

**CITY COUNCIL AGENDA
FEBRUARY 21, 2023
6:00 P.M.**

**CITY OFFICE BUILDING
214 N. LAFAYETTE, MARSHALL, MO 65340**

1. Roll Call
2. Adoption of Agenda
3. Approve or Correct Regular Session Minutes of February 6, 2023, Work Session Minutes of February 13, 2023 and Special Session Minutes of February 13, 2023.
4. Business from the Audience – limited to 3 minutes per speaker. Any person, resident or non-resident, wishing to address the Council may approach the microphone and state their name, address and comments. Non-residents are invited to speak first, followed by residents of the city. Although we are readily available outside our formal meetings, this will be your only opportunity to offer your thoughts during this evening’s meeting as comments from the floor will not be taken during the regular meeting. Although certainly welcome, you are not required to stay for the remainder of the meeting and may exit the Council Chambers in a quiet and respectful manner.
5. Committee Reports
 1. Property, Finance, Budget and Audit Committee
 2. Community Development and Code Committee
 3. Public Relations and Public Safety Committee
 4. Municipal Services and Personnel Committee
 5. City Administrator’s Report
 6. Mayor’s Report
6. Liquor License
 1. My 3 C’s, LLC dba Buds Café – Matt Smith, Managing Officer
Beer and Light Wine By Drink
7. Event Request
 1. Marshall Chamber of Commerce Sips and Grins Wine Walk
May 6, 2023
8. Ordinances
 1. Execute Agreement Between the City of Marshall and Vance Brothers, Inc. for the Purchase of Paving Fabric – Second Reading
 2. Execute Agreement Between the City of Marshall and Vance Brothers, Inc. for the Slurry Seal of Certain City Streets – Second Reading
 3. Execute Agreement Between the City of Marshall and Capital Paving & Construction, LLC for the Concrete Overlay of Certain City Streets – Second Reading
 4. Execute Agreement Between the City of Marshall and Capital Paving & Construction, LLC for Cold Milling of Certain Streets - Second Reading
 5. Adopt the 2021 Edition of the International Building Code
 6. Adopt the 2021 Edition of the International Energy Conservation Code
 7. Adopt the 2021 Edition of the International Existing Building Code
 8. Adopt the 2021 Edition of the International Fire Code

9. Adopt the 2021 Edition of the International Fuel Gas Code
 10. Adopt the 2021 Edition of the International Mechanical Code
 11. Adopt the 2021 Edition of the International Plumbing Code
 12. Adopt the 2021 Edition of the International Private Sewage Disposal Code
 13. Adopt the 2021 Edition of the International Property Maintenance Code
 14. Adopt the 2021 Edition of the International Residential Code
 15. Adopt the 2020 Edition of the National Electrical Code
 16. Execute Contract with JD Kehrman Extending Employment as City Administrator of the City of Marshall
 17. Authorize Internal Transfer of Balances Between Certain City Funds
 18. Appropriation
9. Other Council Business
 10. Adjourn

POSTED 02/17/2023
3:00 P.M.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND VANCE BROTHERS, INC., FOR THE PURCHASE OF PAVING FABRIC

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City a Contract with Vance Brothers, Inc., for the purchase of paving fabric for use on certain City streets as specified by City. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with the agreement.

Section 2. If said Contract is executed in accordance with Section 1 above, the City shall, in consideration for the paving fabric purchased from Vance Brothers, Inc., pay Vance Brothers, Inc., \$4.51 per square yard for said paving fabric and such other sums as specified in said agreement.

Section 3. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this _____ day of _____ 2023.

President

APPROVED by the Mayor this _____ day of _____ 2023.

Mayor

FILED this _____ day of _____ 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND VANCE BROTHERS, INC., FOR THE SLURRY SEAL OF CERTAIN CITY STREETS

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City a Contract with Vance Brothers, Inc., for the slurry seal of certain City streets as specified by City. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with the agreement.

