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P. Hrngs. \_\_\_\_\_  
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Filed 10-29-19

Sponsored by Ollis, Lear and McGull

First Reading November 4, 2019

Second Reading November 18, 2019

COUNCIL BILL 2019-257

GENERAL ORDINANCE 6561

AN ORDINANCE

1 AMENDING Chapter 36 of the Springfield City Code, known as the Land Development  
2 Code, by repealing Article XVI, 'Existing Building Code,' in its entirety,  
3 and enacting in lieu thereof a new Article XVI, 'Existing Building Code.'  
4 (Recommended by Plans and Policies Committee.)  
5  
6

7 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,  
8 MISSOURI, as follows, that:  
9

10 Section 1 – Springfield City Code, Chapter 36, Article XVI 'Existing Building  
11 Code,' is repealed in its entirety and a new Article XVI is enacted in lieu thereof, to read  
12 as follows:  
13

14 (Note: Language to be added is underlined and language being removed is ~~stricken~~.)  
15

16 ARTICLE XVI. – EXISTING BUILDING CODE  
17

18 Sec. 36-1601. – Adoption of 2018 International Existing Building Code.  
19

20 City Council hereby adopts the 2018 International Existing Building Code as  
21 published by the International Code Council, and all referenced standards therein as if  
22 spelled out in this Ordinance, except such portions thereof as are hereinafter deleted,  
23 modified, or amended. This Code shall be designated as Article XVI, Existing Building  
24 Code, of Chapter 36 of the Springfield City Code, known as the Land Development  
25 Code. One (1) copy of said Code is on file in the office of the City Clerk, Busch  
26 Municipal Building, 840 Boonville Avenue, Springfield, Missouri.  
27

28 Sec. 36-1602. – Deletions, modifications, amendments, and additions.  
29

30 The 2018 International Existing Building Code as adopted is hereby amended and  
31 changed as follows:  
32

33 (a) Chapter 1 is repealed in its entirety because code enforcement is covered in  
34 Springfield City Code Chapter 36, Land Development Code, Article I,  
35 Administration and Enforcement of Codes and Article X, Uniform Enforcement  
36 Procedures.

37  
38 (b) Because Chapter 1 is repealed in its entirety, any cross references to Chapter 1  
39 in subsequent chapters are replaced by the provisions in Article I that  
40 correspond, in content, to such cross references.

41  
42 (c) All adopted chapters and appendices include all errata hereafter published by  
43 the International Code Council after the date of the first printing of the 2018  
44 International Existing Building Code.

45  
46 Section 707 Energy Conservation

47  
48 Subsection 707.1 Minimum requirements is repealed in its entirety and replaced  
49 with:

50  
51 707.1 Minimum energy requirements. Alterations to existing buildings or  
52 structures are permitted without requiring the entire building or structure to  
53 comply with the energy requirements of the adopted International Existing  
54 Building Code or International Residential Code. Only those portions of  
55 buildings or structures that are altered shall conform to the energy  
56 requirements of the adopted International Building Code or International  
57 Residential Code.

58  
59 Section 810 Energy Conservation

60  
61 Subsection 810.1 Minimum requirements is repealed in its entirety and replaced  
62 with:

63  
64 810.1 Minimum energy requirements. Alterations to existing buildings or  
65 structures are permitted without requiring the entire building or structure to  
66 comply with the energy requirements of the adopted International Existing  
67 Building Code or International Residential Code. Only those portions of buildings  
68 or structures that are altered shall conform to the energy requirements of the  
69 adopted International Building Code or International Residential Code.

70  
71 Section 907 Energy Conservation

72  
73 Subsection 907.1 Minimum requirements is repealed in its entirety and replaced  
74 with:

75  
76 907.1 Minimum energy requirements. Alterations to existing buildings or  
77 structures are permitted without requiring the entire building or structure to  
78 comply with the energy requirements of the adopted International Existing

79 Building Code or International Residential Code. Only those portions of buildings  
80 or structures that are altered shall conform to the energy requirements of the  
81 adopted International Building Code or International Residential Code.

