

ORDINANCE

BILL NO. 5

ORDINANCE NO. 4

THIS ORDINANCE IS AMENDED TO MEET NEW CODE STANDARDS AS FOLLOWS:

AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE, BUILDING, RESIDENTIAL AND MECHANICAL CODES, Existing Building Code - 2003 EDITION; RELATING TO FIRE PROTECTION AND FIRE PREVENTION, AS STANDARDS FOR THE RULES AND REGULATIONS FOR FIRE PROTECTION AND FIRE PREVENTION WITHIN THE SOUTHERN PLATTE FIRE PROTECTION DISTRICT; REGULATING THE CONSTRUCTION OF BUILDINGS AND CONTINUED OCCUPANCY THEREOF, AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Board of Directors has determined that the welfare, protection and safety of the residents and businesses for the adoption of certain rules, regulations and standards governing the construction and occupancy of buildings and governing fire conditions hazardous to life, health, and destruction of property, and to better protect the residents of the Fire District from the danger of fire; and

WHEREAS, the Board of Directors has reviewed and approved the enactment of certain nationally-recognized Codes and Standards as an aid to the administration of such rules and regulations and it would be in the best interest of the businesses and residences of the Fire District to adopt such nationally-recognized Codes and Standards; and

WHEREAS, One (1) copy of the here-enacted International Codes and Standards have been placed on file at Fire Station No. 4, Kansas City, Missouri, and are available for public use, inspection, and examination.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SOUTHERN PLATTE FIRE PROTECTION DISTRICT AS FOLLOWS:

SECTION 1. ADOPTION OF THE INTERNATIONAL BUILDING, RESIDENTIAL, MECHANICAL and Existing Building CODES – 2003 EDITION. National Electrical Code 2005, NFPA 101 Life Safety Code.

In order to protect persons and property from fire and to prevent fires, from and after February 1st, 2006 all buildings within the Southern Platte Fire Protection District, whether for residential or business purposes, shall be built in accordance with the International Building Code, 2003 Edition. The International Fire Code, 2003 Edition, except such portions as are hereinafter deleted, modified, added to, or amended by Section 6 of this Ordinance are hereby adopted by the Southern Platte Fire Protection District for the purpose of prescribing, regulating, and governing the erection, construction, alteration, enlargement, repair, moving, removal, demolition, conversion, occupancy, equipping, use and maintenance of all buildings within the Southern Platte Fire Protection District. .

SECTION 2. ADOPTION OF THE INTERNATIONAL FIRE CODE, 2003 EDITION

It is hereby adopted and enacted by the Board of Directors of the Southern Platte Fire Protection District for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion the Code and Standards known as the International Building, Fire Code, 2003 Edition, including all appendix chapters except such portions as are hereinafter deleted, modified, or amended by Section 6 of this Ordinance. Such International Fire Code shall be in force and effect and apply to all buildings and structures for residential purposes or for business or building purposes within the Southern Platte Fire Protection District from and after February 1st, 2006. All real estate, buildings and structures within the Southern Platte Fire Protection District Shall be built, erected, constructed, enlarged, maintained, altered, repaired, moved, demolished, converted, occupied, used, and equipped in accordance with the said International Fire Code.

SECTION 3. ANNUAL INSPECTIONS

All commercial building and business shall be inspected annually by the Fire District. An Occupancy Permit will be issued for occupancy meeting requirements of this Article.

SECTION 4. UNDER GROUND SPACE

See Ordinance No.6 – Bill No.1

SECTION 5. DEFINITIONS AND EXPLANATIONS

- (A) Whenever the word “jurisdiction” is used, it is deemed to mean the Southern Platte Fire Protection District.

SECTION 6. DELETIONS, ADDITIONS, MODIFICATIONS AND AMENDMENTS.