Section 2. If said Contract is executed in accordance with Section 1 above, the City shall, in consideration for the provision of slurry seal by Vance Brothers, Inc., pay Vance Brothers, Inc., \$4.28 per square yard for said slurry seal and for such other sums as specified in such agreement.

Section 3. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____ 2023.

President

APPROVED by the Mayor this ____ day of _____ 2023.

Mayor

FILED this ____ day of _____ 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND CAPITAL PAVING & CONSTRUCTION, LLC, FOR THE CONCRETE OVERLAY OF CERTAIN CITY STREETS

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City a Contract with Capital Paving & Construction, LLC, for the asphaltic concrete overlay of certain City streets as specified in the Contract. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with the agreement.

Section 2. If said Contract is executed in accordance with Section 1 above, the City shall, in consideration of the asphaltic concrete overlay provided by Capital Paving & Construction, LLC, pay Capital Paving & Construction, LLC, \$135.95 per ton for said asphaltic concrete overlay, and such other sums as set forth in said Agreement.

Section 3. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____ 2023.

President

APPROVED by the Mayor this ____ day of _____ 2023.

Mayor

FILED this ____ day of _____ 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND CAPITAL PAVING & CONSTRUCTION, LLC, FOR THE COLD MILLING OF CERTAIN CITY STREETS

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City a Contract with Capital Paving & Construction, LLC, for the cold milling of certain City streets as specified in the Contract. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with the agreement.

Section 2. If said Contract is executed in accordance with Section 1 above, the City shall, in consideration of the cold milling provided by Capital Paving & Construction, LLC, pay Capital Paving & Construction, LLC, \$2.33 per square yard for said cold milling, and such other sums as set forth in said Agreement.

Section 3. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____ 2023.

President

APPROVED by the Mayor this ____ day of _____ 2023.

Mayor

FILED this ____ day of _____ 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8233 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Building Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Building Code*, 2021 edition, including Appendix Chapters C, F, G, I, and Resource “A” (see *International Building Code* Section 102.2.1, 2021 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Marshall, Missouri, regulating and governing the conditions and maintenance of all property, building, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Building Code are hereby revised:

- a. Section 101.1. Insert: The City of Marshall, Missouri.
- b. Section 103.1. Insert: City Inspection Department

c. Section 113.1. **REVISED TO READ:**

113.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

d. Section 113.3. **REVISED TO READ:**

113.3 Qualifications. The Qualifications to serve on the City’s Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

- e. Section 1612.3. Insert: The City of Marshall, Missouri.
- f. Section 1612.3. Insert: January 16, 2013.
- g. Section G103.2. Insert: November 4, 1988.
- h. Section G101.5 – Code Official
- i. Section 109.2. Insert: The building permit fees established by this section shall be as follows based on Table (1) square foot construction costs:

