this paragraph, a storage facility shall be deemed barricaded when it is effectually screened from inhabited buildings, passenger railways, public highways, and other storage facilities in which explosive materials are stored either by a natural or artificial barricade of such height that a straight line from the top of any side wall of the storage facility to the eave line of such other inhabited building or storage facility, or to a point twelve (12) feet above the center of a passenger railway or public highway, will pass through such intervening barricade.

- (2) If any two (2) or more storage facilities are separated from each other by less than the distances specified in Appendix A, then such two (2) or more storage facilities, as a group, shall be considered as one storage facility, and the total quantity of explosive materials stored in such group shall be treated as if stored in a single facility and shall comply with the minimum of distances specified in Appendix A from other storage facilities, inhabited buildings, passenger railways, and public highways.
- (b) Storage facilities in which low explosives are stored shall be located at minimum distances from inhabited buildings, passenger railways, public highways, and from other storage facilities in which explosive materials are stored as specified in the table of distances for storage of low explosives as set forth in 27 CFR Section 181.199. Provided, that this table shall not apply to any indoor storage facility. The distances shown therein shall not be reduced by the presence of barricades.
- (c) Ammonium nitrate and storage facilities in which blasting agents are stored shall be located at minimum distances from storage facilities containing high explosives or blasting agents as specified in the Table of Recommended Separation Distances of Ammonium

Nitrate and Blasting Agents from Explosives or Blasting Agents as set forth in 27 CFR Section 181.200.

711.132 - Construction of Type 1 Storage Facilities.—

A type 1 storage facility shall be a permanent structure: a building, an igloo or Army-type structure, a tunnel, or a dugout. It shall be bullet-resistant, fire-resistant, weather-resistant, theft-resistant, and well ventilated.

(a) *Buildings.* All building-type storage facilities shall be constructed of masonry, wood, metal, or a combination of these materials and shall have no openings except for entrances and ventilation. Ground around such storage facilities shall slope away for drainage.

- (1) *Masonry wall construction.* Masonry wall construction shall consist of brick, concrete, tile, cement block, or cinder block and shall be not less than six (6) inches in thickness. Hollow masonry units used in construction shall have all hollow spaces filled with well-tamped coarse dry sand or weak concrete (a mixture of one (1) part cement and eight (8) parts of sand with enough water to dampen the mixture while tamping in place). Interior walls shall be covered with a nonsparking material.
- (2) *Fabricated metal wall construction.* Metal wall construction shall consist of sectional sheets of steel or aluminum not less than number 14 gauge, securely fastened to a metal framework. Such metal wall construction shall be either lined inside with brick solid cement blocks, hardwood not less than four (4) inches in thickness, or shall have at least a six-inch sand fill between interior and exterior walls. Interior walls shall be constructed of or covered with a nonsparking material.
- (3) *Wood frame wall construction.* The exterior of outer wood walls shall be covered with iron or aluminum not less than number 26 gauge. An inner wall of nonsparking material shall be constructed so as to provide a space of not less than six (6) inches between the outer and inner walls, which space shall be filled with coarse dry sand or weak concrete.
- (4) *Floors.* Floors shall be constructed of a nonsparking material and shall be strong enough to bear the weight of the maximum quantity to be stored.
- (5) *Foundations.* Foundations shall be constructed of brick, concrete, cement block, stone, or wood posts. If piers or posts are used, in lieu of a continuous foundation, the space under the buildings shall be enclosed with metal.
- (6) *Roof.* Except for buildings with fabricated metal roofs, the outer roof shall be covered with no less than number 26 gauge iron or aluminum fastened to seven-eighth-inch sheathing.
- (7) *Bullet-resistant ceilings or roofs.* Where it is possible for a bullet to be fired directly through the roof and into the storage facility at such

an angle that the bullet would strike a point below the top of inner walls, storage facilities shall be protected by one of the following methods:

- (i) A sand tray shall be located at the tops of inner walls covering the entire ceiling area, except that necessary for ventilation, lined with a layer of building paper, and filled with not less than four (4) inches of course dry sand.
  - (ii) A fabricated metal roof shall be constructed of three-sixteenth-inch plate steel lined with four (4) inches of hardwood. (For each additional one-sixteenth-inch of plate steel, the hardwood lining may be decreased one (1) inch.)
- (8) *Doors.* All doors shall be constructed of one-fourth-inch plate steel and lined with two (2) inches of hardwood. Hinges and hasps shall be attached to the doors by welding, riveting or bolting (nuts on inside of door). They shall be installed in such a manner that the hinges and hasps cannot be removed when the doors are closed and locked.
- (9) *Locks.* Each door shall be equipped with two (2) mortise locks; or with two (2) padlocks fastened in separate hasps and staples; or with a combination of mortise lock and a padlock; or with a mortise lock that requires two (2) keys to open; or a three-point lock. Locks shall be five-tumbler proof. All padlocks shall be protected with one-fourth-inch steel caps constructed so as to prevent sawing or lever action on the locks or hasps. All doors shall be kept locked at all times, except during placement and removal of stocks of explosives, or during repairs to storage facilities.
- (10) *Ventilation.* Except at doorways, a two-inch air space shall be left around ceilings and the perimeter of floors. Foundation ventilators shall be not less than four (4) by six (6) inches. Vents in the foundation, roof, or gables shall be screened and offset.
- (11) *Exposed metal.* No sparking metal construction shall be exposed below the top of walls in the interior of storage facilities, and all nails therein shall be blind-nailed or countersunk.
- (b) *Igloos, Army-type structures, tunnels, and dugouts.* Igloo, Army-type tunnel, and dugout storage facilities shall be constructed of reinforced concrete, masonry, metal, or a combination of these materials. They shall have an earth mound covering of not less than twenty-four (24) inches on the top, sides and rear. Interior walls and floors shall be covered with a nonsparking material. Storage facilities of this type shall also be constructed in conformity with the requirements of paragraph (a)(4) and paragraphs (a)(8) through (11) of this section.

711.134 - Construction of Type 2 Storage Facilities. A type 2 storage facility shall be a box, a trailer, a semitrailer or other mobile facility. It shall be bullet-resistant, fire-resistant, weather-resistant, theft-resistant, and well ventilated. Except as provided in paragraph (c) of this section, hinges and hasps shall be

attached to the covers or doors in the manner prescribed in Section 711.132(a)(8) and the locking system shall be that prescribed in Section 711.132(a)(9).

- (a) *Outdoor storage facilities.* Outdoor storage facilities shall be at least one (1) cubic yard in size and supported in such a manner so as to prevent direct contact with the ground. The sides, bottoms, tops, and covers or doors shall be constructed of one-fourth-inch steel and shall be lined with two (2) inches of hardwood. Edges of metal covers shall overlap sides at least one inch. The ground around such storage facilities shall slope away for drainage. When unattended, vehicular storage facilities shall have wheels removed or shall be otherwise effectively immobilized by kingpin locking devices or other methods approved by the Director.
- (b) *Indoor storage facilities.* No indoor facility for the storage of high explosives shall be located in a residence or dwelling. When located in a warehouse, wholesale, or retail establishment, such storage facilities shall be provided with substantial wheels or casters to facilitate removal therefrom. No more than two (2) indoor storage facilities shall be kept in any one (1) building. Two (2) storage facilities may be kept in the same building only when one (1) is used for the storage of blasting caps, squibs, or similar items and the other facility is used for the storage of other high explosives. Each storage facility shall be located on the floor nearest the ground level and within ten (10) feet of an outside exit. Indoor storage facilities within one building shall be separated by a distance of not less than ten (10) feet. No indoor storage facility shall contain a quantity of high explosives in excess of fifty (50) pounds or more than five thousand (5,000) blasting caps. Indoor facilities shall be of wood or metal construction as prescribed in paragraphs (b)(1) or (2) of this section.
  - (1) *Wood construction.* Wood indoor storage facilities shall have sides, bottoms, and covers or doors constructed of two-inch hardwood and shall be well braced at corners. They shall be covered with sheet metal of not less than number 20 gauge. Nails exposed to the interior of such facilities shall be countersunk.
  - (2) *Metal construction.* Metal indoor storage facilities shall have sides, bottoms, and covers or doors constructed of number 12 gauge metal and shall be lined inside with a nonsparking material. Edges of metal covers shall overlap sides at least one inch.
- (c) *Cap boxes.* Storage facilities for blasting caps in quantities of one hundred (100) or less shall have sides, bottoms, and covers constructed of number 12 gauge metal and lined with a nonsparking material. Hinges and hasps shall be attached thereto by welding. A single five-tumbler proof lock shall be sufficient for locking purposes.

#### 711.136 - Construction of Type 3 Storage Facilities.

A type 3 storage facility shall be a "day-box" or other portable facility. It shall be constructed in the same manner prescribed for type 2 outdoor storage

facilities in Section 711.134(a), except that it may be less than one cubic yard in size, and shall be bullet-resistant, fire-resistant, weather-resistant, theft-resistant, and well ventilated. Hinges, hasps, locks, and lock protection shall be in conformity with the requirements of Section 711.132(a)(8) and (9). The ground around such storage facilities shall slope away for drainage. No explosive materials shall be left in such facilities if unattended. The explosive materials contained therein must be removed to types 1 or 2 storage facilities for unattended storage.

#### 711.138 - Construction of Type 4 Storage Facilities.

A type 4 storage facility may be a building, an igloo or Army-type structure, a tunnel, a dugout, a box, a trailer, or a semi-trailer or other mobile facility and shall be fire-resistant, weather-resistant, and theft-resistant. It shall be constructed of masonry, metal-covered wood, fabricated metal, or a combination of these materials. The walls and floors of such storage facilities shall be lined with a nonsparking material. The doors or covers shall be metal or solid wood covered with metal. The foundations, locks, lock protection, hinges, hasps, and interior shall be in conformity with the requirements of **Section 711.132(a)(5), (8), (9), and (11).**

- (a) *Outdoor storage facilities.* The ground around such storage facilities shall slope away for drainage. When unattended, vehicular storage facilities shall have wheels removed or shall be otherwise effectively immobilized by kingpin locking devices or other methods approved by the Director.
- (b) *Indoor storage facilities.* No indoor facility for the storage of low explosives shall be located in a residence or dwelling. When located in a warehouse, wholesale, or retail establishment, such storage facilities shall be provided with substantial wheels or casters to facilitate removal therefrom. No more than one indoor storage facility shall be kept in any one building. It shall be located on the floor nearest the ground level and within ten (10) feet of an outside exit. No indoor storage facility shall contain a quantity of low explosives in excess of fifty (50) pounds.

#### 711.140 - Construction of Type 5 Storage Facilities.

A type 5 storage facility may be a building, an igloo or Army-type structure, a tunnel, a dugout, a bin, a box, a trailer, or a semitrailer or other mobile facility and shall be theft-resistant. The doors or covers thereof shall be solid wood or metal. The hinges, hasps, locks, and lock protection shall be in conformity with the requirements of Section 711.132 (a)(8) and (9).

