

BILL NO. 2022-56

ORDINANCE NO. 2022-4739

AN ORDINANCE AMENDING SECTIONS 16-1 AND 16-2 OF THE UNIFIED DEVELOPMENT CODE RELATED TO THE ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS.

WHEREAS, the City of Belton adopted the Unified Development Code (“UDC”) on December 13, 2011; and

WHEREAS, the City of Belton adopted the International Fire Code, 2012 edition, by Ordinance 2012-3869 on December 11, 2012, and effective April 1, 2013; and

WHEREAS, after due public notice was given in the manner prescribed by law, the Planning Commission held a public hearing on Monday, August 15, 2022, to review and make a recommendation on the proposed UDC text amendments. After said public hearing, the Planning Commission voted 6-0 to recommend approval of the UDC text amendments to the City Council; and

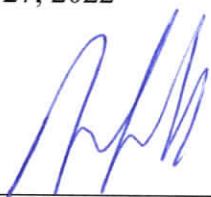
WHEREAS, the City Council believes that the UDC text amendments are in the best interest of the citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

- Section 1.** That Section 16-1 and Section 16-2 are hereby repealed in their entirety.
- Section 2.** That Section 16-1 – Adoption of 2018 International Fire Code with Local Amendments as detailed in “Exhibit A” is hereby adopted.
- Section 3.** That a note be added after Section 16-1 stating: **Section 16-2 – Reserved.**
- Section 4.** That this Ordinance shall take effect and be in full force on January 1, 2023.
- Section 5.** All ordinances or parts of ordinances in conflict with the provisions are hereby repealed.

READ FOR THE FIRST TIME: August 23, 2022

READ FOR THE SECOND TIME AND PASSED: September 27, 2022



Mayor Norman K. Larkey, Sr.

Approved this 27th day of September, 2022.



Mayor Norman K. Larkey, Sr.

ATTEST:



Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the 23rd day of August, 2022, and thereafter adopted as Ordinance No. 2022-4739 of the City of Belton, Missouri, at a meeting of the City Council held on the 27th day of September, 2022, after the second reading thereof by the following vote, to-wit:

AYES: 8 COUNCILMEMBER: Powell, Pryan, Kraft, White, Clark,
 Mayor Larkey, Lawson, Richardson

NOES: 0 COUNCILMEMBER:

ABSENT: 1 COUNCILMEMBER: Gough



Andrea Cunningham, City Clerk
of the City of Belton, Missouri

Exhibit A – 2018 International Fire Code
with local amendments

Sec. 16-1. - Adoption of International Fire Code, 2018 edition, with local amendments.

- (a) There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code known as the International Fire Code including Appendices B, C, D, E, F,G, H and I being particular the 2018 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which code not less than one copy has been and is now filed in the office of the building official and the same are hereby adopted and incorporated as if fully set out at length herein. This code is hereafter referred to as the "fire code".
- (b) Wherever the word "jurisdiction" is used in the International Fire Code, adopted hereby, said term shall mean the City of Belton.

(UDC 2010, § 6.1; Ord. No. 62-108, § 1, 8-21-1962; Ord. No. 79-999, §§ 1, 2, 6-12-1979; Ord. No. 82-1302, § 1, 10-12-1982; Ord. No. 84-1470, § 1, 8-28-1984; Ord. No. 86-1682, § 1, 11-11-1986; Ord. No. 94-2285, § 1, 12-14-1994; Ord. No. 99-2606, § 1, 3-9-1999; Ord. No. 2002-2931, § 1, 10-22-2002; Ord. No. 2007-3356, § 1, 6-12-2007; Ord. No. 2012-3867, § 1, 12-11-2012, eff. 4-1-2013)

- (c) The following amendments to and deletions from the International Fire Code, 2018 edition, are hereby adopted:

Amend Section 101.1 as follows:
Section 101.1 Insert: City of Belton

Amend Section 106.2 as follows:
106.2 Schedule of permit fees. This section is hereby replaced with Section 10-52 of the Unified Development Code.