82  
83 Language referring to flood-hazard areas in this code is repealed and replaced with:

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85 All structures located within a designated flood-hazard area shall comply with  
86 Chapter 36, Article XVII of the Springfield City Code.

87  
88 Sec. 36-1603. – Penalty clause.

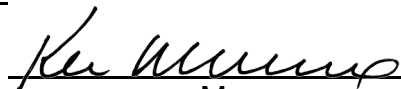
89  
90 Any person violating any of the provisions of this article, failing to comply with any  
91 order issued pursuant to any section thereof, or who shall erect, construct, alter, or  
92 repair a building, structure, or system in violation of an approved plan or directive of the  
93 code official or of a permit or certificate issued under the provisions of these codes, shall  
94 be guilty of a violation of a municipal ordinance and, upon conviction thereof, shall be  
95 punished as provided in Section 1-7 of the city code, except that any fine imposed shall  
96 not be less than \$200 for the first offense, \$400 for the second offense, and \$500 for  
97 every offense thereafter. Each day that a violation continues, after a service of notice as  
98 provided in these codes, shall be deemed a separate offense. Notice, as a precursor to  
99 prosecution, is not required to prosecute a person for a violation of any provision of this  
100 article or these codes, except such notice is required to prosecute a person for failure to  
101 comply with an order under such codes.

102  
103 Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to  
104 affect any suit or proceeding now pending in any court, any rights acquired or liability  
105 incurred, any cause or causes of action accrued or existing under any act or ordinance  
106 repealed hereby, nor shall any right or remedy of any character be lost, impaired, or  
107 affected by this Ordinance.

108  
109 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or  
110 phrase of this Ordinance is, for any reason, held to be invalid, such decision shall not  
111 affect the validity of the remaining portions of this Ordinance. Council hereby declares  
112 that it would have adopted the Ordinance and each section, subsection, sentence,  
113 clause, or phrase thereof, even if any one or more sections, subsections, sentences,  
114 clauses, or phrases were declared invalid.

115  
116 Section 4 – This Ordinance shall be in full force and effect 90 days from and after  
117 passage by City Council.

118  
119 Passed at meeting: November 18, 2019

120  
121   
122 \_\_\_\_\_  
123 Mayor


123  
124 Attest:  \_\_\_\_\_, City Clerk

125

126 Filed as Ordinance: November 18, 2019

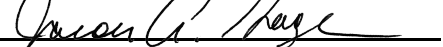
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129 Approved as to form: , Assistant City Attorney

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131

132 Approved for Council action: , City Manager

**EXPLANATION TO COUNCIL BILL 2019-257**

FILED: 10-29-19

ORIGINATING DEPARTMENT: Building Development Services


PURPOSE: To amend Chapter 36 of the Springfield City Code, known as the Land Development Code, by repealing Article XVI, 'Existing Building Code,' in its entirety, and enacting in lieu thereof a new Article XVI, 'Existing Building Code.'  
(Recommended by Plans and Policies Committee.)

BACKGROUND AND REMARKS: The current existing building code enforced by the City is the 2012 International Existing Building Code. By adopting the 2018 International Existing Building Code, the City will be adopting the most up-to-date, nationally-recognized, existing building code. The provisions contained within this Ordinance do not excessively and unnecessarily increase construction costs; do not restrict the use of new materials, productions, or methods of construction; and, do not give preferential treatment to particular types or classes of materials, products, or methods of construction.


The proposed Ordinance was presented to the Plans and Policies Committee on October 17, 2019, and approved by Councilman Ollis, Councilman Lear, and Councilman McGull.

The Building Development Services Department ("BDS") has met with representatives of the local design and construction industry over the course of the past several months to discuss the ramifications of adopting this new code. Comments were requested from designers, electricians, plumbers, building contractors, gas fitters, general contractors, developers, and others that may be affected by the adoption of this code. The language of this Ordinance was placed on the City website for review by the members of the Home Builders Association, Springfield Contractors Association, Missouri Society of Professional Engineers, and the local chapter of the American Institute of Architects.

Submitted by:

  
\_\_\_\_\_  
Harlan Hill, Director  
Building Development Services

Approved by:

  
\_\_\_\_\_  
Jason Gage,  
City Manager