- (A) The provisions of Section 108 of the International Fire Code, 2003 Edition, are as follows:

Except in emergencies, as set out in Section 108, rights of appeal are as follows:

- (1) Any decision of the Fire Inspector shall be in writing, state the reason Therefore, and be served upon the person requesting the decision and/or any person affected or aggrieved thereby within seven (7) days after such decision. Any decision of the Fire Inspector under this or any other ordinance may be appealed to the chief by any person aggrieved by such decision. The term “person” shall include any natural person, corporation, partnership, political subdivision or any other entity. Such appeal shall be taken by giving written notice to the Chief within seven (7) days of such decision. However, said seven (7) days shall not commence to run until the aggrieved person is served with written notice of such decision from the Fire Inspector stating the reason for the decision. The Chief shall review such decision and render a written decision within seven (7) days of the notice of appeal. Within seven (7) days of the date of the decision the Chief shall cause to be served upon

the aggrieved person a copy of his decision. If the appeal is denied, the Chief's written decision shall state the reasons therefore. The ruling of the Chief may be appealed by filing a notice of appeal with the Board of Review of the Southern Platte Fire Protection District within seven (7) days of receipt of the written decision of the Chief. The Board of Review shall within thirty (30) days hold a hearing on the appeal.

The Board of Review shall not hold said hearing without serving written notice on the person appealing of the time and place of the hearing said notice to be served on said person at least seven (7) days before such hearing. The Board shall render a written decision that shall include a Finding of Facts and Conclusions of Law within fifteen (15) days after such hearing. A copy of such decision must be served on the person appealing within seven (7) days after said decision is rendered.

If the appeal is not granted to the aggrieved person by the Board of Review, such aggrieved person may appeal to the Circuit Court of Platte County, Missouri, as set forth in Section 6 A (5) of this Ordinance except if the appeal arises under Section 9, 10 or 11 of this Ordinance, such appeal shall be first to the Board of Zoning Adjustment of the appropriate County, City or Village and thereafter to the Circuit Court of Platte County, Missouri, as set forth in Section 64.660 or 89.110 RSMo 1986. Failure of the Chief to render a decision within time allowed or to serve notice on the aggrieved person making the appeal within the time allowed shall constitute granting the appeal of such aggrieved person. Failure of the Board of Review to call a hearing within the time allowed or to render a decision within the time allowed or to serve a copy of the decision within the time allowed shall constitute granting of the appeal to the aggrieved person.

- (2) The Board of Review is hereby created. The Board of Review shall consist of three members all of whom shall be voters of the Fire District and shall be knowledgeable in the areas of the building trades or real estate development. The Board of Review shall be appointed by the Board of Directors of the Fire District. The membership of the first Board of Review appointed shall serve respectively one (1) for one (1), one (1) for two (2) years, and one (1) for three (3) years. Thereafter, members shall be appointed for terms of three (3) years each. Vacancies shall be filled for the expired term of any member whose term becomes vacant. The Board of Review shall select its own Chairman who shall serve for three (3) years. The meetings of the Board of Review shall be held at the call of the Chairman and at such other times as the Board may determine. All meetings of the Board of Review shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that. The records of the Board of Review shall be maintained in the office of the Fire District under general supervision of the Secretary-Treasurer of the Fire District and shall be open to inspection at all reasonable times. An affirmative vote of two (2) members of the

Board shall be required to overrule any decision, ruling, or determination by the Fire Chief or to approve any special exception or variance.

- (3) Any appeal provided for hereunder must be taken as herein provided by filing with the person or body hearing the appeal a written Notice of Appeal setting fourth the grounds hereof.

All notices under this, or any other Ordinances to the Fire District, to any Fire District official, or to any Fire District Board may be served personally or by leaving such notice with the Secretary-Treasurer of the Fire District or any other person representing the Fire District present at the regular Fire District office. Service may also be made by sending any such notice to the appropriate official by registered or certified mail with a return receipt requested.

Service of notice upon any person or applicant under this or any other ordinance shall be by personal service or by certified or registered mail with a return receipt showing delivery of such notice. Refusal of any of the above persons or officials to accept registered or certified mail shall constitute service.