- (a) *Outdoor storage facilities.* The ground around such storage facilities shall slope away for drainage. When unattended, vehicular storage facilities shall have wheels removed or shall be otherwise effectively immobilized by king-pin locking devices or other methods approved by the Director.
- (b) *Indoor storage facilities.* No indoor storage facility for the storage of blasting agents shall be located in a residence or dwelling.

711.143 - Smoking and Open Flames.

Smoking, matches, open flames, and spark-producing devices shall not be permitted in, or within fifty (50) feet of, any outdoor storage facility.

711.146 - Storage of Blasting Caps.

Blasting caps shall not be stored with other explosive materials in the same storage facility.

711.150 - Storage Within Types 1, 2, 3, and 4 Facilities.

(a) Explosive materials within a storage facility shall not be placed directly against interior walls. Any devices constructed or placed within a storage facility shall not interfere with ventilation.

(b) Containers of explosive materials shall be stored by being laid flat with top sides up. Corresponding classes, grades, and brands shall be stored together within a storage facility in such a manner that class, grade, and brand marks are easily visible upon inspection. Stocks of explosive materials shall be stored so as to be easily counted and checked.

(c) Except with respect to fiberboard containers, containers of explosive materials shall not be unpacked or repacked inside a storage facility or within fifty (50) feet thereof, and shall not be unpacked or repacked in close proximity to other explosive materials. Containers of explosive materials shall be securely closed while being stored.

(d) Tools used for opening or closing containers of explosive materials shall be of nonsparking materials, except that metal slitters may be used for opening fiberboard containers. A wood wedge and a fiber, rubber, or wooden mallet shall be used for opening or closing wood containers of explosive materials. Metal tools other than nonsparking transfer conveyors shall not be stored in any storage facility containing high explosives.

711.160 - Transportation of Explosives in City—Duties of Consignee.

When explosives or blasting agents are brought into the City by railroad or other conveyance or means of transportation, for delivery to a consignee, the person in charge of such delivery for such railroad or public conveyance shall notify the consignee immediately upon arrival of such explosives at a railroad station or any other place customarily used by public conveyance for receipt and delivery of shipments, and if said consignee does not remove said explosives from said location within twenty-four (24) hours after such notification, then the person in charge of such railroad station or other conveyance shall immediately notify the Director, and shall remove said explosives beyond the limits of the City, or to a magazine authorized by the Director. The time allowance may be extended by special written permission from the Director, when the Director determines that conditions beyond the control of the consignee prevent the consignee from complying with the provisions of this section.

711.170 - Failure to Remove Explosives on Arrival—Unlawful.—

It shall be unlawful for any owner, consignee, agent or employee thereof, having been notified of the arrival of the shipment of explosives as provided in Section 711.160 above, to fail to remove or cause the removal of said explosives within twenty-four (24) hours after receipt of said notice or by the time set by the Director, to some place meeting the requirements of this ordinance.

711.180 - Transportation of Explosives—General Provisions.—

1. Explosives shall not be transported through any prohibited vehicular tunnel, subway or over any prohibited bridge, roadway or elevated highway.
2. No person shall smoke, carry matches or any other flame-producing device, or carry any firearms or loaded cartridges while in or near a motor vehicle transporting explosives; or drive, load or unload such vehicle in a careless or reckless manner.
3. Explosives shall not be carried or transported in or upon a public conveyance or vehicle carrying passengers for hire.
4. Explosives may be loaded into and transported on any truck and a full trailer attached thereto provided that there shall be no more than one truck and one trailer comprising the combination.
5. Explosives shall not be transferred from one vehicle to another within the City without first informing the Director and the Chesterfield Police Department. In the event of breakdown or collision, the Director and the Chesterfield Police Department shall be promptly notified to help safeguard such emergencies. Explosives shall be transferred from the disabled vehicle to another only when proper and qualified supervision is provided.
6. It shall be unlawful for any person to transport, haul or otherwise convey blasting caps on the streets and highways of the City on the same vehicle with explosives except that not more than fifty (50) pounds of explosives and not more than twenty-five (25) blasting caps may be transported on the same vehicle if the blasting caps are transported in a container approved by the Director.

711.190 - Transportation Vehicles—Requirements.—

1. Vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and be in good mechanical condition. If vehicles do not have a closed body, the body shall be covered with a flame-proof and moistureproof tarpaulin or other effective protection against moisture and sparks. All vehicles used for the transportation of explosives shall have tight floors and any exposed spark-producing metal on the inside of the body shall be covered with wood or other nonsparking materials to prevent contact with packages of explosives. Packages of explosives shall not be loaded above the sides of an open-body vehicle.
2. Every vehicle used for transporting explosives shall be marked or placarded on both sides, front and rear with the word "Explosives" in letters not less than three (3) inches in height in contrasting and clearly readable colors. In addition to such marking or placarding, the vehicle may display, in such a

manner that it will be readily visible from all directions, a red flag eighteen (18) inches by thirty (30) inches, with the word "Explosives" painted, stamped or sewed thereon in white letters at least six (6) inches in height.

3. Every motor vehicle used for transporting explosives shall be equipped with one of the following minimum fire extinguishing units:
  - (1) One 2A 40BC fire extinguishing unit; or
  - (2) Two (2) 2A 20BC fire extinguishing units.

Only extinguishers listed or approved by Underwriters' Laboratories, Inc., Underwriters' Laboratories of Canada, Factory Mutual Laboratories or by some other nationally recognized fire equipment testing laboratory, shall be deemed suitable for use on explosive-carrying vehicles. Extinguishers shall be filled and ready for immediate use and located near the driver's seat. Extinguishers shall be examined periodically by a competent person.

4. All motor vehicles used for transporting explosives shall meet the following requirements for safe transportation of explosives:
  - (1) Fire extinguishers shall be filled and in working order.
  - (2) All electrical wiring shall be completely protected and securely fastened to prevent short circuiting.
  - (3) Chassis, motor, pan and underside of body shall be reasonably clean and free of excess oil and grease.
  - (4) Fuel tank and feed line shall be secure and have no leaks.
  - (5) Brakes, lights, horn, windshield wipers and steering apparatus shall function properly.
  - (6) Tires shall be checked for proper inflation and defects.
  - (7) The vehicle shall be in proper condition in every other respect and acceptable for handling explosives.
5. Vehicles transporting explosives shall only be drive by, and be in charge of, a driver who is physically fit, careful, capable, reliable, able to read and write the English language, and not addicted to the use or under the influence of intoxicants or narcotics, and not less than twenty-one (21) years of age. He shall be familiar with the traffic regulations, state laws and the provisions of this chapter.
6. Except under emergency conditions, no vehicle transporting explosives shall be parked before reaching its destination, even though attended, on any public street adjacent to, or in proximity to, any bridge, tunnel, dwelling, building or place where people work, congregate or assemble.
7. No spark-producing metal, spark-producing metal tools, oils, matches, firearms, electric storage batteries, flammable substances, acids, oxidizing materials or corrosive compounds shall be carried in the body of any motor truck and/or vehicle transporting explosives.
8. Vehicles transporting explosives shall avoid congested areas and heavy traffic. Where routes through congested areas have been designated, such routes shall be followed.
9. Delivery shall only be made to authorize persons and/or into authorized magazines or approved temporary storage or handling areas.



711.200 - Permit to Explode or Blast Required, Blaster's License.—

1. It shall be unlawful, without first having received a permit from the Director, to explode or cause to be exploded, any gunpowder, dynamite, giant powder, gun cotton or other explosive for the purpose of blasting out rock, gravel, earth or other like substance within the City.
2. No person shall use or detonate explosives unless he is in possession of a valid license, obtained from the Director, to use explosives for blasting purposes. This license shall be known as a blaster's license. For the purpose of this chapter, the Director is authorized to publish qualifications necessary for an applicant to obtain a blaster's license. Such qualifications shall take into consideration age, training, education, and experience in the knowledge and use of explosives and shall include a written examination. A license shall be issued by the Director to any applicant meeting the requirements set forth by the Director for such a license.
3. The handling of explosives may be performed by other employees provided the work is done under the direct supervision of the person holding the permit to use explosives and providing such employees are at least twenty-one (21) years of age.
4. The person possessing a valid blaster's license shall be in charge of all blasting operations. If there is more than one person possessing such a license on any one operation, one will be designated as being blaster in charge and shall be responsible for the entire operation.

711.210 - Application for Permit to Blast—Requirements.—

Application for a permit to use explosives shall be made to the Director at the Courthouse on forms provided and shall contain the following information:

- (1) Name of applicant.
- (2) Address of residence.
- (3) Place of business.
- (4) Occupation.
- (5) Age.
- (6) The location where the blasting is to be done, the type of blasting material to be used in each charge, the number and location of charges and the manner in which the material is to be detonated.
- (7) The time and date of blasting when requested by the Director.
- (8) The name, age and address of the blaster or blasters who shall be the person or persons who shall actually detonate or have actual charge of the detonation of any explosive or blasting agent.
- (9) Blaster's license number.
- (10) When blasting operations are conducted on a continuous basis, such as quarry blasting and construction work, the Director may, in lieu of (6), above, direct that the applicant furnish the location where blasting is to be done, the type of blasting material generally used, the approximate frequency of detonations based on past performance and the manner in which the explosives are to be detonated.

In addition to the above information, there shall be attached to the application for a permit to blast, the following: A certificate of liability insurance in the minimum amount of five hundred thousand dollars (\$500,000.00) for injury to persons and property resulting from the blasting operations. Such insurance shall be carried in a firm or corporation which has been duly licensed or permitted to carry on such business in the State of Missouri and shall be kept and maintained continuously in force and effect for the duration of the blasting permit.

#### 711.220 - Blasting—Rules and Regulations.—

All blasting operations within the City shall be conducted in strict accordance with the following rules and regulations and it shall be unlawful for any person to fail to observe and follow said rules and regulations when blasting. In the event there is a violation of said rules and regulations, the Director shall have the power and it shall be his duty to revoke the blasting permit issued in connection with the operation, revoke the license of the blaster in charge, all in accordance with the terms of this chapter, and in addition, the violator or violators may be punished as otherwise provided by this chapter for violations thereof.

- (1) Blasting operations shall be carried on with the smallest possible number of persons present.
- (2) All drill holes shall be of sufficient size so that the cartridges of explosives can be easily inserted to the bottom of the hole without forcing or ramming.
- (3) Explosives should not be removed from the original wrapper before being loaded into bore holes except when irregularities of the hole make it impossible to load whole cartridges with safety or in block-holing where small charges are desirable. This rule shall not apply to free running explosives.
- (4) Excessive ramming should be avoided in loading or tamping explosives in a bore hole and wooden tools only, with no exposed metal parts, shall be used for this purpose. In tamping, only hardwood rods without metal parts, other than non-ferrous metal ferrules for extending the length thereof, shall be used.
- (5) When loading free running or bulk explosives, a bronze, wooden or heavy paper funnel should be used unless the explosives can be poured directly from a container into the hole in such a manner as to prevent scattering of loose explosives around the collar of the hole.
- (6) When priming with electric caps, said caps shall be tested with a blasting galvanometer after being loaded but before the hole is stemmed. Primers shall be made up just prior to loading. The cap must be properly embedded in the cartridge and the primer seated in the charge without rough handling.
- (7) When firing with a blasting machine, the blasting machine shall be located at a safe distance to be determined by the blaster.