Square Foot Construction Costs^{a, b, c}

Group (2018 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	263.06	254.15	247.55	237.53	223.05	216.60	229.90	207.42	199.94
A-1 Assembly, theaters, without stage	241.02	232.11	225.51	215.49	201.01	194.56	207.86	185.38	177.89
A-2 Assembly, nightclubs	205.93	199.80	194.89	186.91	176.19	171.34	180.27	159.46	154.02
A-2 Assembly, restaurants, bars, banquet halls	204.93	198.80	192.89	185.91	174.19	170.34	179.27	157.46	153.02
A-3 Assembly, churches	243.83	234.92	228.32	218.30	204.21	198.79	210.67	188.58	181.10
A-3 Assembly, general, community halls, libraries, museums	204.02	195.11	187.51	178.49	163.01	157.56	170.86	147.38	140.89
A-4 Assembly, arenas	240.02	231.11	223.51	214.49	199.01	193.56	206.86	183.38	176.89
B Business	212.46	204.72	197.90	188.18	171.81	165.32	180.77	151.15	144.35
E Educational	222.69	214.99	208.81	199.81	186.17	176.74	192.93	162.78	157.80
F-1 Factory and Industrial, moderate hazard	125.58	119.68	112.86	108.68	97.37	92.83	104.02	80.23	75.34
F-2 Factory and Industrial, low hazard	124.58	118.68	112.86	107.68	97.37	91.83	103.02	80.23	74.34
H-1 High Hazard, explosives	117.37	111.47	105.65	100.47	90.40	84.87	95.81	73.27	N.P.
H234 High Hazard	117.37	111.47	105.65	100.47	90.40	84.87	95.81	73.27	67.37
H-5 HPM	212.46	204.72	197.90	188.18	171.81	165.32	180.77	151.15	144.35
I-1 Institutional, supervised environment	211.58	204.34	198.27	190.28	175.02	170.20	190.53	156.95	152.25
I-2 Institutional, hospitals	355.95	348.21	341.39	331.67	314.48	N.P.	324.26	293.82	N.P.
I-2 Institutional, nursing homes	247.27	239.53	232.71	222.99	207.36	N.P.	215.58	186.70	N.P.
I-3 Institutional, restrained	241.59	233.85	227.03	217.31	202.46	194.97	209.90	181.80	173.00
I-4 Institutional, day care facilities	211.58	204.34	198.27	190.28	175.02	170.20	190.53	156.95	152.25
M Mercantile	153.55	147.41	141.50	134.53	123.48	119.63	127.88	106.75	102.31
R-1 Residential, hotels	213.59	206.35	200.28	192.29	176.78	171.95	192.54	158.70	154.00
R-2 Residential, multiple family	179.04	171.80	165.73	157.74	143.25	138.43	157.99	125.18	120.47
R-3 Residential, one- and two-family ^d	166.68	162.17	157.99	154.10	149.61	144.19	151.48	138.79	130.58
R-4 Residential, care/assisted living facilities	211.58	204.34	198.27	190.28	175.02	170.20	190.53	156.95	152.25
S-1 Storage, moderate hazard	116.37	110.47	103.65	99.47	88.40	83.87	94.81	71.27	66.37
S-2 Storage, low hazard	115.37	109.47	103.65	98.47	88.40	82.87	93.81	71.27	65.37
U Utility, miscellaneous	89.90	84.75	79.27	75.71	67.97	63.50	72.24	53.83	51.28

- a. Private Garages use Utility, miscellaneous
- b. For shell only buildings deduct 20 percent
- c. N.P. = not permitted
- d. Unfinished basements (Group R-3) = \$23.20 per sq. ft.
- e. Calculate per 1000 sq. ft. to establish permit fee

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8233 entitled *An Ordinance of the City of Marshall, Missouri, Adopting the 2015 International Building Code* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, REGULATING AND GOVERNING ENERGY-EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY-EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8234 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Energy Conservation Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Energy Conservation Code*, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Marshall, Missouri, regulating and governing energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Energy Conversation Code are hereby revised:

- a. Sections C101.1 and R101.1. Insert: The City of Marshall, Missouri.
- b. Section C109.4. and R109.4. Insert: **REVISED TO READ:**

Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than \$1.00 and not more than \$500.00.

- c. Section C110.1 and R110.1. **REVISED TO READ:**

General. Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

d. Section C110.3 and R110.3. **REVISED TO READ:**

Qualifications. The Qualifications to serve on the City’s Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8234 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Energy Conservation Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS, IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Existing Building Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Existing Building Code, 2021 edition*, including Appendix B and Resource A (see *International Existing Building Code* Section 101.6, 2021 edition), as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Marshall, Missouri, for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the Existing Building Code is amended and changed in the following respects:

- a. Section 101.1: Insert: The City of Marshall, Missouri.
- b. Section 112.1. Insert: **REVISED TO READ:**

112.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

- c. Section 112.3. Insert: **REVISED TO READ:**

112.3 **Membership, Qualifications and Procedures.** The Qualifications to serve on the City's Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