- (4) An appeal to the Chief, the Board of Review, or appropriate Board of Zoning Adjustment stays all enforcement of the decision from which the appeal is being taken.
- (5) Any appeal from the decision of the Board of Review shall be made to the Circuit Court of Platte County, Missouri except that if the appeal arises under Sections 9,10,and 11 of this Ordinance, or under any cooperative agreement referred to in Section 13 of this Ordinance, then the appeal shall be to the Board of Zoning Adjustment of the appropriate County, City or Village and then to the Circuit Court of Platte County, Missouri, as provided in Sections 64.660 and 89.110 RSMo. 1986. An appeal to the appropriate Board of Zoning Adjustment or to the Circuit Court stays all enforcement of the decision from which the appeal is being taken.

(B) Appendix D of the International Fire Code, 2003 Edition, is hereby modified to include the following standards for the construction of new streets within the Southern Platte Fire Protection District:

- (1) The minimum roadway width for streets shall be twenty-eight (28) feet (back to back).
- (2) The minimum roadway width for alleys shall be twenty-five (25) feet.
- (3) The turning radius of cul-de-sacs and dead-end streets shall be fifty (50) feet with a roadway having a minimum radius of forty (40) feet to the interior line.
- (4) In the case of temporarily dead-end streets, which are stub streets

designed to provide future connection with un-subdivided areas adjoining, the Board of Review may require a temporary easement for a turnaround with the same provisions provided in Subparagraph (3) above, or a temporary roadway of at least twenty-six (26) feet in width of not excessive length to connect the temporary dead-end with a existing street.

- (5) Streets shall be built so that grades shall not exceed (12%) percent.
 - (6) The provisions of this paragraph shall apply only to subdivisions within the Southern Platte Fire Protection District that have not been submitted to the proper zoning authority by February 23, 2002 This section is not intended to apply to single-family houses not included in any subdivision.
- (C) Section 307, of the International Fire Code, 2000 Edition, is hereby amended to read as follows:

Section 307, Open Burning Restrictions. Every person, firm or corporation within the Southern Platte Fire Protection District shall conduct open burning of combustible material or flammable combustible liquid in accordance with Regulation 10 CSR 10-2.100 pertaining to the air pollution control Regulations.

for the Kansas City metropolitan area as published by the Missouri Department of Natural Resources, a copy of which is attached hereto and incorporated by reference herein.

Any person conducting open burning of household refuse originating from a residence when zoned agricultural need not notify the Fire Department before conducting any burning of such household refuse.

Any person, firm or corporation setting a fire must notify the Fire District before conducting such burning.

It shall be unlawful for any person, firm or corporation not exempted under 10 CSR 10-2.100 to conduct open burning within the Southern Platte Fire Protection District without a valid permit for open burning issued by the Missouri Department of Natural Resources. Before obtaining such a permit the person, firm or corporation must request an inspection of the burning site by the Fire Inspector. The Fire Inspector will inspect the site and approve or disapprove the site within three (3) days. If the site is approved by the Fire Inspector, he or she will give the applicant a burning application with site approval so indicated. The person, firm or corporation making the request for open burning must complete the application to burn and forward it to the Missouri Department of Natural Resources. The Missouri Department of Natural Resources will process the application, and if found acceptable, issue a permit to the applicant. The open burning permit holder must have the permit readily available at the site upon the request of the Fire Inspector or other agents. The Fire District must be notified on the day of any open burning under a permit issued by the Missouri Department of Natural Resources. Information regarding open burning application or permit may be directed to the Fire Inspector.

- (D) Section 310 shall be added to the International Fire Code, 2003 Edition, to read as follows:

Section 310, Smoking in bed in hotels, motels, apartments, rooming houses, etc. prohibited. Carelessly setting fire to furnishings unlawful; Report of Fire required.