Amend Section 106.5 as follows:
106.5 Refunds. This section is hereby replaced with Section 10-57 of the Unified Development Code.

Amend Section 109 as follows:
109 Means of appeal. Board of appeals shall mean the Building and Fire Prevention Code Board of Adjustments as defined in Section 10-18 of this Unified Development Code, and shall hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this code. The code official shall be an ex-officio member of said board but shall have no vote on any matter before the board.

Amend Section 110.4 as follows:
110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 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.

Amend Section 307.1.1 as follows:

307.1.1 Prohibited open burning. Open burning shall be prohibited on decks and within 10 feet of a building or structure. Open burning shall be prohibited when atmospheric conditions or local circumstances makes such fires hazardous as determined by the fire code official.

Amend Section 308.1.4 as follows:

308.1.4 Open flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be located on or operated on combustible balconies or within 10 feet of combustible construction.

Amend Section 310.7.1 as follows:

310.7.1 Smoking receptacles required. Owners of commercial and multi-family properties, where smoking is permitted, shall be responsible for providing approved receptacles for discarding smoking material in locations approved by the fire code official.

Amend Table 315.7.6(1) as follows:

Table 315.7.6(1) Under the heading “Wood Pallet Separation Distance”- “51-200 Pallets” the 5 foot separation distance reflected in the table is in error and should be revised to read 15 feet.

Amend Section 503.4 as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner including the parking of vehicles. The fire code official is authorized to have towed, at the owner’s expense, any vehicle obstructing the fire apparatus access road. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times.

Amend Section 505.1 as follows:

505.1 Address identification. New and existing buildings shall be provided with approved Arabic address numbers in accordance with the following table:

Distance From the Edge of Property Line and Road	Minimum Number Height	Minimum Stroke Width
0-25 feet	4 inches	0.5 inch
25-50 feet	6 inches	1 inch
50-100 feet	8 inches	1.25 inches
100-150 feet	10 inches	1.75 inches
Over 150 feet	12 inches	2 inches

The address numbers shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the fire code official, address numbers shall be provided in additional approved locations and sizes to facilitate emergency response. When the building address cannot be viewed from the public way, a

monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

Amend Section 506.2 as follows:

506.2 Key box maintenance. The operator of the building shall immediately notify the Belton Fire Department and provide the new key when a lock is changed or re-keyed. The key to such lock shall be secured in the key box. The key box shall be maintained in working order by the operator/owner/occupant of the building.

Amend Section 511 as follows:

511 Exterior electrical disconnect. Whenever a new building is constructed or renovation causes the relocation or installation of a new electrical service to the building, a means of disconnecting the electrical supply to the building shall be provided on the exterior of the building in an approved location. Switches, breakers, cabinets, and other appurtenances shall be installed and maintained in accordance with the electrical code and other applicable codes and standards and shall be protected against tampering or unauthorized use.

Amend Section 903.2.1 as follows:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. The requirements of this section shall also apply to existing buildings or portions of existing buildings undergoing a change of use to a Group A occupancy.

Amend Section 903.3.1.2.1 as follows:

903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks, and ground floor patios of dwelling units and sleeping units. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

New: Section 903.3.5.3 as follows:

Section 903.3.5.3 Water flow safety factor. A safety factor shall be applied to all flow tests for automatic sprinkler systems. A parallel curve shall be drawn to the actual flow test curve that has been reduced by 15 percent of the static pressure. An automatic sprinkler system design shall not exceed the 15 percent curve.

Amend Section 903.4.2 as follows:

Section 903.4.2 Alarms. An approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. When a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Amend Section 904.3.5 as follows:

Section 904.3.5 Monitoring. Where a building fire alarm system is installed, automatic fire-extinguishing systems, to include kitchen hood suppression systems, shall be monitored by the building fire alarm system in accordance with NFPA 72.

Amend Section 906.1 as follows:

Section 906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies;
2. In all new and existing laundry rooms.

Amend Sections 907.2.1, 907.2.2, 907.2.3, 907.2.4, 907.2.7, 907.2.8, and 907.2.9 as follows:

Section 907.2.1 Group A. Delete exception for manual fire alarm boxes in sprinklered buildings.