Section 3. Inconsistent Ordinances Repealed. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Existing Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES; AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8236 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Fire Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Fire Code*, 2021 edition, including Appendix Chapters B, C, D, E, and F, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Marshall, Missouri, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices; and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Marshall, Missouri; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Fire Code are hereby revised:

a. Section 101.1. Insert: The City of Marshall, Missouri.

b. Section [A]111.1. **REVISED TO READ:**

111.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

c. Section [A]111.3. **REVISED TO READ:**

111.3 **Qualifications.** The Qualifications to serve on the City's Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the

Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

- d. Section [A]112.4. Insert: Misdemeanor, \$500.00, 90 days.
- e. Section 1103.5.3. Insert: Date by which sprinkler system must be installed.
- f. Section 5601.1. **REVISED TO READ.**

The manufacture, display, sale, possession or discharge of fireworks shall comply with the provisions of City Ordinance Nos. 5745, 7791, and 8518, as amended from time to time, and, to the extent not inconsistent with said ordinances, with the provisions of this chapter.

Section 3. Establishment of Limits. That the geographic limits referred to in certain sections of the *2021 International Fire Code* are hereby established as follows:

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): No applicable limit other than as set forth in this Code and other Codes and Ordinances of the City of Marshall, Missouri.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): No applicable limit other than as set forth in this Code and other Codes and Ordinances of the City of Marshall, Missouri.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): No applicable limit other than as set forth in this Code and other Codes and Ordinances of the City of Marshall, Missouri.

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): No applicable limit other than as set forth in this Code and other Codes and Ordinances of the City of Marshall, Missouri.

Section 4. Inconsistent Ordinances Repealed. That Ordinance No. 8236 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. Savings Clause. That nothing in this Ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 4 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 7. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE, REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS-FIRED APPLIANCES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8237 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Fuel Gas Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Fuel Gas Code*, 2021 edition, including Appendix A, B, C, and D (see *International Fuel Gas Code* Section 101.3, 2021 edition), as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Marshall, Missouri, regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Fuel Gas Code are hereby revised:

- a. Section 101.1. Insert: The City of Marshall, Missouri.
- b. [A] 103.1 Creation of agency. Insert: Inspection Department.
- c. Section 115.4. Insert: Misdemeanor, \$500.00, 90 days.
- d. Section 113.1. **REVISED TO READ:**

113.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

- e. Section 114.1 inclusive: **REVISED TO READ:**

114.1 **Membership, Qualifications and Procedures.** The Qualifications to serve on the City's Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8237 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Fuel Gas Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8238 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Mechanical Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Mechanical Code*, 2021 edition, including Appendix A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Marshall, Missouri, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Mechanical Code are hereby revised:

- a. Section 101.1. Insert: The City of Marshall, Missouri.
- b. [A]103.1 Insert: City Inspection Department.
- c. Section 109.2. Insert: The fees for mechanical work shall be as indicated in the following schedule:

Air Condition Units ≤ 2 ton.....	\$10.00
Air Condition Units > 2 ton.....	\$15.00
Boilers – H.P. ea.	\$20.00
Furnaces/Ht. Pumps ≤ 100M Btu	\$10.00
Furnaces/Ht. Pumps > 100M Btu	\$15.00
Floor Furnaces – B.T.U.	\$10.00
Unit Heaters – B.T.U. (M).....	\$10.00
Range Hood.....	\$5.00
Fans	\$2.50
Gas Piping.....	\$10.00

Diffuser/Register	\$1.00
Minimum Fee.....	\$10.00
Maximum Fee	\$200.00

- d. [A] 109.6 Refunds. The code official is authorized to establish a refund policy.
- e. Section 115.4. Insert: Misdemeanor, \$500.00, 90 days.
- f. [A] **113.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.
- g. Section 114.1. **REVISED TO READ:**