- (1) It shall be unlawful for any person while in or on a bed in a hotel, motel, room or apartment house to smoke a lighted cigarette, cigar, pipe or tobacco in any form.
- (2) It shall be unlawful for any person to carelessly set fire to, burn or cause to be burned any bedding, furniture, curtains, draperies or household furnishing by means of any lighted cigarettes, cigars, pipes or other form or burning tobacco, or by any means of matches, lighters and the like in lighting or attempting to light any cigarette, cigar, pipe or other form of burning tobacco in any hotel, motel, rooming house or apartment house.
- (3) The owner, manager or person in control of each hotel, motel, rooming house or apartment house shall post, or cause to be posted conspicuously, in each unit of occupancy, a printed notice with the wording : "Smoking in Bed Punishable by Ordinance".
- (4) Whenever a fire occurs in any building of any kind, it shall be the duty of the owner, manager or person in charge of the building, upon discovery of the fire, immediately notify the Fire District and to make such report of the cause and accompanying circumstances as the Fire District may request. This requirement shall not be construed to forbid the owner, manager, necessary to extinguish such fire prior to the arrival of the Fire District. occupant or person in control of the building from using all diligence necessary to extinguish such fire prior to the arrival of the Fire District.
- (5) For purposes of the Ordinance, smoking shall mean and include the carrying of a lighted cigarette, cigar, pipe or lighted tobacco in any form.

- (E) Section 310 Shall be added to the International Fire Code, 2003 Edition as follows:

Section 310, Smoking in Institutional Buildings

- (1) Institutional buildings shall mean hospitals, nursing homes, convalescent homes, homes for the aged and nurseries and schools for children.
- (2) Smoking is prohibited in any room, ward or compartment where flammable liquids, combustible gases or oxygen are stored or used, and in any other hazardous location. Such areas shall be posted with "NO SMOKING" signs.
- (3) Smoking by patients classified as not responsible shall be prohibited unless attended.

- (4) Smoking by patients while they are in bed is prohibited unless an attendant is in the room while the patient is smoking.
 - (5) Smoking by visitors, hospital staff and employees is prohibited except in approved smoking areas including offices, dining room areas, boiler rooms and other areas specifically approved by the Fire Inspector.
 - (6) It shall be unlawful for any person to carelessly set fire to, burn or cause To be burned any bedding, furniture, curtains, draperies or other furnishing by means of any lighted cigarette, cigar, pipe or by means of matches, lighters and the like in any institutional building.
 - (7) Ashtrays of non-combustible material and safe design shall be provided in all areas where smoking is permitted. The "island in the middle" type of ashtray is considered a safe design.
 - (8) Metal containers, with self-closing devices, shall be provided for disposal of the contents of ashtrays in all areas where smoking is permitted.
 - (9) Approved "NO SMOKING" signs shall be displayed in corridors by the management who shall also post each unit of occupancy with a printed notice with the wording: " SMOKING IN BED WHILE UNATTENDED IS PROHIBITED BY ORDINANCE".
 - (10) Whenever a fire occurs in any institutional building, it shall be the duty of the owner, manager or person in charge of such building upon discovery of the fire to immediately notify the Fire District and to make such report of the cause and accompanying circumstances as the Fire District may request. This requirement shall not be construed to forbid the owner, manager or person in control of the building from using all diligence necessary to extinguish such fire prior to the arrival of the Fire District.
- (F) Section 310 hereby added to the International Fire Code, 2003 Edition, to read as follows:

Section 310, Smoking in Stores.

- (1) No person shall smoke or carry in his hand any lighted cigar, cigarette or pipe while in any retail or discount store, provided, however, that the provisions herein shall not apply to any room or area that has been designated and set aside by the owner, operator, or manager thereof for smoking and which has been approved by the Fire Inspector.
- (2) It shall be the duty of the owner, operator, or manager of any such store to provide or permanently affix in such store "NO SMOKING" signs as required and approved by the Fire Inspector as to adequately warn and inform persons therein of the provisions of this Ordinance.

- (H) Section 310 is hereby added to the International Fire Code, 2003 Edition, to read as follows:

Section 310, Smoking in Theaters.

- (1) No person shall be permitted to smoke or carry in his hand any lighted cigar, cigarette or pipe in any theater during any performance or public meeting therein, except in any smoking room, lobby or foyer.

- (I) Section 310 is hereby added to the International Fire Code, 2003 Edition, to read as follows:

Section 310, Smoking in Elevators Prohibited.

- (1) It shall be unlawful for any person to smoke in or on any elevator or to carry in or upon any elevator any lighted cigar, cigarette, pipe, or burning tobacco or to carry in or upon any elevator any open flame or burning ember.