Section 907.2.2 Group B. Delete exception for manual fire alarm boxes in sprinklered buildings.

Section 907.2.3 Group E. Delete exception for manual fire alarm boxes in sprinklered buildings.

Section 907.2.4 Group F. Delete exception for manual fire alarm boxes in sprinklered buildings.

Section 907.2.7 Group M. Delete exception for manual fire alarm boxes in sprinklered buildings.

Section 907.2.8 Group R-1. Delete exception for manual fire alarm boxes in sprinklered buildings.

Section 907.2.9 Group R-2. Delete exception for manual fire alarm boxes in sprinklered buildings.

Amend Section 912.4 as follows:

912.4 Access. Immediate access to fire department connections shall be no less than 3 feet in width, maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire code official.

Amend Section 1015.2 as follows:

Section 1015.2 Where required. Additional text: Guards are required at retaining walls over 30 inches above grade when walking surfaces are within 10 feet of the high side of the retaining wall.

Amend Chapter 11 as follows:

Chapter 11- Accessibility. The architect/design professional is responsible for all ADA design elements and requirements in accordance with ICC A117.1-2017 Standard for Accessible and Usable Buildings and Facilities or the 2010 ADA Standards for Accessible Design (at a minimum).

New: Section 5006 as follows:

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with local amendments

5006 Hazardous material control. It shall be unlawful for any person to use, store, deliver, or transport hazardous substances or hazardous materials, or cause the use, storage, delivery, or transporting of hazardous substances or hazardous materials, in any manner inconsistent with the requirements of this section or any other applicable ordinance, state law or federal law.

New: Section 5006.1 as follows:

5006.1 Transportation of hazardous materials by motor vehicle.

5006.1.1 It shall be unlawful for any motor vehicle carrying, transporting or containing a hazardous substance or hazardous material to park or stand, other than temporarily for the purpose of, and while engaging in, loading or unloading, on private property, without the knowledge and express consent of the person who is in charge of the property and who is aware of the nature of the hazardous substance or hazardous material the motor vehicle contains.

New: Section 5006.2 as follows:

5006.2 It shall be unlawful for any person to use, store, manufacture, produce, release, dispose, treat, transport or cause the use, storage, manufacture, production, release, disposal, treatment or transportation, of any hazardous substance or hazardous material in any manner which results in a hazardous material incident.

5006.2.1 No motor vehicle shall transport or carry hazardous materials through the corporate limits of the City of Belton, except on Routes 71, 58, and Y Highways. It shall not be unlawful under this section, for a motor vehicle carrying, transporting or containing a hazardous substance or material to make deliveries within the City of Belton provided that all such deliveries comply with all applicable ordinances of the City of Belton, including, but not limited to, zoning regulations, and are otherwise done in full accordance with all laws, ordinances, or regulations of any local, state or federal governmental agency.

5006.2.2 It shall be unlawful for any motor vehicle carrying, transporting or containing a hazardous substance or hazardous material to fail to comply with all applicable provisions of this section.

New: Section 5006.3 as follows:

5006.3. Recovery of costs. Any person causing or permitting a hazardous material release or incident shall be responsible for all costs incurred in connection with a response to a hazardous material incident, including, but not limited to:

- a) Any and all costs incurred by the City of Belton in connection with the operation, maintenance, and staffing required to respond to such hazardous material release or incident at the rate(s) established in the Unified Development Code, Appendix A.
- b) Any and all costs incurred by the City of Belton for equipment and materials used, damaged, lost, spent, destroyed, or rendered irreparable in connection with a hazardous material release or incident.

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c) Any and all costs, expenses and liabilities set forth in subparagraphs (1) and (2), above, incurred by the city or local governmental agency responding to a hazardous material release or incident.

d) Assumption of any and all liability and costs for cleanup or removal resulting from a hazardous material release or incident including, but not limited to, any independent cleanup contractor required by such hazardous material release or incident.