- (8) When firing by means of a blasting machine, the leading wires shall be kept short-circuited until the shot is ready for firing and shall not be connected to the blasting machine until immediately before the time of firing and shall be disconnected from the blasting machine and short-circuited immediately after firing.
- (9) Electric detonators and blasting circuits shall be tested only by means of a blasting galvanometer designed for this purpose.
- (10) Before firing any blast, all means of access to the danger zone (the extent of which shall be determined by the blaster, but in no case to be closer to the explosion than the blaster himself), shall be effectively guarded to exclude all unauthorized personnel. When practical, the blaster shall then sound a warning of sufficient intensity and duration to be distinctly audible to all persons within the danger zone and all such persons shall retire beyond the danger zone. The danger zone shall then be examined by the blaster to make certain that all persons have retired therefrom to a place of safety. No blast shall be fired while any person is in the danger zone.
- (11) When the point of explosion is within three hundred (300) feet of a roadway, the blaster shall, just prior to the blast, designate a sufficient number of employees of the operator, each carrying a red warning flag, to stop all vehicular and pedestrian traffic on each possible route of travel within three hundred and fifty (350) feet of the point of explosion until the blast has been fired.
- (12) No person shall return to the danger zone until permitted to do so by the blaster as announced by audible or visual signal.
- (13) Immediately following the blast the area shall be examined by the blaster for evidence of misfired charges.
- (14) All misfires shall be reported at once to the superintendent or manager who shall then determine the safe and proper method of disposal. The unexploded charge shall be detonated if such can be accomplished without risk of injury to personnel or damage to property. If repriming is necessary, any stemming present in the hole may be removed by a jet of water. The jetting tool should be of non-sparking metal, rubber or plastic. If electric blasting caps are used for in-the-hole initiation, an air jet should not be used.
- (15) Drilling in any hole that is known to contain or have contained explosives is prohibited until complete neutralization is effected.
- (16) A complete record shall be kept by the blaster showing all misfires and method of disposal.
- (17) In case a charge fires but does not bring down the burden, it is permissible to reload the bore hole, if in suitable condition, but only after the temperature of the hole has been reduced by water or otherwise to not more than one hundred fifty (150) degrees Fahrenheit.
- (18) Each blast hole shall be stemmed to the collar or to a point high enough to provide efficient confinement of the charge and to minimize the chance of injury to personnel from flying material. Block holes shall

contain at least eighty-five (85) percent of stemming material. For toe holes, the collar stemming shall in no case be less than one-third the depth of the hole.

- (19) When electric blasting caps are transported in a motor vehicle, equipped with a radio transmitter, they shall either be in their original package or stored in a closed metal box that is lined with a cushioning material such as wood or sponge rubber. When the electric caps are being placed into or removed from the box, the transmitter shall not be used.
- (20) Unless otherwise expressly authorized in writing by the Director, all blasting operations shall be conducted at no less distance from any fixed or mobile radio transmitter than indicated in the following table:

*Minimum Distance*

From Blasting

Operations Using

Transmitter Power

Output in Watts

Electric Blasting

Caps, in Feet

|                      |       |
|----------------------|-------|
| 5—25 .....           | 100   |
| 25—50 .....          | 150   |
| 50—100 .....         | 220   |
| 100—250 .....        | 350   |
| 250—500 .....        | 450   |
| 500—1,000 .....      | 650   |
| 1,000—2,500 .....    | 1,000 |
| 2,500—5,000 .....    | 1,500 |
| 5,000—10,000 .....   | 2,200 |
| 10,000—25,000 .....  | 3,500 |
| 25,000—50,000 .....  | 5,000 |
| 50,000—100,000 ..... | 7,000 |

When it can be demonstrated by means of approved tests that electric blasting may be carried out at lesser distances from the transmitter than required by the table shown, the Director may allow a variation from the requirements of said table.

When blasting operations are located near highways or other public ways, signs shall be erected at least five hundred (500) feet from the blast areas reading: "BLAST AREA-SHUT OFF ALL TWO-WAY RADIOS". The letters of these signs shall be not less than four (4) inches in height on a contrasting background.

- (21) In no case shall drilling be conducted closer than twenty-five (25) feet to a loaded hole or a hole that is being loaded.
- (22) Holes shall be checked prior to loading to determine depth and condition. Holes may be checked with a dolly or tamping block or by visual inspection with the aid of a mirror. After any explosives have been loaded, all measuring shall be done with a cloth tape or non-ferrous measuring device and lead plumb bob, or a wooden tamping pole or wooden dolly free of exposed metal parts.

- (23) Under no circumstances shall the amount of explosives taken within three hundred (300) feet of a potential point of explosion exceed the amount estimated by the blaster as necessary for the blast. Such explosives shall be stacked in piles at least twenty-five (25) feet from the nearest holes being loaded and at such distances apart, as provided in Section 32, that any premature explosion will not be likely to propagate from one (1) pile to another.
- (24) The explosives containers, if any, shall be opened at the pile and carried up to the hole, one (1) case or unit at a time for immediate loading or placed at a loading station not less than six (6) feet from the hole except that not more than one hundred (100) pounds of explosives shall be allowed at the loading station at any one time. All empty explosives containers (boxes, bags, crates, etc.) shall be properly disposed of, daily, in a safe manner.
- (25) Explosives shall be distributed in such a manner that the distances from storage piles to the allowable maximum quantity of one hundred (100) pounds of explosives at the loading station or between such one hundred pound-loading station piles shall not be less than the quantities shown in the following quantity-distance table:

| <i>Pounds of<br/>Explosives</i> | <i>Distance Between Piles<br/>of Explosives in Feet</i> |
|---------------------------------|---------------------------------------------------------|
| up to 50 .....                  | 21                                                      |
| 100 .....                       | 25                                                      |
| 200 .....                       | 32                                                      |
| 300 .....                       | 37                                                      |
| 400 .....                       | 41                                                      |
| 500 .....                       | 44                                                      |
| 750 .....                       | 50                                                      |
| 1,000 .....                     | 55                                                      |
| 1,500 .....                     | 64                                                      |
| 2,000 .....                     | 70                                                      |
| 2,500 .....                     | 75                                                      |
| 5,000 .....                     | 96                                                      |
| 10,000 .....                    | 123                                                     |

- (26) Drill holes shall not be sprung when they are less than one hundred (100) feet from the nearest hole containing explosives. Holes that have been sprung shall not be charged with explosives until the maximum temperature in any portion of such holes has been reduced to one hundred fifty (150) degrees Fahrenheit. Where possible, water is to be used for cooling purposes.
- (27) When loading a blast primed with detonating fuse, the detonator or detonators required for firing the blast shall not be brought within fifty (50) feet of the hole area nor attached to the detonating fuse until all persons, except the blaster and his assistants, have been cleared from the danger zone.

- (28) In all blasting where the firing of any one (1) hole is likely to break into or damage another hole in the vicinity or where the firing of any hole may propagate the charge in a loaded hole in the vicinity, all holes which have been loaded shall be included and fired in the blast.
- (29) Water standing in blast holes should be bailed out, if possible, or the holes shall be loaded with an explosive of adequate water resistance.
- (30) Blasting crews shall consist of the minimum number of experienced men to do the work in an efficient manner and should be organized carefully and each man assigned to definite tasks to avoid confusion.
- (31) A blast shall be planned before the loading is started. The planned charge for each hole shall be recorded prior to the blast.
- (32) The condition of each hole to be loaded and the amount, height, and position of the explosives charge or charges placed in the hole shall be recorded on a loading chart prior to the blast.
- (33) Members of loading crews engaged in loading blast holes should be prohibited from wearing hobnail or steel-plated shoes to avoid striking sparks on rocks.
- (34) Large dynamite cartridges may be dropped in blast holes only when the hole is free from obstructions to the depth at which the cartridge is to rest.
- (35) Large dynamite cartridges shall not be dropped in blast holes containing excessive water until the charge is above the water level.
- (36) Large dynamite cartridges that have been wedged in a blast hole shall not be tamped with a dolly. After pouring water into the hole, attempts to dislodge or pierce them shall be made with a spear-shaped wooden tamping block or a small-diameter wooden pole.
- (37) Rough or ragged holes and holes partly closed by an obstruction that cannot be readily removed shall be loaded with cartridge dynamite lowered with a rope, with free running powder or dynamite cut in small pieces.
- (38) When loading a long line of holes with more than one (1) loading crew, the crews shall be separated by the greatest practical distance which can be maintained as the loading operations progress and which is consistent with efficient operation and supervision of the crews. Every effort shall be made to keep the loading crews a minimum of twenty-five (25) feet apart and to prevent the simultaneous loading of adjacent holes.
- (39) Excessively large amounts of explosives shall not be delivered to the loading area at one (1) time. If deliveries of explosives are made by truck, the quantity permitted at or near the loading operations shall be limited to one (1) truck load. Other trucks loaded with explosives shall wait or be unloaded in separate safe places away from the loading operations.
- (40) Explosives should be delivered first to the holes farthest from the truck to avoid driving or walking among piles of explosives.
- (41) Explosives in excess of immediate requirements when removed from the main storage magazine and delivered in the vicinity of a blasting operation, shall be stored in a Class II magazine.

- (42) The required stemming or tamping material shall be placed by each hole before the delivery of explosives to the holes is started. Stemming material shall be screened or free from excessively coarse pieces.
- (43) Stemming shall be placed in each hole to avoid damage to the detonating fuse or leg wires of electric detonators.
- (44) A single hole or any number of holes in a row should not be fired when adjacent to or near one (1) or more other holes which are loaded and which are not intended to be fired.
- (45) All detonating fuses shall be covered with adequate stemming where physically possible to reduce noise.
- (46) The detonating fuse shall extend from the hole a distance of one (1) or two (2) feet more than sufficient to compensate for any subsidence, should be drawn taut and made secure on the top where it will not interfere with loading operations or come in contact with explosives on the ground.
- (47) The detonating fuse shall be checked each time before stemming material is used to see that it has not been broken; if it has, it shall be repaired before proceeding.
- (48) When a detonating fuse is used, main or trunk line splices shall be factory splices or tight square knots. No splices or knots shall be used in the drill hole.
- (49) All branch line connections and all connections in the main line other than splices shall be tight and at right angles.
- (50) The main or trunk line shall be laid out free of kinks or coils and all connections shall be inspected before firing the blast.
- (51) When connecting an electric blasting cap to detonating fuse, a connector for the purpose shall be used in accordance with the Director's instructions. The cap may also be securely taped to the detonating fuse.
- (52) Caps shall not be brought to the loading area nor attached to the detonating fuse until all is in readiness to fire the blast.
- (53) Plain detonating fuse may be used for trunk lines or in shallow drill holes, but reinforced or wire protected types shall be used in deep or ragged holes.
- (54) Toe hole blasting is defined as the removing of ledges or high bottoms that remain after a main or primary shot or blast using moderate quantities of explosives loaded in small diameter holes. In toe hole blasting, the charge of explosives shall be pushed to the end of the hole with a wooden pole using care not to block the hole or suitable free-running blasting agents may be blown into the hole with an approved pneumatic loader.
- (55) Secondary blasting is defined as the reduction of oversize material by the use of explosives to facilitate shovel operations or to be accompanied by the crusher. It shall include mud-capping and blockholing. In secondary blasting, wherever practicable, oversize fragments shall be reduced to shovel or crusher size by use of the drop-ball method, except as otherwise directed by the Director.