- (2) Every elevator shall be posted with a printed sign or notice with the wording:

“SMOKING OR CARRYING ANY LIGHTED CIGAR, CIGARETTE, PIPE OR BURNING TOBACCO, OR ANY SOURCE OF OPEN FLAME OR ANY BURNING EMBER UPON ANY ELEVATOR IS PROHIBITED BY ORDINANCE”.

- J. Section 506, Key Boxes.

Section 506 is hereby added to the International Fire Code 2003 Edition, to read as follows:

- (1) All commercial buildings shall be required to have a Key Box (Knox Brand) box installed on the building in the approved location of the Fire Inspector.

- K. Section 508, Fire Protection water supply.

Section 508 is hereby added to International Fire Code, 2003 Edition, to read as follows.

- (1) There shall be no fire hydrants or private fire protection devices that are not connected to the water supply, so located as to presume fire protection devices are in working order. They cannot be located next to any public or private street, alley or drive with a minimum of 30 ft. from the public or private street , alley or drive.

SECTION 7. INCORPORATION OF CODES BY REFERENCE.

All of the Codes and Standards referred to in this Ordinance are incorporated in this Ordinance by reference and made a part hereof as if fully set out in this Ordinance.

Section 8. Amendments to the International Building Code, 2003 Edition:

Section 101.2.1 is added to read as follows:

101.2.1 Appendices Adopted. The following appendices are adopted as part of the code

1. Appendix C-Group U – Agricultural Buildings
2. Appendix E- Supplemental Accessibility Requirements
3. Appendix G- Flood Resistant Construction

Section 101.4.1 of the International Building Code 2003 Edition is amended to read as follows:

101.4.1 Electrical. The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. The National Electrical Code 2005 Edition will be inserted where the ICC Electrical code is referenced throughout this document.

Section 3410.2 is hereby amended to read as follows.

3410.2 Applicability. Structures existing prior to the adoption of this ordinance, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Section 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A,B,E,F,M,R,S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

SECTION 9. AMENDMENTS TO THE RESIDENTIAL CODE 2003 EDITION.

Section R101.2 of the International Residential Code 2003 is amended to say in the removal and/or demolition of any structure shall comply with all pertinent sections of the International Building Code and International Existing Building Code.

Section R102.5 is amended to read:

R102.5. Appendices Adopted. The following Appendices are adopted as part of the code.

1. Appendix A, B, C, D,E,G,H,K,L

Section R 321.2 is amended to read:

ILLUMINATION. Single-family dwellings shall have the ability to illuminate the address and numbers during the hours of darkness with a power source connected to the house electrical system or other source of approved illumination.

SECTION 10. AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE 2003 EDITION.

SECTION 1201.2 APPLICABILITY. Structures existing prior to the adoption of this ordinance, 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 4 and 10.

SECTION 11. APPLICATION OF ORDINANCE TO EXISTING CONDITIONS.

Provisions of this Ordinance shall apply to existing conditions as well as to conditions arising after February __1st__, 2006 EXCEPT, those conditions legally in

existence at the adoption of this Ordinance and not in compliance therewith shall be permitted to continue if they do not constitute a distinct hazard of life or property.

SECTION 12. PROCEDURE FOR THE ISSUANCE OF BUILDING PERMITS

See Ordinance No. 6, Bill No. 3 that amends section 9 Paragraph 1 of this Ordinance Dated December 15th 2004.

Any applicant for a building permit shall, at the time of such application, simultaneously furnish the Fire Inspector of the Fire District or his representative with three (3) copies of the complete plans to include electrical, mechanical, building, HVAC, plot/site, fire sprinkler, fire alarm and any other fire protection system for the building or structure to be constructed, reconstructed, moved, demolished, structurally altered, or changed. Such plans shall include applicable site plans, subdivision plats, drainage plans, grading plans, elevation plans, and any and all other documents required for the development of the plot, building or structure. The Fire Inspector or his authorized representative shall have five (5) business days after complete plans are submitted to review the building plans and drawings on a single family house and twenty-one (21) business days after complete plans are submitted to review the building plans and drawings on any multifamily or commercial use structure.