The City of Belton shall prepare and forward to the person or persons causing or permitting a hazardous material release or incident a bill for the total costs and expenses incurred for which said person or persons are responsible pursuant to this section; provided, however, any cost in connection with any independent cleanup contractor shall be billed directly by such contractor. Payment of the total bill shall be made within 30 days of receipt. Any bill or portion of a bill remaining unpaid after 30 days of receipt shall accrue interest on the unpaid balance at the rate of 1½ percent per month

Amend Section 5601.2.4.1 as follows:

5601.2.4.1 Blasting. Before approval to do blasting is issued, the applicant for approval shall meet the requirements of Section 5607.

Amend Section 5607.2 as follows:

5607.2 Blasting permits. Persons using explosives that will conduct blasting within the city limits shall obtain a permit from the fire prevention officer (FPO) of the emergency services department in accordance with this article and state regulations. Blasting shall only be permitted between sunrise and sunset.

5607.2.1 Application requirements.

1. Each application for a blasting permit shall be accompanied by a fee as established in the Unified Development Code Appendix A.

2. The permit application shall be submitted in a manner satisfactory to the FPO and shall contain:

a. The name, address and telephone number(s) of the person using explosives.

b. The name of the individual responsible for supervision of blasting.

c. The date or approximate period over which blasting will be conducted.

d. The location of the blasting.

e. The nature of the project or reason for blasting.

f. Specific information about the type of explosives to be used and their storage location at the site where used.

g. A plan for signage or other means of informing the public of blasting in proximity to public streets or highways and any request for temporary closing of streets or routing of traffic

Amend Section 5607.3 as follows:

5607.3 Pre-blast survey. The applicant shall make at least three documented attempts to contact the owner of any uncontrolled structures within a scaled distance of 35 of the

blast site in order to conduct a pre-blast survey of each structure. The scaled distance shall be determined by dividing the linear distance, in feet, from the blast to a specific location, by the square root of the maximum weight of explosives, in pounds, to be detonated in any eight millisecond period. A pre-blast survey is not required if the owner of any such structure does not give permission for a survey to be conducted.

Amend Section 5607.4 as follows:

5607.4 Additional information. In addition to the application requirements listed above, the applicant shall submit:

1. Proof that the person using explosives is registered with the division of fire safety.
2. Proof of general commercial liability insurance in the amount of no less than \$3,000,000.00.

Amend Section 5607.5 as follows:

5607.5 Any authorized representative of the city or an appropriate fire protection official may:

1. Request and be allowed access to the site of blasting by the person using explosives and shall be allowed to observe blasting from a safe location as designated by the blaster.
2. Examine records of blasting required to be maintained by RSMo. 319.309 and 319.315.
3. Report suspected violations of RSMo. 319.300 to 319.345 to the Missouri Division of Fire Safety.

Amend Section 5607.6 as follows:

5607.6 All blasting must take place between sunrise and sunset, Monday through Saturday. Blasting operations are prohibited on Sunday.

Amend Section 5607.7 as follows:

5607.7 Transfer, assignment or sale of rights granted under permit. No transfer, assignment or sale of rights granted under any permit issued pursuant to this article shall be made without prior approval of the city's FPO.

Amend Section 5607.8 as follows:

5607.8 Suspension or revocation of permit. The FPO shall have the power to suspend for up to 15 days or revoke any granted permit under the terms and conditions of this article for any of the following causes:

1. Any fraud, misrepresentation or false statement contained in the application for permit.
2. Failure to rectify any dangerous condition after being ordered to do so by an authorized representative of the City of Belton.

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3. Reported or suspected violations of city or state regulations related to blasting or the storage, use or handling of explosives.
4. Upon revocation or suspension, no refund of any portion of the license fee shall be made to the permittee and the permittee shall cease all blasting operations.

Amend Section 5608 as follows:

5608 Fireworks sales and use.

5608.1 Definition. For the purposes of this section, Fireworks (formerly known as Class C, Common Fireworks) shall mean any composition or device for the purpose of producing a visible or audible effect for entertainment purposes by combustion, deflagration, or detonation which are classified as fireworks UN 0336, 1.4G by the United States Department of Transportation and the United States Consumer Product Safety Commission as set forth in CPSC 16 CFR parts 1500 and 1507.