- (56) Charges of explosives shall be confined in all cases (drill holes) by suitable, inert stemming material.
- (57) No person, except the blaster and any others directly engaged in loading block holes, shall be permitted within the immediate area while loading is being performed. Loading of any block hole shall be completed in one continuous operation including insertion of the primer and the stemming.
- (58) Blast matting (which may include earth) shall be required when blast operations and/or geological conditions create fly rock that could damage or injure persons or property, or at the decision of the Director.
- (59) In all blasting operations, except as hereinafter otherwise provided, the maximum peak particle velocity of any one (1) of three (3) mutually perpendicular components of the ground motion in the vertical and horizontal directions shall not exceed two (2) inches per second.
- (60) Instrumentation shall be in good operating condition and be properly calibrated with a current (within one (1) year of date of use) calibration sticker affixed to each instrument. If an instrument(s) is found to be not operating properly or out of calibration, blasting operations shall be halted until the appropriate repairs or recalibration are performed or a proper instrument(s) is provided. Seismograph operator shall be trained in the use of that instrument(s).
- (61) Seismographic instrumentation shall be required on any blast site where the nearest uncontrolled structure or public utility is located within a scaled distance of sixty-five (65) (as defined in Rule 69) or at the request of the Director. An uncontrolled structure is defined as any occupied building not owned or controlled by the explosives user. The seismograph shall be placed at or near the closest uncontrolled structure(s).
- (62) Blasting operations without instrumentation will be considered as being within the limits set forth in this subsection if at a specified location on at least five (5) blasts instrumentation has shown that the maximum peak particle velocity at the specified location is fifty (50) percent or less of the limit set forth in this subsection, and with written permission from the Director, provided, that for all future blasts the scaled distance is equal to or greater than the scaled distance for the instrumental blast. However, if a scaled distance less than thirty-five (35) is employed, a seismograph is required regardless of the seismic readings of previous blasts. "Scaled distance" means the actual distance in feet divided by the square root of the maximum explosive weight in pounds that is detonated per delay period for delay intervals of eight (8) milliseconds or greater. If delay intervals less than eight (8) milliseconds are employed or if instantaneous blasting is employed, scaled distance shall be computed by dividing the actual distance in feet by the square root of the total explosive weight in pounds. When blasting operations are contemplated which would result in ground vibrations that would have a particle velocity of any one (1) of three (3) mutually perpendicular components in



excess of two (2) inches per second, blasting operations may proceed after receiving written consent from the property owner or owners affected and the Director.

- (63) (A) Airblast shall be controlled so that it does not exceed the maximum limits specified below at any uncontrolled structure (as defined in rule 68(A)).

*Lower frequency limits of*  
measuring system, Hz      Maximum  
(+ 3dB)      level in dB

0.1 Hz or lower—flat response ..... 134 peak

2 Hz or lower—flat response ..... 133 peak

6 Hz or lower—flat response ..... 129 peak

C-weighted, slow response ..... 105 peak dBc

- (B) All measuring systems used shall have a flat frequency response of at least 200 Hz at the upper end.

- (C) The permittee may satisfy the provisions of this section by meeting any of the four (4) specifications in the chart in Rule 73 of this section; provided however, the 0.1 Hz or lower-flat response or C-weighted slow response can only be used if approved by the Director.

- (64) When blasting in the vicinity of uncontrolled structures (as defined in Rule 59(A)) the explosives user will determine the structures lying within a scaled distance of thirty-five (35). The distance will be determined by the following:

$$D = 35 (W^2)$$

Where D is the distance limit and W is the maximum charge weight per 8 ms delay interval.

The explosives user will make a good faith effort to contact the owners of structures within the distance limit and offer to have a pre-blast inspection performed on their structure at no cost to the owner.

#### 711.230 - Blasting Agents—Transportation, Storage and Use.—

Unless otherwise set forth in this chapter, blasting agents shall be transported, stored and used in the same manner as explosives.

#### 711.240 - Buildings Used for Mixing of Blasting Agents—Location.—

Buildings or other facilities used for mixing blasting agents shall be located, with respect to inhabited buildings, passenger railroads and public highways in accordance with the American Table of Distance (Appendix "A").

- (1) Any oxidizer stored at a closer distance to the blasting agent storage area than as provided in (2) below shall be added to the quantity of blasting agents to calculate the total quantity involved for application of the aforementioned Table.
- (2) Minimum intra-plant separation (distances between mixing units and the oxidizer) storage areas and blasting agent storage areas shall be determined by competent persons and these distances shall be approved by the Director.

711.250 - Buildings Used for Mixing of Blasting Agents—Construction.—

1. Buildings used for the mixing of blasting agents shall conform to the requirements of this section unless otherwise specifically approved by the Director.

- (1) Buildings should preferably be of noncombustible construction or sheet metal on wood studs.
  - (2) The layout of the mixing building shall be such as to provide physical separation between the finished product storage and the mixing and packaging operation.
  - (3) Floors in storage areas and in the processing plant should be of concrete. Isolated fuel storage shall be provided to avoid contact between molten oxidizer and fuel in case of fire.
  - (4) The building shall be well ventilated.
  - (5) Heat shall be provided exclusively from a unit outside the building.
2. The design of the mixer should minimize the possibility of frictional heating, compaction, and especially, confinement. Open mixers are preferable to enclosed mixers. Bearings and gears should be protected against the accumulation of oxidizer dust. All surfaces should be accessible for cleaning. Mixing and packaging equipment should be constructed of materials compatible with the fuel-oxidizer composition. Mobile equipment, such as ready-mix concrete trucks, shall not be used for blending fuels with oxidizers while in transit on public highways. The provisions of this section shall be considered when determining blasting agent composition. The sensitivity of the blasting agent shall be determined by means of a No. 8 test blasting cap at regular intervals and after every change in ingredients or composition, or as may be requested by the Director.
3. Oxidizers of small particle size, such as crushed prills or fines, may be more sensitive and hazardous than the ordinary prills and should be handled with greater care.
4. No liquid fuel with higher volatility than that of No. 2 diesel fuel (minimum flash point of 145 degrees Fahrenheit, ASTM closed-up procedure) shall be used.
5. Crude oil and crankcase oil should not be used because they may contain light ends that offer increased vapor-explosion hazards or gritty particles that tend to sensitize the resulting blasting agent.
6. If solid fuels are used, they shall be chosen so as to minimize dust-explosion hazard.
7. Metal dusts (aluminum powder, etc.), peroxides chlorates, or perchlorates shall not be used unless such operations are conducted in a manner approved by the Director.
8. Unusual compositions shall not be attempted except under the supervision of competent personnel equipped to determine the overall hazard of the resulting compositions.
9. All electrical switches, controls, motors and lights, if allocated in the mixing room, should conform to the requirements of Article 502, Class II, Division 2

of the Electrical Code of the City of Chesterfield; otherwise they should be located outside the mixing room. The frame of the mixer and all other equipment that may be used shall be electrically bonded and provided with a continuous path to the ground.

10. Washdown facilities should be provided. An automatic water-deluge system with adequate capacity is recommended to protect mixers and the finished-explosives storage area in the plant. Floors shall be constructed so as to eliminate open floor drains and piping into which molten materials could flow and be confined in case of fire. The floors and equipment of the mixing and packaging room shall be washed down frequently to prevent accumulation of oxidizers or fuels and other sensitizers. The entire mixing and packaging plant shall be washed down periodically to prevent excessive accumulation of dust.
11. Smoking or open flames shall not be permitted in or within fifty (50) feet of any building or facility used for the mixing of blasting agents.
12. Empty oxidizer bags shall be disposed of daily in a safe manner.
13. Not more than one day's production of blasting agents or the limit determined by the American Table of Distances (Appendix A), whichever is less, shall be permitted in or near the mixing and packaging plant or area. Larger quantities shall be stored in separate warehouses or magazines.

#### 711.270 - Transportation of Blasting Agents.—

1. When blasting agents are transported in the same vehicle with explosives, all of the requirements of Section 711.180 of this chapter shall be complied with.
2. Vehicles transporting blasting agents shall only be driven by and be in charge of a driver at least twenty-one (21) years of age who is capable, careful, reliable and in possession of a valid motor vehicle operator's license. Such a person shall also be familiar with the State vehicle and traffic laws.
3. No sparking metal, sparking metal tools, oils, matches, firearms, acids or other corrosive liquids shall be carried in the bed or body of any vehicle containing blasting agents.
4. No person shall be permitted to ride upon, drive, load or unload a vehicle containing blasting agents while smoking or under the influence of intoxicants or narcotics.
5. It is prohibited for any person to transport or carry any blasting agents upon any public vehicle carrying passengers for hire.
6. Vehicles transporting blasting agents shall be in safe operating condition at all times.
7. When offering blasting agents for transportation on City roads and highways, they shall be packaged in a manner to render them safe for transportation and handling and marked or labeled so as to be readily identifiable.

#### 711.280 - Use of Blasting Agents.—

Persons using blasting agents shall comply with all of the applicable provisions of this chapter for the use of explosives.

#### 711.290 - Records.—

1. A record known as a log shall be kept for every primary blast in an approved manner and for such other blasting as the Director may require.
2. A blasting record, known as a log, shall be kept on the site of any blasting operations. This log shall be made available to the Director or his authorized agents upon demand. This record shall be maintained available for inspection for a period of six (6) months after such blasting operations are completed.
3. Minimum recorded data shall be as follows:
  - (a) Plan of the involved portion of the blasting site showing location of holes and spacing of holes.
  - (b) A cross-section of each hole showing overburden; burden at top of face and toe; height of face; depth of hole; kind and quantity of explosives including distribution of explosives load as deck charges, or otherwise as appropriate; length and kind of stemming material.
  - (c) Drilling record showing unusual joint or seam conditions in the rock.
  - (d) Amount of explosives used (weight).
  - (e) Kind of blasting caps, distribution of instantaneous or short-period delay blasting caps, or both; delay interval used; order of firing by switch.
  - (f) Comments by blaster in charge regarding character of breakage; height of breakage; length of throw; effectiveness of shot; unusual results of effects.
  - (g) Weather conditions including direction and approximate velocity of wind; atmospheric temperature; relative humidity; cloud conditions.
  - (h) Date and time of firing of blast.
    - (i) Name of person in responsible charge of loading and firing; blaster's permit number.
  - (j) Name and location of blasting site.
  - (k) Signature and title of person making report.
4. Any falsification, alterations or misrepresentation of any records of blasting operations will be cause for suspension or revocation of blasting permits and blaster's license.

#### 711.300. - Fees.

—The fee for an annual blaster's license shall be fifty dollars (\$50.00).

The fees for blasting and storage of explosives permits required by this chapter shall be as prescribed in Sections 1100.210, 1100.220 and 1100.230, SLCRO 1974 as amended.