The County, City, or Village for good cause shown may extend such period of time upon written application of the Fire District for two (2) additional days. Such review shall be conducted and guided by the Codes and Standards adopted by the Fire District. Failure to notify the County, City, or Village within said period of time shall constitute approval. In the event of disapproval, the Fire District shall within such period of time, deliver a written statement of such disapproval together with the reasons thereof to the County, City, or Village in which case the County, City or Village will not issue such building permit so long as such disapproval continues. Any person aggrieved by such denial of approval may appeal as set forth in Section 7 of this Ordinance.

No new building or structure shall be constructed, reconstructed, moved, demolished, structurally altered or changed in use, or in bulk unless the proposed work or use is in conformance with all the provisions of this Ordinance and the Codes and Standards provided for herein.

This Section shall become effective and shall be required for all new buildings and structures located within the Southern Platte Fire Protection District for which an application is made for a building permit on or after the new adoption date.

SECTION 13. PROCEDURES FOR ISSUANCE OF OCCUPANCY PERMITS.

The procedure for issuance of occupancy permits at the completion of any building or structure for which an occupancy permit is required by the County, City, or Village shall be as follows: The applicant for the building permit permitting such construction shall make application to the County, City, or Village for an occupancy permit and shall simultaneously advise the Fire District of such application, such advice to contain the original permit number, the name of the applicant, and the location of the building or structure under construction. If the Fire District does not within five (5) business days after such notification advise the County, City, or Village in writing of its disapproval, the County, City, or Village may issue such occupancy permits. Upon good cause shown and

upon written application by the Fire District, the County, City, or Village shall extend the time limits called for herein for an additional two (2) days. In event of disapproval, the Fire District shall within such period of time deliver a written statement of such disapproval together with the reasons therefore to the County, City, or Village in which case the County, City, or Village will not issue such occupancy permit so long a such disapproval continues. Such review shall be conducted and guided by the codes and standards adopted by the Fire District. Failure to so advise the County, City, or Village within such a period of time shall constitute approval. Any person aggrieved by such decision shall appeal as set forth in Section 7 of this Ordinance. This section shall become effective for all buildings for which a building permit is obtained on or after the new adoption date.

SECTION 14. PROCEDURES FOR APPROVAL OF SUBDIVISION PLATS AND PLANS.

All plans or plats for any subdivision of land located with the Southern Platte Fire Protection District shall be submitted by the applicant to the County, City, or Village as provided in its Zoning and Subdivision Regulations and such plans or plats shall be simultaneously submitted to the Fire Inspector for the Fire District or his authorized representative. The Fire District shall have fourteen (14) business days to review such plans or plats and notify the County, City, or Village in writing of its approval or disapproval. For good cause shown, upon written application of the Fire District, said time may be extended to two (2) additional days. Such review shall be conducted by the codes and standards adopted by the Fire District. Review of subdivision plats and plans shall be in regard to the street plans only. In the event that such plans or plats are disapproved, the Fire District shall advise the County, City, or Village in writing of such disapproval and state the reasons therefore. If such notification is received by the County, City or Village within such period of time shall constitute an approval. Any person aggrieved by such denial of approval may appeal as set forth in Section 7 of this Ordinance.

The provisions of this section shall apply to all subdivisions within the Southern Platte Fire Protection District that have not been submitted to the County, City, or Village by February 1st, 2006.

SECTION 15. WATER DISTRIBUTION PLANS.

The Fire District shall review all water distribution plans for any subdivision and make recommendations of hydrants and locations. All such water distribution plans must meet the requirements and receive the approval of the Missouri Department of Natural Resources. Upon receipt of such approval, the developer or landowner shall file with the Fire District a copy of the water distribution plan and the written approval of same by the Missouri Department of Natural Resources. The water distribution will be reviewed using Appendix C of the International Fire Code.

SECTION 16. PROVISION FOR COOPERATIVE AGREEMENTS.

