BILL 2017-40

****** Third Reading ******

Agenda Item

TO: Mayor and City Council

FROM: Timothy Wymes, Community Development Director

DATE: December 4, 2017

RE: Amendment Request for the 2015 (IRC) International Residential Codes and (IBC) International Building Codes Sections 105.2

Issues

A request has been made by City Staff to amend the following International Residential Codes and International Building Codes sections 105.2 Item #2 from exemption. The amendment would coincide with Article 33 for all permit requirements.

The proposed amendments were presented before the Planning and Zoning Commission on November 13, 2017 as an advisor body. The Commission supports the changes and recommends that City Staff proceeds forward to City Council for approval.

Recommendation

Planning and Zoning along with City Staff fully support the recommended changes. The changes will provide better clarification and require all fence permit inquires to comply with Article 33 Zoning Ordinance.

Bill 2017-40

AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON, DeKALB, AND CALDWELL COUNTIES, MISSOURI, AUTHORIZING AN AMENDMENT TO THE 2015 INTERNATIONAL RESIDENTIAL CODES AND THE 2015 INTERNATIONAL BUILDING CODES, THE EXEMPTIONS UNDER SECTIONS 105.2 (IRC) AND 105.2 (IBC), AN AMENDMENT WILL REFER FUTURE CODE ADOPTION AND ALL FENCE CONSTRUCTION, MODIFICATIONS, AND REPAIRS TO THE LANGUAGE CONTAINED IN ARTICLE 33: FENCES OF THE ZONING ORDINANCE

Third Reading

WHEREAS, on November 13, 2017 the City Staff presented the proposed amendments contained in this Ordinance to the Planning and Zoning Commission of the City of Cameron; and

WHEREAS, Article 33 of the City of Cameron's Zoning Ordinance requires a permit for all construction, modification or change in any manner to all or any part of a fence; and

WHEREAS, the International Residential Code and International Building Code exempts all fences less than 7 feet in height from requiring a permit for any construction, modifications, and repairs to all or any part of said fence; and

WHEREAS, the City desires for the City's Zoning Ordinance and adopted codes, specifically the IRC and the IBC, to be in conformity so as to provide clarity to the City Staff and general public; and

WHEREAS, City Staff and the Planning and Zoning Commission, having reviewed the proposed changes, are in agreement that the changes will provide clarity to the City Staff and the general public regarding applicability of Article 33: Fences of the Zoning Ordinance to any construction, modifications, and repairs to all or any part of a fence.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON, DeKALB AND CALDWELL COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. Chapter 3 Buildings, Article II Building Code, Division 1 Generally, Section 3-16 is hereby amended by adding the following:

Sec. 3-16. – Incorporated; copy

(b) The following sections are hereby revised:

Section 105.2, Item #2 is hereby amended to read as follows:

"A permit shall be required for all construction of or modification or change in any manner to all or any part of a fence, and the fee for each such permit shall be according to the fee schedule set forth in Article 27 of the City of Cameron Zoning Ordinance.

Section 2. Chapter 3 Buildings, Article II Building Code, Division 1 Generally, Section 3-16.1.is hereby amended by adding the following:

b. Delete Section 105.2, Item (#2) and replace it with the following:
"A permit shall be required for all construction of or modification or change in any manner to all or any part of a fence, and the fee for each such permit shall be according to the fee schedule set forth in Article 27 of the City of Cameron Zoning Ordinance.

Section 3. The Mayor is authorized to sign this ordinance approving it on behalf of the City.

Section 4. The City Clerk is directed to attest to the Mayor's signature.

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

Passed and approved on first reading this 4th day of December 2017.
Passed and approved on second reading this 2nd day of January 2018.
Passed and approved on third and final reading this 16th day of January 2018.

_____
Mayor Darlene Breckenridge

ATTEST:

_____
City Clerk/Finance Clerk

Third Reading