#### 711.310 - Hours During Which Blasting Prohibited.—

It shall be unlawful for any person to explode, or cause to be exploded, any gunpowder, dynamite, giant powder, gun cotton or other explosives as herein defined for any purpose during the hours of 6:00 p.m. to 8:00 a.m., except that a special permit to use explosives during the hours of 6:00 p.m. to 8:00 a.m. may be issued by the Director when the Director determines that conditions

beyond the control of the person seeking a special permit prevent such person from using explosives during regular hours permitted.

711.320 - Permit—Licenses—Duration.—

1. Blaster's licenses shall expire at the expiration of twelve (12) months from date of issuance, but may be renewed at the discretion of the Director without written examination.
2. Permits to store explosives or blasting agents shall expire at the expiration of twelve (12) months from date of issuance, or when location of magazine is changed.
3. Permit to blast shall expire on the date specified on the permit issued by the Director, but may be extended by the Director.
4. All permits and licenses issued pursuant to this chapter may be suspended by the Director for good cause shown as hereinafter provided.

711.330 - Right of Inspection.—

1. The Director or any authorized police officer, may, at any reasonable time, inspect premises, buildings and installations used for storage or sale of explosives or blasting agents, or any premises on which blasting operations are being conducted for the purpose of determining whether the provisions of this chapter are being complied with.
2. The Director or any authorized police officer may, during normal business hours, enter and inspect the premises, including places of storage, of any licensed importer, licensed manufacturer, licensed manufacturer-limited, licensed dealer, or permittee for the purpose of inspecting or examining any documents and records required to be kept by such person by law and any explosive materials kept or stored by such person.
3. Any person who shall hinder or obstruct the Director or any police officer in the performance of his official duties shall be guilty of a violation of the provisions of this chapter and upon conviction thereof, shall be punished as provided in Section 711.390.

711.335 - Inspection of Fire or Accident Scene.—

The Director or any authorized police officer may inspect the site of any accident or fire in which there is reason to believe any explosive materials were involved. The Director or any authorized police officer may, at any reasonable time, enter into or upon any property where explosive materials have been used or are suspected of having been used, or have been found in an otherwise unauthorized location.

711.340 - Violation of Inspection—Notice to Violator.—

1. If upon inspection by the Director or his agents, a violation of this chapter is found to exist, the Director shall file with the person holding the permit a notice citing the violation and ordering its correction. If such order is not complied with within the time period specified in the notice, which may require immediate compliance, the Director may suspend any permit or license issued

to the person involved. Nothing herein relating to revocation of permits shall be construed to abrogate or suspend any proceedings against or prosecution of the violator which may be instituted against the violator under the provisions of this chapter.

2. Immediately after the suspension of the permit to store or to blast, the Director shall give the permittee written notice of the complaint or charge and shall fix the date for a hearing to be held within five (5) days of said notice, at which hearing the permittee shall have the right to counsel and to produce witnesses and other evidence in his behalf. For the purpose of said hearing, the Director is empowered to issue subpoenas and all necessary processes, administer oaths and take testimony at said hearing. All evidence offered at the hearing shall be preserved by the Director and oral testimony shall be recorded verbatim.
3. If the Director shall, after such hearing, decide that the operation for which the permit was issued was in violation of any provision of this chapter, he may revoke any permit or license of the person involved permanently or for such lesser period of time as he shall determine.

711.350 - Conflict With State or Federal Regulation of Explosives—  
Suspension.—

During such time as any provision herein shall conflict with any State or Federal statute or regulation, such provision herein conflicting shall be suspended.

711.360 - Reckless and Wanton Handling of Explosives—Prohibited.—  
No person shall load, unload or otherwise handle explosives in a reckless and wanton manner, thereby endangering the life, limb or property of any person.

711.365 - Stolen Explosives.—  
No person shall, with the intent of depriving the owner of lawful possession thereof, use, possess, receive, conceal, transport, sell or dispose of any stolen explosive materials knowing or having reasonable cause to believe such materials were stolen.

711.370 - Sale to Minors—Prohibited.—  
It shall be unlawful for any person to sell, vend, give away or otherwise supply any explosive as defined herein in any quantity to any person under the age of twenty-one (21) years.

711.375 - Theft or Loss of Explosives.—  
Any person who has knowledge of the theft or loss of any explosive materials shall immediately report such theft or loss to the Director and the Chesterfield Police Department.

711.380 - Vendor to Keep Record of Sales—Duties.—

Every person who has a permit to store, stock or store for resale explosives as defined herein shall be required to maintain a bound ledger and shall record or cause to be recorded therein the following information in connection with every sale, vending or other disbursement of explosives:

- (1) Name of vendee.
- (2) Address of vendee.
- (3) Date and time of sale.
- (4) Type of explosive.
- (5) Quantity of explosive.

Such record shall be open to inspection by the Director or his agent during usual business hours. No licensed user of explosives or blasting agents shall be allowed to resell explosives or blasting agents except by the written authorization of the Director.

#### 711.390 - Penalties.—

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment for a period not to exceed one year or both and each such violation shall constitute a separate offense. In addition to the penalties prescribed herein, the City Administrator may take such other action, either legal or equitable, that he deems necessary in order to execute and enforce the provisions of this chapter.

#### 711.400 - Right to Appeal.—

1. Any applicant, permittee or other person aggrieved by any order of the Director issued pursuant to this chapter, except the revocation of a permit which is covered elsewhere in this chapter, may file an appeal with the Director within ten (10) days of such order, and the Director shall fix a time and place for hearing to be held not less than five (5) days nor more than ten (10) days of the filing of appeal at which hearing the permittee shall have the right to counsel and to produce witnesses and other evidence in his behalf. For the purpose of said hearing, the Director is empowered to issue subpoenas and all necessary processes, administer oaths and take testimony at said hearings. All evidence offered at the hearing shall be preserved by the Director and oral testimony shall be recorded verbatim.

2. The decision and action of the Director at the hearing to revoke the permit shall be reviewable in a court of competent jurisdiction by a writ of certiorari filed by the permittee so affected or by any other person aggrieved by the action of the Director, within ten (10) days after said decision in writing has been made and forwarded to said permittee.

#### APPENDIX A

The American Table of Distances for storage of Explosives as revised and approved by the Institute of Makers of Explosives, September 30, 1955, which is a part hereof and is designated herein as Appendix A reads and provides as follows:

*Quantity-Distance Tables*  
*American Table of Distances for Storage of Explosives \**

| <i>Explosives</i> |                    | <i>Distances in Feet When<br/>Storage in Barricaded **</i> |                       |                    |                                          |
|-------------------|--------------------|------------------------------------------------------------|-----------------------|--------------------|------------------------------------------|
| Pounds<br>Over    | Pounds<br>Not over | Inhabited<br>Buildings                                     | Passenger<br>Railways | Public<br>Highways | <i>Separa-<br/>tion of<br/>Magazines</i> |
| 2                 | 5                  | 70                                                         | 30                    | 30                 | 6                                        |
| 5                 | 10                 | 90                                                         | 35                    | 35                 | 8                                        |
| 10                | 20                 | 110                                                        | 45                    | 45                 | 10                                       |
| 20                | 30                 | 125                                                        | 50                    | 50                 | 11                                       |
| 30                | 40                 | 140                                                        | 55                    | 55                 | 12                                       |
| 40                | 50                 | 150                                                        | 60                    | 60                 | 14                                       |
| 50                | 75                 | 170                                                        | 70                    | 70                 | 15                                       |
| 75                | 100                | 190                                                        | 75                    | 75                 | 16                                       |
| 100               | 125                | 200                                                        | 80                    | 80                 | 18                                       |
| 125               | 150                | 215                                                        | 85                    | 85                 | 19                                       |
| 150               | 200                | 235                                                        | 95                    | 95                 | 21                                       |
| 200               | 250                | 255                                                        | 105                   | 105                | 23                                       |
| 250               | 300                | 270                                                        | 110                   | 110                | 24                                       |
| 300               | 400                | 295                                                        | 120                   | 120                | 27                                       |
| 400               | 500                | 320                                                        | 130                   | 130                | 29                                       |
| 500               | 600                | 340                                                        | 135                   | 135                | 31                                       |
| 600               | 700                | 355                                                        | 145                   | 145                | 32                                       |
| 700               | 800                | 375                                                        | 150                   | 150                | 33                                       |
| 800               | 900                | 390                                                        | 155                   | 155                | 35                                       |
| 900               | 1,000              | 400                                                        | 160                   | 160                | 36                                       |
| 1,000             | 1,200              | 425                                                        | 170                   | 165                | 39                                       |
| 1,200             | 1,400              | 450                                                        | 180                   | 170                | 41                                       |
| 1,400             | 1,600              | 470                                                        | 190                   | 175                | 43                                       |
| 1,600             | 1,800              | 490                                                        | 195                   | 180                | 44                                       |
| 1,800             | 2,000              | 505                                                        | 205                   | 185                | 45                                       |
| 2,000             | 2,500              | 595                                                        | 220                   | 190                | 49                                       |



|         |         |       |     |     |     |
|---------|---------|-------|-----|-----|-----|
| 2,500   | 3,000   | 580   | 235 | 195 | 52  |
| 3,000   | 4,000   | 635   | 255 | 210 | 58  |
| 4,000   | 5,000   | 685   | 275 | 225 | 61  |
| 5,000   | 6,000   | 730   | 295 | 235 | 65  |
| 6,000   | 7,000   | 770   | 310 | 245 | 68  |
| 7,000   | 8,000   | 800   | 320 | 250 | 72  |
| 8,000   | 9,000   | 835   | 335 | 255 | 75  |
| 9,000   | 10,000  | 865   | 345 | 260 | 78  |
| 10,000  | 12,000  | 875   | 370 | 270 | 82  |
| 12,000  | 14,000  | 885   | 390 | 275 | 87  |
| 14,000  | 16,000  | 900   | 405 | 280 | 90  |
| 16,000  | 18,000  | 940   | 420 | 285 | 94  |
| 18,000  | 20,000  | 975   | 435 | 290 | 98  |
| 20,000  | 25,000  | 1,055 | 470 | 315 | 105 |
| 25,000  | 30,000  | 1,130 | 500 | 340 | 112 |
| 30,000  | 35,000  | 1,205 | 525 | 360 | 119 |
| 35,000  | 40,000  | 1,275 | 550 | 380 | 124 |
| 40,000  | 45,000  | 1,340 | 570 | 400 | 129 |
| 45,000  | 50,000  | 1,400 | 590 | 420 | 135 |
| 50,000  | 55,000  | 1,460 | 610 | 440 | 140 |
| 55,000  | 60,000  | 1,515 | 630 | 455 | 145 |
| 60,000  | 65,000  | 1,565 | 645 | 470 | 150 |
| 65,000  | 70,000  | 1,610 | 660 | 485 | 155 |
| 70,000  | 75,000  | 1,655 | 675 | 500 | 160 |
| 75,000  | 80,000  | 1,695 | 690 | 510 | 165 |
| 80,000  | 85,000  | 1,730 | 705 | 520 | 170 |
| 85,000  | 90,000  | 1,760 | 720 | 530 | 175 |
| 90,000  | 95,000  | 1,790 | 730 | 540 | 180 |
| 95,000  | 100,000 | 1,815 | 745 | 545 | 185 |
| 100,000 | 110,000 | 1,835 | 770 | 550 | 195 |
| 110,000 | 120,000 | 1,855 | 790 | 555 | 205 |
| 120,000 | 130,000 | 1,875 | 810 | 560 | 215 |

|         |         |       |       |     |     |
|---------|---------|-------|-------|-----|-----|
| 130,000 | 140,000 | 1,890 | 835   | 565 | 225 |
| 140,000 | 150,000 | 1,900 | 850   | 570 | 235 |
| 150,000 | 160,000 | 1,935 | 870   | 580 | 245 |
| 160,000 | 170,000 | 1,965 | 890   | 590 | 255 |
| 170,000 | 180,000 | 1,990 | 905   | 600 | 265 |
| 180,000 | 190,000 | 2,010 | 920   | 605 | 275 |
| 190,000 | 200,000 | 2,030 | 935   | 610 | 285 |
| 200,000 | 210,000 | 2,055 | 955   | 620 | 295 |
| 210,000 | 230,000 | 2,100 | 980   | 635 | 315 |
| 230,000 | 250,000 | 2,155 | 1,010 | 650 | 335 |
| 250,000 | 275,000 | 2,215 | 1,040 | 670 | 360 |
| 275,000 | 300,000 | 2,275 | 1,075 | 690 | 385 |

\*As revised and approved by the Institute of Markers of Explosives, September 30, 1955.