5608.2 Storage and sale of fireworks. It shall be unlawful for any person, firm, organization or corporation to store, or to offer for sale fireworks of any type within the corporate limits of the City of Belton, provided however, that the city manager or his or her duly designated agent may issue sale permits in accordance with the provisions hereof to any duly recognized Belton civic organization, service club, charitable organization or church organization allowing the storage and sale of certain fireworks as provided herein for a period not exceeding seven days prior to and including July 4 of each year. Charitable organizations, church organizations and affiliated institutions such as schools benefitting from such organization's fireworks sales shall be located in and operate in Belton to be duly recognized. No more than one license shall be issued to each duly recognized organization. No license shall authorize fireworks sales at more than one site. Such license period shall begin no earlier than 8:00 a.m. on June 28 and end no later than midnight, July 4th of the year in which the permit is issued. No sales shall take place between the hours of midnight and 8:00 a.m. during the license period.

5608.3 Licenses for storage, sale. Any person, firm, organization or corporation as defined above, who fails to make application for a permit or license to store or sell fireworks with the fire prevention bureau of the fire department by the 1st day of June of the year in which such permit or license is desired, may be denied a permit. After approval by the fire prevention bureau of the fire department, the applicant may be issued a permit upon payment of a fee as established in the Unified Development Code Appendix A for each site location from which fireworks shall be offered for sale. Said payment shall be made to the City of Belton.

The application shall state the name of the organization, location of the sales site, type of structure from which sales are to be made, type of fire protection proposed and names of owners of adjoining property within a 300-foot radius of the sale site and other information required for the application for a "temporary use" as defined in the City of Belton Unified Development Code. Before any permit is granted the applicant shall file with the fire prevention bureau of the fire department a certificate of insurance showing the existence of a current policy of liability insurance for the operation of such enterprise, with face amount of said policy being not less than \$200,000.00 for the

injury or death of more than one person, plus \$1,000,000.00 for property damage resulting from such enterprise.

Not more than one license for the storage or sale of fireworks shall be issued per 4,000 population; provided, that the duly recognized organization as defined in this section holding a permit for the year 2010 shall be entitled to apply for and receive a license irrespective of the population limit so long as application is submitted annually. Should the organization choose not to resubmit in any year, then should the applicant submit in a subsequent year, the application will be subject to the population limits set forth herein.

Before any applicant meeting all of the qualifications of this section is granted a license for storage and sale of fireworks, the applicant or their authorized representative must attend a mandatory safety meeting. The purpose of this meeting is to review current City of Belton fireworks regulations, dates, times and other safety information. The date(s) and location(s) of the safety meeting will be included in the application packet provided to each potential license holder.

5608.4 Sale site. All sale sites shall be on private property and all applicants must provide, prior to receipt of permit or license, written statements from the owner of said property, or a duly authorized agent, that the organization has the permission to use the property for the purpose of the display and sale of fireworks.

5608.5 License not transferable; personnel at sale site. Each and every permit approved and issued under the provisions of this section shall be restricted solely to the organization to which same is issued and nontransferable to any other organization or person. Additionally any such permit shall be valid only for the location specified thereon. Sale of fireworks or operation of a site by any organization or individuals who are not members of the permittee shall void the permit and cause forfeiture of the permit fee. Any application disapproved by the city manager or his or her duly designated agent shall be returned to the applicant along with the fee deposited.

5608.6 Seller to display sign. Each sales site for which a license for storage or sale has been issued shall post a sign in a prominent location stating:

"SHOOTING OF FIREWORKS IS PROHIBITED ON CITY STREETS, IN PARKS AND OTHER PUBLIC PROPERTY FIREWORKS MAY ONLY BE DISCHARGED FROM 10:00 AM - 10:00 PM JUNE 28TH - JULY 4TH (MIDNIGHT ON THE 4TH) POSSESSION OR DISCHARGE OF BOTTLEROCKETS, SKYROCKETS OR ROMAN CANDLES IS PROHIBITED IN THE CITY OF BELTON"

Each sign shall be weather-resistant with lettering at least two inches high that contrast with their background.