The Fire Protection District is authorized to enter into a cooperative agreement with Platte County, Missouri, the City of Parkville, Missouri, and the Village of Farley, Missouri or any other contract response district , in order to carry out the provisions of this Ordinance.

SECTION 17. FEES FOR INSPECTIONS AND PLAN REVIEWS

The Board of Directors of the Southern Platte Fire Protection District may establish a schedule of fees for reimbursement to the Fire District for all permits, inspections, reviews of plans, plats, and supporting documents.

SECTION 18. PENALTIES

Except as otherwise provided herein, any person shall violate any of the provisions of this Ordinance or fail to comply herewith or who shall violate or fail to comply with any order made there under, or who shall construct, reconstruct, move, demolish, alter, or change the use or bulk of a building or structure or plan and plat a subdivision is in violation of this Ordinance or who shall fail to comply with an order or decision of the Fire Inspector, Fire Chief, or Board of Review of the Fire District within the time provided for herein shall severally for each and every violation and non-compliance, respectively, be guilty of a Class B Misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed Fifteen Hundred Dollars (\$ 1,500.00). If the fine is not paid by the deadline imposed, the violation and failure to pay the fine or appeals in court at the set date may be further prosecuted as provided in MO statute 321.600 Subsection (12a).

Any person, firm, or corporation having been served with an order in writing signed by the Fire Inspector, Fire Chief, or Board of Review to correct or remove any violation who shall fail to comply with such order within ten (10) days after any appeal made from such order is final.

The owner or general agent of any building, structure, or premises where a violation of the provisions of this Ordinance or order of the Fire Inspector, Fire Chief, or Board of Review has been committed or shall exist, or the lessee or tenant of any entire building or structure in which such violation has been committed or shall exist, or the owner, general agent, lessee, or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the owner, general agent, architect, builder or contractor or any other person who knowingly commits, takes part, or assists in such violation or who maintains any building or premises in which such violation shall exist, shall be guilty of a Class B Misdemeanor and punished as called for in this Section.

All violations of this Ordinance shall be referred to the prosecuting attorney for Platte County, Missouri for prosecution by the office of the prosecuting attorney or the legal officer for the Fire District in his capacity as special assistant prosecuting attorney.

SECTION 19. ABATEMENT AND INJUNCTIVE RELIEF.

The Board of Directors of the Southern Platte Fire Protection District may institute in any proper court of law any appropriate action or proceeding in law or in equity to prevent any violation of this Ordinance or any unlawful development, erection, construction, reconstruction, alteration, or maintenance or use, to restrain, abate, enjoin or correct any

such violation, or to prevent the occupancy of any building or structure or unlawful use of any land, and to prevent illegal acts, conduct, or violations of this Ordinance. These remedies or abatement and injunction and injunctive relief shall be in addition to the criminal penalties provided for in this Ordinance.

SECTION 20. PRESUMPTION OF VALIDITY.

It is the specific intention of the Board of Directors of the Southern Platte Fire Protection District that should any section, paragraph, sentence or word of this Ordinance or of any code or standards hereby adopted be declared for any reason to be invalid that such Board of directors would have passed all other portions of this Ordinance independent of the elimination hereof any such portion as may be declared invalid.

SECTION 21. EFFECTIVE DATE.

This Ordinance shall take effect and be in full force from and after February 1st, 2006.

SECTION 22. AVAILABILITY OF CODES AND STANDARD

One copy of all of the Codes and Standards referred to in this Ordinance shall be kept at the Fire District Headquarters in Kansas City, Missouri, or at such other Fire District Office as may be directed in writing by the Board of Directors, and such copy shall be made available to the public during regular working hours.

SECTION 23. DISTRICT BUSINESS OFFICE

The Board of Directors of the Fire Protection District shall designate a business office that shall be open during hours to be set by the Board on a regular basis so as to be reasonably accessible to the public at all reasonable times. The public shall be advised through newspaper and other announcements of the place of such office and the hours for conduction business.

Read three times and adopted this 18 day of January 2006

Board Member

Board Member

Approved by the Chairman of the Board of Directors of the Southern Platte Fire Protection District this 18 day of January 2006

Chairman

ATTEST:

Secretary