\*\*"Barricaded" means that a building containing explosives is effectually screened from a magazine, building, railway, or highway, either by a natural barricade, or by an artificial barricade of such height that a straight line from the top of any sidewall of the building containing explosives to the eave line of any magazine, or building, or to a point 12 feet above the center of a railway or highway, will pass through such intervening natural or artificial barricade. "Natural barricade" means natural features of the ground, such as hills, or timber of sufficient density that the surrounding exposures which require protection cannot be seen from the magazine when the trees are bare of leaves. "Artificial barricade" means an artificial mound or revetted wall of earth of a minimum thickness of 3 feet.

Note: When a building containing explosives is not barricaded, the distances shown in the Table shall be doubled.

#### **NOTES TO AMERICAN TABLE OF DISTANCES FOR STORAGE OF EXPLOSIVES**

Note 1. "Barricaded" means that a building containing explosives is effectually screened from a magazine, building, railway or highway, either by a natural barricade or by an artificial barricade of such height that a straight line from the top of any sidewall of the building containing explosives to the eave line of any magazine or building or to a point 12 feet above the center of a railway or highway, will pass through such intervening natural or artificial barricade.

Note 2. "Natural barricade" means natural features of the ground, such as hills or timber of sufficient density that the surrounding exposures which

require protection cannot be seen from the magazine when the trees are bare of leaves.

Note 3. "Artificial barricade" means an artificial mound or revetted wall of earth of a minimum thickness of 3 feet.

Note 4. When a building containing explosives is not barricaded, the distances shown in the Table shall be doubled.

Note 5. When 2 or more storage magazines are located on the same property, each magazine must comply with the minimum distances specified from inhabited buildings, railways and highways, and in addition, they should be separated from each other by not less than the distances shown for "Separation of Magazines", except that the quantity of explosives contained in cap magazines shall govern in regard to the spacing of said cap magazines from magazines containing other explosives. If any 2 or more magazines are separated from each other by less than the specified "Separation of Magazines" distances, then such 2 or more magazines, as a group, must be considered as one magazine, and the total quantity of explosives stored in such group must be treated as if stored in a single magazine located on the site of any magazine of the group, and must comply with the minimum distances specified from other magazines, inhabited buildings, railways and highways.

Note 6. The permanent storage of more than 300,000 pounds of commercial explosives in one magazine or in a group of magazines which is considered as one magazine is not permitted except by specific approval of the Director.

Note 7. This Table applies only to the manufacture and permanent storage of commercial explosives. It is not applicable to transportation of explosives or any handling or temporary storage necessary or incident thereto. It is not intended to apply to bombs, projectiles, or other heavily encased explosives. For storage in connection with transportation, see Section 711.180.

Note 8. All types of blasting caps in strengths through No. 8 cap shall be rated at 1½ pounds of explosives per 1,000 caps. For strength higher than No. 8 cap, consult the Director.

## **FINANCE AND ADMINISTRATION COMMITTEE**

Chair: Councilmember McGuinness

Vice-Chair:

The next meeting of the Finance and Administration Committee has not yet been scheduled.

**If you have any questions or require additional information, please contact Finance Director Jeannette Kelly or me prior to Monday's meeting.**

## **PARKS, RECREATION AND ARTS COMMITTEE**

Chair: Councilmember Ohley

Vice Chair:

The next meeting of the Parks, Recreation and Arts Committee has not yet been scheduled.

**If you have any questions or require additional information, please contact Director of Parks, Recreation and Arts, Tom McCarthy or me prior to Monday's meeting.**

## **PUBLIC HEALTH AND SAFETY COMMITTEE**

Chair: Councilmember Keathley

Vice Chair:

The next meeting of the Public Health and Safety Committee has not yet been scheduled.

**If you have any questions or require additional information, please contact Chief Ray Johnson or me prior Monday's meeting.**

## **REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL**

### **Liquor License Request (Voice Vote)**

- **WENTES**

The Wentes location at 18000 Chesterfield Airport Road (SW corner of Chesterfield Airport Road and Goddard Avenue) is under new ownership and has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. Ms. Marla Conn is the managing Officer. This application was reviewed by both the Police and Planning Department, and found to meet all of the City's requirements.

### **OTHER LEGISLATION**

There are no "Other Legislation" action items scheduled on the agenda for this meeting.

**A. Bill No. 3309 – Conflict of Interest** An ordinance re-adopting the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials. **(First Reading)**

**B. Bill No. 3310 – Oak Creek Meadows, Plat 2 – Record Plat** An ordinance providing for the approval of a Record Plat for Oak Creek Meadows Plat 2, a 1.00 acre tract of land zoned "R-2" Residence District on the south side of Olive Boulevard east of its intersection with Monterra Drive. **(First & Second Readings) Planning Commission recommends approval.**

**C. Proposed Resolution – Parks Grant**

As previously directed by City Council subject to successful execution of the Logan Lease agreement, Staff has prepared the resolution authorizing submission of the 2020-2021 grant application to the Municipal Parks Grant Commission, for the purpose of constructing park amenities at 1851 Schoettler Road in partnership with Logan University. The grant application includes funding for a playground, pavilion, restroom, facility parking, and two pickle ball courts for phase one of the park development. The attached resolution authorizes the City Administrator, to sign the grant application and is a requirement of the Commission for grant application acceptance.

### **UNFINISHED BUSINESS**

There are no "Unfinished Business" action items scheduled on the agenda for this meeting.

### **NEW BUSINESS**



## **MEMORANDUM**

**DATE:** July 7, 2020

**TO:** Mike Geisel  
City Administrator

**FROM:** Andrea Majoros, Business Assistance Coordinator

**SUBJECT:** **LIQUOR LICENSE REQUEST – WENTES**

---

**WENTES, 18000 CHESTERFIELD AIRPORT RD (new ownership)** ... has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales.

Marla Conn is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Planning/Development Services Division of the Department of Public Services.

With City Council approval at the Monday, July 20, 2020 City Council meeting, I will immediately issue this license.



**DATE:** June 29, 2020

**TO:** Michael O. Geisel, City Administrator      See Bill No. 3309

**FROM:** Vickie McGownd, City Clerk *nm*

**SUBJECT:** Ordinance Re-Adopting the Procedure for Disclosure of Conflicts

---

I have attached a draft of an ordinance re-adopting the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials.

This is an annual re-adoption process and once approved, I will send a certified copy of the ordinance to the Missouri Ethics Commission. The deadline for this submission is September 15, 2020.

Please add this proposed ordinance to the July 20 City Council agenda.

**AN ORDINANCE RE-ADOPTING THE PROCEDURE ESTABLISHED IN ORDINANCE NO. 605 OF THE CITY OF CHESTERFIELD AS THE PROCEDURE FOR DISCLOSURE OF CONFLICTS FOR CERTAIN MUNICIPAL OFFICIALS.**

**WHEREAS**, Missouri Statute 105.485 authorizes the City of Chesterfield to adopt an ordinance which establishes its own method of disclosing potential conflicts of interest; and,

**WHEREAS**, without such an ordinance, each official, officer or employee of the City, and each candidate for office shall be required to file a financial interest statement with the Missouri Ethics Commission, pursuant to subsection 2 of Section 105.485; and,

**WHEREAS**, the City Council originally adopted its own ordinance establishing a method of disclosing potential conflicts of interest with Ordinance No. 605, adopted August 19, 1991 and has renewed the ordinance at least biennially, and often annually, since 1991; and,

**WHEREAS**, the City Council finds it is in the best interest of the public to readopt Ordinance No. 605 as the procedure for disclosure of conflicts of interest for the City of Chesterfield;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** The City of Chesterfield hereby formally re-adopts the procedure set out in Ordinance No. 605 as the procedure for disclosure of potential conflicts of interest and substantial interests.

**Section 2.** All requirements as set out in Ordinance No. 605 are to remain in full force and effect.

**Section 3.** The City Clerk is directed to send a certified copy of this Ordinance to the Missouri Ethics Commission prior to September 15, 2020.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

ATTEST:

\_\_\_\_\_  
Vickie McGownd, CITY CLERK

FIRST READING HELD: \_\_\_\_\_



**AN ORDINANCE OF THE CITY OF CHESTERFIELD, MISSOURI TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS.**

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Declaration of Policy. The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

Section 2. Conflicts of Interest. All elected and appointed officials as well as employees of the City of Chesterfield must comply with Section 105.454 of the Missouri Revised Statutes and Ordinance 604 regarding conflicts of interest as well as any other state law governing official conduct. The Mayor and any members of the City Council who has a substantial personal or private interest as defined by state law and set out below in any bill shall disclose on the records of the City Council the nature of his or her interest and shall disqualify himself or herself from voting on any matters related to this interest.

Section 3. Substantial or Private Interest. Any member of the City Council as well as any appointed officials and employees shall have a substantial or private interest in any measure, bill or other ordinance proposed or pending before the City if that interest is an ownership by the individual, his or her spouse, or his or her dependent children, whether singularly or collectively, directly or indirectly of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 4. Disclosure Reports. Each elected official the City Administrator (as the chief administrative officer) and the Director of Finance (as the chief purchasing officer) and the general counsel (City Attorney) (if employed full-time) shall disclose the following information by May 1 if any such transactions were engaged in during the previous calendar year:

a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision; and

b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.

c. The City Administrator as the chief administrative officer and the Director of Finance as the chief purchasing officer also shall disclose by May 1 for the previous calendar year the following information:

1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was receiving during the year covered by the statement;
2. The name and address of each sold proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

Section 5. Filing of Reports. The reports, in the attached format (See Exhibit "A" & "B"), shall be filed with the City Clerk and with the Secretary of State prior to January 1, 1993, and thereafter with the Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 6. When Filed. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

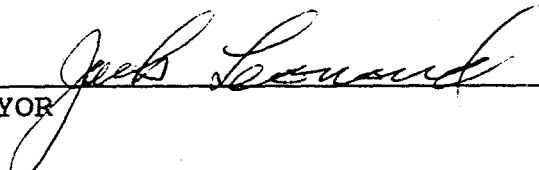
a. Each person appointed to office shall file the statement within thirty days of such appointment or employment;

b. Every other person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the City Council may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.