5608.7 Use and sale of Class C fireworks, with the exception of bottle rockets, sky rockets and Roman candles. Notwithstanding any other provisions of this section, the city council grants permission for the limited sale and use of fireworks, with the

exception of those fireworks devices commonly referred to as bottle rockets, sky rockets and Roman candles, whose possession, sale, use and discharge of said enumerated items being hereby prohibited. Such use and sale shall be governed by the following regulations:

1. It shall be unlawful for any person to throw or place any fireworks, including pyrotechnic devices, in such manner that explosion of same will likely endanger or cause injury or damage to any person or property.
2. The use of such fireworks shall be restricted to the period from 10:00 a.m. June 28th to midnight July 4th of each year. An exemption may be granted through a special permit issued by the fire prevention bureau of the fire department for professional fireworks displays meeting the appropriate National Fire Protection Association (NFPA) and State of Missouri guidelines.
3. No fireworks may be exploded between the hours of 10:00 p.m. and 10:00 a.m. except for Sundays, at which time the morning period of restriction shall be extended to 12:00 noon. Fireworks may be discharged in accordance with all other regulations until midnight, July 4th.
4. No fireworks shall be exploded during the hours of any religious service in the vicinity where such services are being conducted.
5. Throwing or discharging fireworks from a moving vehicle of any type is prohibited.
6. Throwing or discharging of fireworks on any public property, including streets and parks, is prohibited.

5608.8 Safety precautions. No fireworks may be sold without a license as described in section 5609.3. The license must be displayed in such a manner as readily visible from the checkout area of the sales location. In addition, the following safety regulations must be met and maintained throughout the license period:

1. Unless specified otherwise, licensees shall comply with all provisions of the City of Belton Code of Ordinances, the adopted fire and building codes, zoning regulations, and all other regulations of the City of Belton and the State of Missouri. Where there exists a conflict, the most stringent regulation shall apply.
2. Each licensee shall keep and maintain at least two, minimum 2-A rated fire extinguishers mounted in an accessible location, in plain view, near a path of travel one of which shall be a pressurized water type. The maximum travel distance to a fire extinguisher shall be 35 feet.
3. No smoking or carrying of a lighted pipe, cigar, cigarette, or similar material is permitted in the sales area or within 50 feet thereof. Licensees must provide an approved receptacle for the safe disposal of smoking materials outside of the restricted area.
4. It shall be unlawful to sell or to offer for sale fireworks to any intoxicated or irresponsible person.
5. The fire prevention bureau of the fire department is authorized to take, remove or cause to be removed, at the expense of the owner all stocks of fireworks offered or exposed for sale, held, used or handled in violation of this section.

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6. No hay, straw, shavings or similar combustible material that have not been treated to make them flame retardant shall be permitted within the fireworks sales location. Failure to meet or maintain any of the provisions of this section shall void the permit and cause forfeiture of the permit fee.

7. Licensees shall permit authorized inspections of their sales and storage areas prior to and during the license period

Amend Section 5704.2.9.6.1 as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Insert: "in all areas zoned R, C-1, C-2, C-3, & BP."

Amend Section 5706.2.4.4 as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. Insert: "in all areas zoned R, C-1, C-2, C-3, & BP."

Amend Section 5806.2 as follows:

5806.2 Limitations. Insert: "in all areas zoned R, C-1, C-2, C-3, & BP."

Amend Appendix C, Section C103.4 as follows:

C103.4 Hydrant spacing for fire department connections. A fire hydrant shall be located within 100 feet of all fire department connections. Exception: The distance shall be permitted to exceed 100 feet when approved by the fire code official.

