

**ORDINANCE NO. 218**

AN ORDINANCE PROVIDING FOR THE REPEAL OF ORDINANCE NO. 207, FORMERLY ENACTED TO REPEAL ORDINANCE 129 AND FURTHER PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL BUILDING CODE, FIRST PRINTING, 2015, THE INTERNATIONAL RESIDENTIAL CODE, FIRST PRINTING, 2015 AND THE INTERNATIONAL FIRE CODE, INCLUDING APPENDIX B,C,D,E,F,I, AND K FIRST PRINTING, 2015, The International Existing Structures Code, First Printing 2015 AND THE INTERNATIONAL MECHANICAL CODE, FIRST PRINTING, 2015 FOR THE WENTZVILLE FIRE PROTECTION DISTRICT OF ST. CHARLES COUNTY, MISSOURI.

**WHEREAS**, pursuant to Revised Missouri Statutes Section 67.280, the Wentzville Fire Protection District of St. Charles County ("District") may adopt or repeal an ordinance which incorporates by reference the provisions of any code or portions of any code, or any amendment thereof, properly identified as to date and source, without setting forth the provisions of such code in full; and

**WHEREAS**, pursuant to Revised Missouri Statutes Section 67.280, two (2) copies of the: International Building Code, First Printing, 2015, the International Residential Code, First Printing, 2015, the International Fire Code, First Printing, 2015, International Existing Structures Code, First Printing, and the International Mechanical Code, First Printing, 2015, as published by the International Code Council, were filed with the Wentzville Fire Protection District for a period of ninety (90) days prior to the adoption of this ordinance, beginning on February 15, 2018; and

**WHEREAS**, the Board of Directors ("Board") does hereby find and determine that the International Building Code, First Printing, 2015, the International Residential Code, First Printing, 2015, the International Fire Code, First Printing, 2015, International Existing Structures Code, First Printing, 2015 and the International Mechanical Code, First Printing, 2015, as published by the International Code Council, have been adopted by a majority of the communities in St. Charles and St. Louis Counties; and

**WHEREAS**, the Board desires to support and encourage uniformity in building regulations within St. Charles County and St. Louis Counties; and

**WHEREAS**, the Board deems it to be in the best interest of the District and its residents, and pursuant to its general police powers and in order to promote the health, safety and general welfare of its residents, that it adopt the International Building Code, First Printing, 2015, the International Residential Code, First Printing, 2015, the International Fire Code, First Printing, 2015, the International Existing Structures Code, First Printing, 2015 and the International Mechanical Code, First Printing, 2015, as published by the International Code Council;

**Section 307.2 - Permit required:** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, bonfire, or burning leaves, brush and vegetation.

Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

**Section 307.2.2 - Materials:** Open burning shall not be utilized for waste disposal purposes, shall be of the minimum size for the intended purpose, and the fuel shall be chosen to minimize the generation and emission of air contaminants.

**Section 307.4.1.1 - Bonfire and Recreational Fire size and duration:** A bonfire shall not be more than 4 feet by 4 feet by 4 feet in dimension and shall not burn longer than 3 hours. The maximum size and duration of a bonfire shall not be increased by the code official unless it is determined that fire safety requirements of the situation and the desirable duration of the burn warrant the increase

**Section 307.4.3 - Delete in entirety. (Portable Outdoor Fireplaces)**

**Section 307.4.3 - Portable outdoor fireplaces. Solid fuel** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within **15 feet** (3048 mm) of a structure or combustible material.

**Section 307.5 – Attendance for Open burning:** bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire- extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization. Any public nuisance caused by burning or the actions of the attendees shall be grounds for not allowing further permits to be issued.

**Section 307.5.1 - Additional requirements for burning brush and vegetation:** Burning brush and vegetation shall comply with all the other provisions of this code, and with the following.

- 1) Only allowed un- incorporated areas.
- 2) Only allowed between September 16<sup>th</sup> and April 14<sup>th</sup>
- 3) Size cannot exceed 16 square feet.
- 4) Under no circumstances shall tires, plastic, coated electrical wires, roof shingles, household refuse, leaves and miscellaneous solid waste be burned.