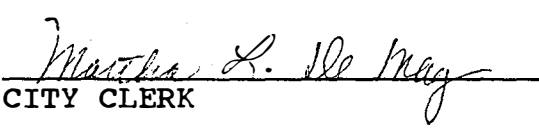
Section 7. Filing of Ordinance. The City Clerk is directed to send a certified copy of the Ordinance and any amendment that is adopted prior to January 1, 1993, to the Secretary of State's office within ten days of its adoption. The City Clerk shall send a certified copy of any Ordinance adopted on or after January 1, 1993, regarding this topic to the Missouri Ethics Commission within ten days of its adoption.

Section 8. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 19<sup>th</sup> day of AUGUST, 1991.

  
MAYOR

ATTEST:

  
CITY CLERK

# Memorandum

## Department of Planning

**To:** Michael O. Geisel, City Administrator

**From:** Justin Wyse, Director of Planning

See Bill No. 3310

**Date:** July 20, 2020

**RE:** **Oak Creek Meadows Plat 2:** A Record Plat for a 1.00 acre tract of land zoned “R-2” Residence District located south of Olive Boulevard east of its intersection with Monterra Drive (17U510084).



### **Summary**

Arch City Group, LLC, has submitted a request for a Record Plat for a 1.00 acre area of land which proposes 3 total lots to comprise Plat 2 of the Oak Creek Meadows subdivision. The subject site is zoned “R-2” Residence District.

Currently, two lots of record exist on the subject site. The minimum lot size in the “R-2” Residence District is 15,000 square feet (0.34 acres). On February 6th, 2020 the Board of Adjustment approved a request for the subject site to create a third lot less than 15,000 square feet in area.

The Record Plat for the subdivision contains 3 lots along the rights-of-way of Oak Creek Meadows Court. The 3 lots range between 0.31 acres and 0.34 acres. The image on the following page depicts the proposed Record Plat.

On April 13, 2020, the Planning Commission recommended approval of the Oak Creek Meadows Plat 2 Record Plat with a vote of 9-0.

Attached to the legislation, please find a copy of the Record Plat.

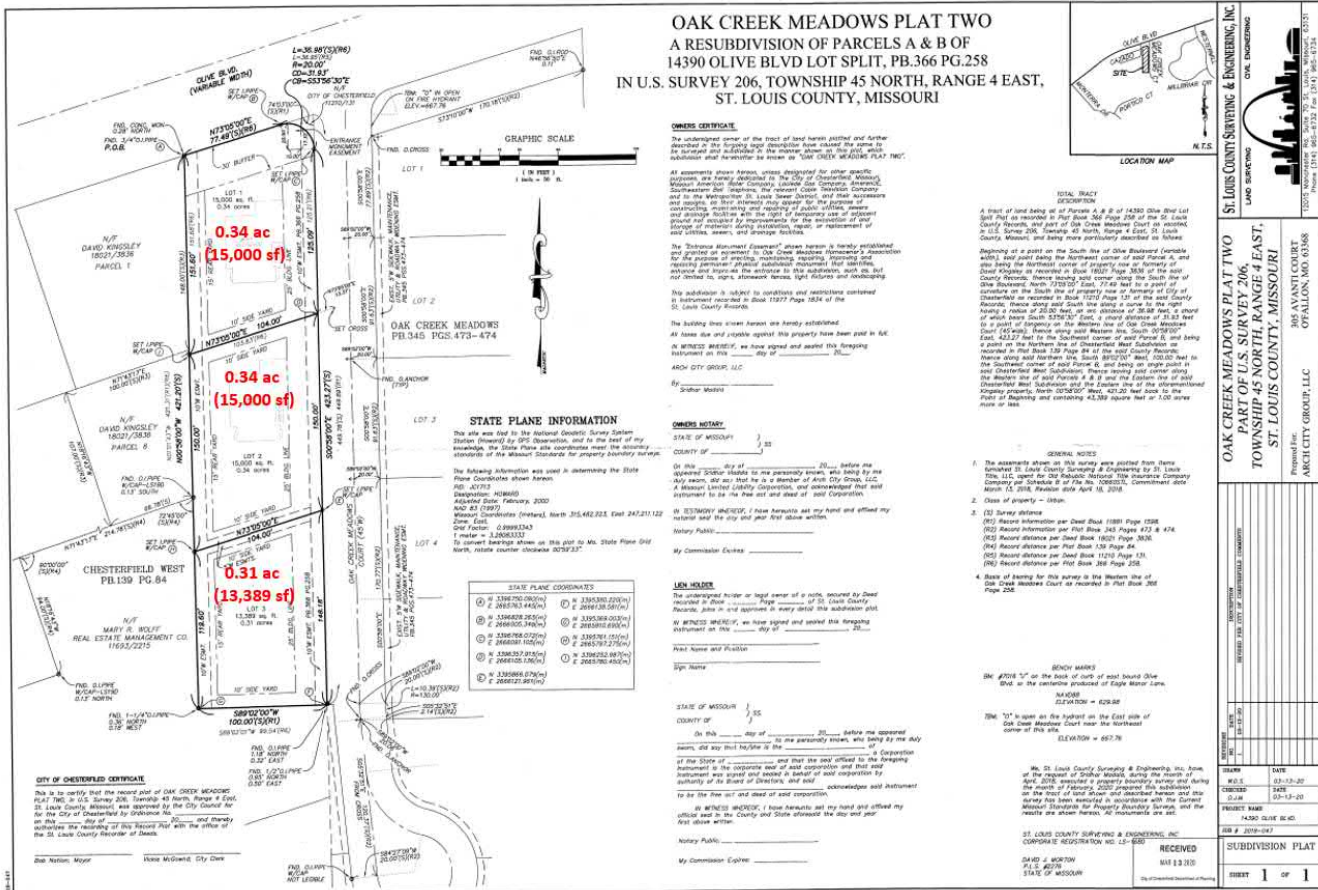


Figure 1: Proposed Oak Creek Meadows Plat 2

**BILL NO. 3310**

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

**AN ORDINANCE PROVIDING FOR THE APPROVAL OF A RECORD PLAT FOR OAK CREEK MEADOWS PLAT 2, A 1.00 ACRE TRACT OF LAND ZONED “R-2” RESIDENCE DISTRICT ON THE SOUTH SIDE OF OLIVE BOULEVARD EAST OF ITS INTERSECTION WITH MONTERRA DRIVE.**

**WHEREAS**, Arch City Group, LLC., has submitted for review and approval a Record Plat for the Oak Creek Meadows subdivision; and,

**WHEREAS**, the purpose of said Record Plat is to subdivide a 1.00 acre tract of land into three (3) residential lots; and,

**WHEREAS**, the Planning Commission having reviewed the same and has recommended approval thereof; and,

**WHEREAS**, the Department of Planning has reviewed the Record Plat in accordance with the Unified Development Code of the City of Chesterfield and has found it to be in compliance with all applicable ordinances and has forwarded said Record Plat to the City Council; and,

**WHEREAS**, the City Council of the City of Chesterfield having considered the request, voted to approve said Record Plat.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** The Record Plat for Oak Creek Meadows Plat 2, which is made part hereof and attached hereto as “Exhibit 1” is hereby approved; provided, however, that nothing in this ordinance shall be construed or interpreted as an acceptance of the public utilities or public easement which are dedicated on the Record Plat. The owner is directed to record the plat with the St. Louis County Recorder of Deeds Office.

**Section 2.** The Mayor and City Clerk are authorized and directed to evidence the approval of the said Record Plat by affixing their signatures and the official seal of the City of Chesterfield as required on the said document.

**Section 3.** The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

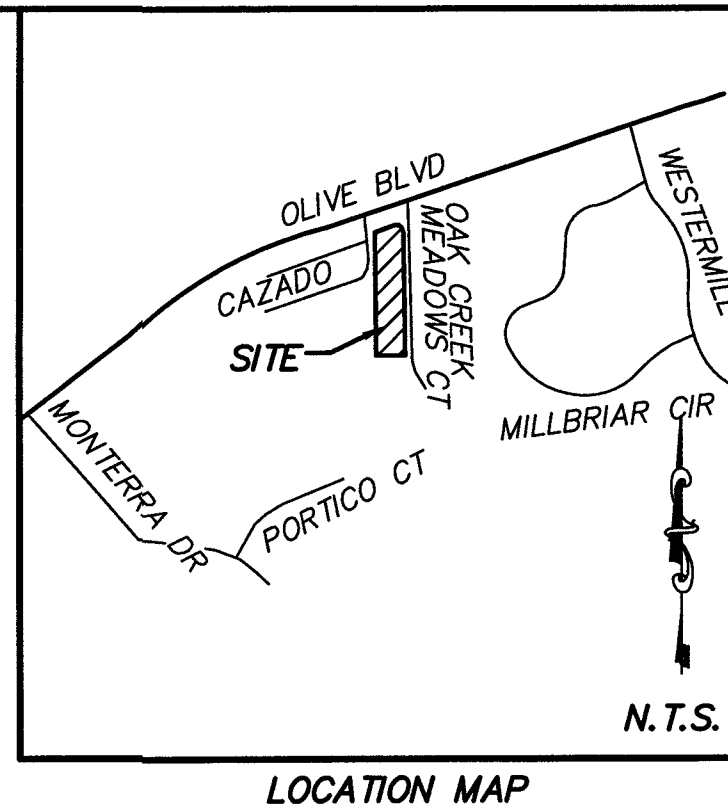
ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 07/20/2020



OAK CREEK MEADOWS PLAT TWO  
A RESUBDIVISION OF PARCELS A & B OF  
14390 OLIVE BLVD LOT SPLIT, PB.366 PG.258  
IN U.S. SURVEY 206, TOWNSHIP 45 NORTH, RANGE 4 EAST,  
ST. LOUIS COUNTY, MISSOURI



LOCATION MAP

TOTAL TRACT DESCRIPTION  
A tract of land being all of Parcels A & B of 14390 Olive Blvd Lot Split Plat as recorded in Plat Book 366 Page 258 of the St. Louis County Records, and part of Oak Creek Meadows Court as vacated, in U.S. Survey 206, Township 45 North, Range 4 East, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at a point on the South line of Olive Boulevard (variable width), said point being the Northwest corner of said Parcel A, and also being the Northeast corner of property now or formerly of David Kingsley as recorded in Book 18021 Page 3836 of the said County Records; thence leaving said corner along the South line of Olive Boulevard, North 73°05'00" East, 77.49 feet to a point of curvature on the South line of property now or formerly of City of Chesterfield as recorded in Book 11210 Page 131 of the said County Records; thence along said South line along a curve to the right having a radius of 20.00 feet, an arc distance of 36.98 feet, a chord of which bears South 53°56'30" East, a chord distance of 31.93 feet to a point of tangency on the Western line of Oak Creek Meadows Court (45' wide); thence along said Western line, South 00°58'00" East, 423.27 feet to the Southeast corner of said Parcel B, and being a point on the Northern line of Chesterfield West Subdivision as recorded in Plat Book 139 Page 84 of the said County Records; thence along said Northern line, South 89°02'00" West, 100.00 feet to the Southwest corner of said Parcel B, and being an angle point in said Chesterfield West Subdivision; thence leaving said corner along the Western line of said Parcels A & B and the Eastern line of said Chesterfield West Subdivision and the Eastern line of the aforementioned Kingsley property, North 00°58'00" West, 421.20 feet back to the Point of Beginning and containing 43,389 square feet or 1.00 acres more or less.