(UDC 2010, § 6.2; Ord. No. 62-108, § 1, 8-21-1962; Ord. No. 82-1302, § 2, 10-12-1982; Ord. No. 82-1314, § 1, 12-14-1982; Ord. No. 83-1405, § 2, 11-8-1983; Ord. No. 84-1470, § 2, 8-28-1984; Ord. No. 86-1682, § 2, 11-11-1986; Ord. No. 87-1765, § 1, 10-13-1987; Ord. No. 88-1808, § 1, 4-26-1988; Ord. No. 94-2285, § 2, 12-14-1994; Ord. No. 99-2606, § 2, 3-9-1999; Ord. No. 2002-2931, § 1, 10-22-2002; Ord. No. 2007-3356, § 1, 6-12-2007; Ord. No. 2012-3867, §§ 2, 3, 12-11-2012, eff. 4-1-2013; Ord. No. 2017-4366, § 2, 6-13-2017)

AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE
FIRE CODE
BELTON PLANNING COMMISSION
MONDAY, AUGUST 15, 2022 – 6:00 P.M.
CITY HALL ANNEX BUILDING – 520 MAIN STREET

APPLICATION

Applicant- City of Belton/Matt Wright, Director of Planning and Building.

Request- The application was filed to consider certain amendments to the Unified Development Code related to the Fire Code.

BACKGROUND

From time-to-time, amendments are proposed to the Unified Development Code (UDC), to advance new regulations/land-use techniques, address conflicts, and revise wording to help with administrative situations that arise through use of the code.

The following is a summary of items are items for Planning Commission consideration:

1. Repeal Sections 16-1 and 16-2
2. Adopt Section 16-1 – 2018 International Fire Code with local amendments
3. Section 16-2 – noted as “reserved”

The public hearing for the UDC Text Amendment was noticed in the newspaper on July 29, 2022.

PROPOSED AMENDMENTS

The proposed amendments include the repeal of the 2012 International Fire Code and replacement with the 2018 International Fire Code with local amendments. The 2012 International Fire Code was adopted in December 2012, effective April 1, 2013. The City has operated under these codes for 9 years. City staff were involved in multiple regional meetings in 2018-2019 with representatives of local and regional jurisdictions and the building community to discuss the adoption process and local amendments. The local amendments proposed by staff have not changed since what was discussed at that time and are generally in keeping with either the local amendments that were made under the 2012 codes or are in keeping with other municipalities in the metro area under the 2018 codes.

UDC TEXT AMENDMENT CRITERIA / FINDINGS OF FACT

Section 20-3, provides certain criteria that must be addressed with a Text Amendment to the Unified Development Code. These criteria are summarized below, with analysis for consideration of the Planning Commission:

(1) Whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Belton. The adoption of new fire codes is consistent with past practices of adopting new codes on 6-year cycles (2000, 2006, 2012, 2018, etc.). Other municipalities in the metro area follow the same 6-year cycle to create consistency for builders in the region.

(2) Whether the proposed text amendment corrects an error or inconsistency in the Code. The requested amendment is not for the purposes of correcting any error or inconsistency in the UDC.

(3) The areas which are most likely to be directly affected by such change and in what way they will be affected. The adoption of new fire codes applies to all construction within the City of Belton. All building permits and plans will be reviewed for compliance with the new fire codes beginning January 1, 2023. Permits and plans submitted prior to that date may still be reviewed under the 2012 fire codes.

(4) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it. The adoption of new fire codes applies citywide to all zoning districts and land uses.

(5) Whether the proposed text amendment is in the best interests of the city as a whole. The adoption of new fire codes is in the best interest of the city as a whole to ensure fire codes are in keeping with the most up to date construction standards for the health and safety of residents, businesses, and visitors.

STAFF RECOMMENDATION

The staff recommends approval of the proposed amendments to the Unified Development Code.

If approved on the current schedule, the amendments will be approved by second reading at City Council on Tuesday, September 27, 2022. To comply with Missouri State Statutes, section 67.280, a minimum 90-day period is required prior to formal adoption/effective date of the code. The effective date of the new codes will be January 1, 2023, meeting the minimum 90-day requirement.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **approve** amendments to the UDC.
2. Motion to **deny** amendments to the UDC.
3. Motion to continue the application pending additional information.