GENERAL NOTES

- The easements shown on this survey were plotted from items furnished St. Louis County Surveying & Engineering by St. Louis Title, LLC, agent for Old Republic National Title Insurance Company per Schedule B of File No. 106605TL, Commitment date March 13, 2018, Revision date April 18, 2018.
- Class of property - Urban.
- (S) Survey distance  
(R1) Record information per Deed Book 11881 Page 1598.  
(R2) Record information per Plat Book 345 Pages 473 & 474.  
(R3) Record distance per Deed Book 18021 Page 3836.  
(R4) Record distance per Plat Book 139 Page 84.  
(R5) Record distance per Deed Book 11210 Page 131.  
(R6) Record distance per Plat Book 366 Page 258.
- Basis of bearing for this survey is the Western line of Oak Creek Meadows Court as recorded in Plat Book 366 Page 258.

BENCH MARKS

BM: #7016 "U" on the back of curb of east bound Olive Blvd. on the centerline produced of Eagle Manor Lane.

NAVD88  
ELEVATION = 629.98

TBM: "O" in open on fire hydrant on the East side of Oak Creek Meadows Court near the Northeast corner of this site.  
ELEVATION = 667.76

We, St. Louis County Surveying & Engineering, Inc., have, at the request of Sridhar Madala, during the month of April, 2018, executed a property boundary survey and during the month of February, 2020 prepared this subdivision on the tract of land shown and described hereon and this survey has been executed in accordance with the Current Missouri Standards for Property Boundary Surveys, and the results are shown hereon. All monuments are set.

ST. LOUIS COUNTY SURVEYING & ENGINEERING, INC.  
CORPORATE REGISTRATION NO. LS-1680

DAVID J. MORTON  
P.L.S. #2276  
STATE OF MISSOURI

RECEIVED  
MAR 13 2020  
City of Chesterfield-Department of Planning

OWNERS CERTIFICATE

The undersigned owner of the tract of land herein platted and further described in the foregoing legal description have caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereinafter be known as "OAK CREEK MEADOWS PLAT TWO".

All easements shown hereon, unless designated for other specific purposes, are hereby dedicated to The City of Chesterfield, Missouri, Missouri American Water Company, Laclede Gas Company, AmerenUE, Southwestern Bell Telephone, the relevant Cable Television Company and to the Metropolitan St. Louis Sewer District, and their successors and assigns, as their interests may appear for the purpose of constructing, maintaining and repairing of public utilities, sewers and drainage facilities with the right of temporary use of adjacent ground not occupied by improvements for the excavation of and storage of materials during installation, repair, or replacement of said utilities, sewers, and drainage facilities.

The "Entrance Monument Easement" shown hereon is hereby established and granted an easement to Oak Creek Meadows Homeowner's Association for the purpose of erecting, maintaining, repairing, improving and replacing permanent physical subdivision monument that identifies, enhance and improves the entrance to this subdivision, such as, but not limited to, signs, stonework fences, light fixtures and landscaping.

This subdivision is subject to conditions and restrictions contained in instrument recorded in Book 11977 Page 1834 of the St. Louis County Records.

The building lines shown hereon are hereby established.

All taxes due and payable against this property have been paid in full.

IN WITNESS WHEREOF, we have signed and sealed this foregoing instrument on this \_\_\_\_ day of \_\_\_\_, 20\_\_.

ARCH CITY GROUP, LLC

By: Sridhar Madala

OWNERS NOTARY

STATE OF MISSOURI )  
COUNTY OF ) SS

On this \_\_\_\_ day of \_\_\_\_, 20\_\_, before me appeared Sridhar Madala to me personally known, who being by me duly sworn, did say that he is a Member of Arch City Group, LLC, A Missouri Limited Liability Corporation, and acknowledged that said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

LIEN HOLDER

The undersigned holder or legal owner of a note, secured by Deed recorded in Book \_\_\_\_ Page \_\_\_\_ of St. Louis County Records, joins in and approves in every detail this subdivision plat.

IN WITNESS WHEREOF, we have signed and sealed this foregoing instrument on this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Print Name and Position \_\_\_\_\_

Sign Name \_\_\_\_\_

STATE OF MISSOURI )  
COUNTY OF ) SS

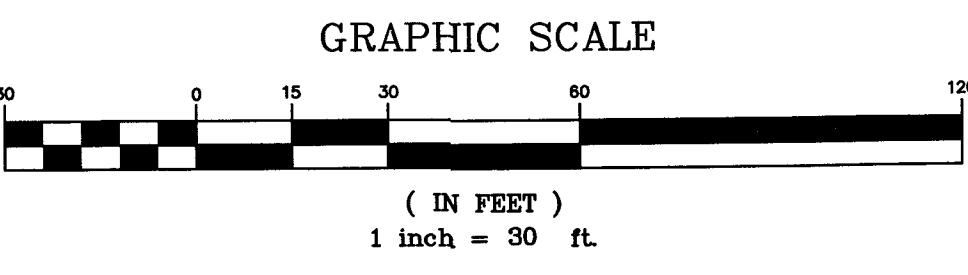
On this \_\_\_\_ day of \_\_\_\_, 20\_\_, before me appeared \_\_\_\_ to me personally known, who being by me duly sworn, did say that he/she is the \_\_\_\_ of \_\_\_\_

of the State of \_\_\_\_, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and said \_\_\_\_ acknowledges said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first above written.

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



STATE PLANE INFORMATION

This site was tied to the National Geodetic Survey System Station (Howard) by GPS Observation, and to the best of my knowledge, the State Plane site coordinates meet the accuracy standards of the Missouri Standards for property boundary surveys.

The following information was used in determining the State Plane Coordinates shown hereon.  
PID: JC1713  
Designation: HOWARD  
Adjusted Date: February, 2000  
NAD 83 (1997)  
Missouri Coordinates (meters), North 315,482,223, East 247,211,122  
Zone: East,  
Grid Factor: 0.99993343  
1 meter = 3.28083333  
To convert bearings shown on this plat to Mo. State Plane Grid North, rotate counter clockwise 00°59'33".

| STATE PLANE COORDINATES |                                      |   |                                      |
|-------------------------|--------------------------------------|---|--------------------------------------|
| A                       | N 3396750.090(m)<br>E 2665763.445(m) | F | N 3395380.220(m)<br>E 2666138.581(m) |
| B                       | N 3396828.265(m)<br>E 2666005.349(m) | G | N 3395369.003(m)<br>E 2665810.690(m) |
| C                       | N 3396768.072(m)<br>E 2666091.105(m) | H | N 3395761.151(m)<br>E 2665797.275(m) |
| D                       | N 3396357.915(m)<br>E 2666105.136(m) | I | N 3396252.987(m)<br>E 2665780.450(m) |
| E                       | N 3395866.079(m)<br>E 2666121.961(m) |   |                                      |

CITY OF CHESTERFIELD CERTIFICATE

This is to certify that the record plat of OAK CREEK MEADOWS PLAT TWO, in U.S. Survey 206, Township 45 North, Range 4 East, St. Louis County, Missouri, was approved by the City Council for for the City of Chesterfield by Ordinance No. \_\_\_\_ on this \_\_\_\_ day of \_\_\_\_, 20\_\_, and thereby authorizes the recording of this Record Plat with the office of the St. Louis County Recorder of Deeds.

Bob Naton; Mayor  
Vickie McGownd; City Clerk



# Memorandum



**To:** Mr. Geisel, City Administrator  
**From:** Tom McCarthy, CPRP  
**Date:** 7/16/2020  
**Re:** Municipal Parks Grant Round 21

It's that time of year again and we are looking forward to applying for a St. Louis County Municipal Parks Grant. The City of Chesterfield has received twelve grants over the years in the amount of \$2,780,233.00. The past few years we have received grants for the Pavilion in Central Park and Awakening surface improvements, playground surface upgrades at Central Park, the CVAC, River's Edge Trail, pavilion and boat dock installation, the pool splash pad at the Aquatic Center and the Veterans Honor Park.

Attached is a resolution authorizing our submission of the 2020-2021 grant application for round 21 of the Municipal Parks Grant Commission, to construct a new park at 1851 Schoettler Road in partnership with Logan University. The grant application will include funding for a playground, pavilion, restroom, facility parking, and two pickle ball courts for phase one of the park development. The attached resolution authorizes you, as City Administrator, to sign the grant application and is required for application acceptance by the Commission.

This opportunity to submit for the Municipal Parks Grant was discussed in Executive Session on June 17, 2020 authorizing the City of Chesterfield to apply for a Municipal Parks Grant for the procurement and installation of a new park at 1851 Schoettler Road. This park project will be on the four-acre piece of property in partnership with Logan University. A voice vote was taken and approved 8 to 0 to move forward with the park project.

As is normally the case, if Chesterfield is successful and awarded the requested grant funds, we would return to City Council for project authorization and funding.

The grant application deadline is August 28, 2020. Therefore, I request and recommend that this information be forwarded to City Council for action at the regular meeting of City Council scheduled for August 3, 2020 for consideration and passage.

If you have any additional questions or require additional information, please let me know at your earliest convenience.

Attachments  
Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY OF CHESTERFIELD TO APPLY FOR A MUNICIPAL PARKS GRANT IN ROUND 21 FOR THE PROCUREMENT AND INSTALLATION OF A NEW PARK ON THE ACREAGE AT 1851 SCHOETTLER ROAD IN PARTNERSHIP WITH LOGAN UNIVERSITY.**

**WHEREAS**, the City is an expanding municipality in the growing County of St. Louis and,

**WHEREAS**, the City Council deems it necessary to improve and expand their public parks, recreation and arts to serve the citizens, as well as the traveling public; and,

**WHEREAS**, through extensive public engagement that has been a strong voice over the years to acquire a park in the Ward III for the residents and guest of Chesterfield,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI AS FOLLOWS:**

Section 1. An application should be made to the Municipal Parks Grant Program in the County of St. Louis for a grant-in aid for the cost of a new park at 1851 Schoettler Road in partnership with Logan University, reimbursable upon completion by the Commission.

Section 2. That a project proposal be prepared and submitted to the Municipal Parks Grant Commission.

Section 3. If a Grant is awarded, the City of Chesterfield will enter into an agreement or contract with the Commission regarding said grant.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Bob Nation, Mayor

ATTEST:

\_\_\_\_\_  
Vickie McGownd, City Clerk