114.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

- h. Section 114.3, inclusive. **REVISED TO READ:**

114.3 **Qualifications.** The Qualifications to serve on the City’s Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8238 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this

Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8239 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Plumbing Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Plumbing Code*, 2021 edition, including Appendix B, and E, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Marshall, Missouri, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Plumbing Code are hereby revised:

- a. Section 101.1. Insert: The City of Marshall, Missouri.
- b. Section [A]109.2. Insert:

The fees for all plumbing work shall be as indicated in the following schedule:

New Sewer	\$5.00
Sewer Repair, Replace	\$5.00
Septic Tank	\$10.00
Water Service.....	\$5.00
Gas Distribution	\$5.00
Heating or cooling ventilating system, each	\$5.00
Stool, each.....	\$2.00
* Each additional fixture.....	\$2.00
** Re-inspection	\$5.00
Minimum Fee.....	\$10.00

Maximum Fee\$200.00

* Additional fixtures include, but are not limited to, bath tubs, lavatory, shower stall, sinks, disposals floor drain, laundry machine, water fountain, urinal-men, urinal-women, water heater, gas fixtures, etc.

** Re-inspection means that Inspector has to re-inspect plumbing because of change needed to meet code requirements.

c. Section 109.5. Insert: Twenty-five Percent (25%).

d. Section 115.4. Insert: Misdemeanor, \$500.00, 90 days.

e. Section 114.1: **REVISED TO READ:**

114.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

f. Section 114.3: **REVISED TO READ:**

114.3 **Membership, Qualifications and Procedures.** The Qualifications to serve on the City's Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

g. Section 305.4.1. Insert: Eighteen Inches (18") – Eighteen Inches (18").

h. Section 903.1.1 Insert: Twelve Inches (12")

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8239 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Plumbing Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any

rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8240 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Private Sewage Disposal Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Private Sewage Disposal Code*, 2021 edition, including Appendix A and B, as published by the International Code Council, be and is hereby adopted as the Private Sewage Disposal Code of the City of Marshall, Missouri, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of individual sewage disposal systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Private Sewage Disposal Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the Private Sewage Disposal Code is amended and changed in the following respects:

a. Section 101.1: Insert: The City of Marshall, Missouri.

b. Section 106.4.2: **REVISED TO READ:**

The fees for work shall be as indicated in the Plumbing Code.

c. Section 106.4.3. Insert: Twenty-five Percent (25%), Twenty-five Percent (25%).

d. Section 112.1: **REVISED TO READ:**

112.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

e. Section 112.3 to 113.1: **REVISED TO READ:**

112.3 Membership, Qualifications and Procedures. The Qualifications to serve on the City's Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

f. Section 405.2.5. Insert: April 15, April 30, May 15.

g. Section 405.2.6. Insert: April 15.

Section 3. INCONSISTENT ORDINANCES REPEALED. That Ordinance No. 8240 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. PARTIAL INVALIDITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. SAVINGS CLAUSE. That nothing in this Ordinance or in the International Private Sewage Disposal Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. DATE OF EFFECT. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8241 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Property Maintenance Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Property Maintenance Code*, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Marshall, Missouri, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions, and Changes. That the sections of the Property Maintenance Code are hereby revised:

- a. Section 101.1. Insert: The City of Marshall, Missouri.
- b. Section [A] 103.1 Creation of agency. City Inspection Department.
- c. Section 302.4. Insert: Eight Inches (8”).
- d. Section 304.14. Insert: April 1, December 1.
- e. Section 602.3. Insert: October 1, May 15.
- f. Section 602.4. Insert: October 1, May 15.

g. Section 107.1. Insert: REVISED TO READ:

107.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

h. Section 107.3, inclusive. Insert: REVISED TO READ:

107.3 **Membership, Qualifications and Procedures.** The Qualifications to serve on the City's Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8241 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8242 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Residential Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *International Residential Code*, 2021 edition, including Appendix Chapters AA, AB, AC, AD, AE, AH, AI, AJ, AK, and AN, as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Marshall, Missouri, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Residential Code are hereby revised:

a. Section R101.1. Insert: The City of Marshall, Missouri.

b. Section R112.1. **REVISED TO READ:**

R112.1 **General.** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

c. Section R112.3. **REVISED TO READ:**

R112.3 **Qualifications.** The Qualifications to serve on the City's Board of Building Code Enforcement shall be as set forth in those City ordinances establishing the Board

of Building Code Enforcement. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

d. Section R301.2. Insert: Table R301.2, (Attachment “A”).

e. Section P2603.5.1. Insert: Eighteen inches (18”)/Eighteen inches (18”).

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8242 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Savings Clause. That nothing in this Ordinance or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 6. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN			SEISMIC DESIGN CATEGORY ^a	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED ^b	FLOOD HAZARDS ^c	AIR FREEZING INDEX ^d	MEAN ANNUAL TEMPI ^e
	Speed ^f (mph)	Topographic effects ^g	Special wind region ^h		Wind-borne debris zone ⁱ	Weathering ^j	Frost line depth ^k				
20	90	NO	NO	A	SEV.	30"	Mod.	N/A	1/16/3	1000	55 * F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(3). The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- The outdoor design dry-bulb temperature shall be selected from the columns of 97th-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the *building official*.
- The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damages from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)".
- The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)".
- In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ELECTRICAL SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8243 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Adoption of Electrical Code. That a certain document, one (1) digital copy of which is on file in the office of the Clerk of the City of Marshall, being marked and designated as the *National Electrical Code*, 2020 edition, as published by the National Electrical Code Committee, be and is hereby adopted as the Electrical Code of the City of Marshall, Missouri, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, testing or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the office of the Clerk of the City of Marshall, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribe in this Ordinance.

Section 2. Additions, Insertions and Changes. That the sections of the Electrical Code are hereby revised: that all references in said Code to the “authority having jurisdiction” shall mean the City of Marshall, Missouri.

Section 3. Inconsistent Ordinances Repealed. That Ordinance No. 8234 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Appeal from Decision of Building Official. That all appeals from the decisions of the Building Official concerning the application, interpretation or implementation of the *National Electric Code*, 2020 edition, shall be taken to the City of Marshall Board of Building Code Enforcement. Appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code shall be heard by the City of Marshall Board of Building Code Enforcement, as established, adopted and amended from time to time by the City of Marshall, Missouri. The Board of Building Code Enforcement shall follow the practices and procedures established for the Board of Building Code Enforcement.

Section 5. Partial Invalidity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of

the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. Savings Clause. That nothing in this Ordinance or in the Electrical Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. If any suit or proceeding, either administrative or judicial, is pending at the time of the enactment of this Ordinance, the provisions of the repealed Ordinance shall apply to all actions taken on or before the date of the enactment of this Ordinance, and the newly enacted Ordinance shall apply to all actions taken in such cause or proceeding after the date of the enactment of this Ordinance.

Section 7. Date of Effect. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL AND JD KEHRMAN EXTENDING HIS EMPLOYMENT AS THE CITY ADMINISTRATOR OF THE CITY OF MARSHALL.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. That the Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City a contract with JD Kehrman, setting forth the terms and conditions of his continued employment as the City Administrator of the City of Marshall.

Section 2. That this Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE INTERNAL TRANSFER OF BALANCES BETWEEN CERTAIN CITY FUNDS

WHEREAS, pursuant to Section 67.050, RSMo., a political subdivision may transfer any unencumbered balance or portion thereof from the expenditure authorization of one department, office, commission, or other classification to another, subject to such limitations as may be provided by law or charter; and

WHEREAS, the City of Marshall now desires to authorize the transfer of certain funds within the Municipal Services Department for the purposes stated below.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The City Administrator, or his designee, is hereby authorized and directed to transfer funds from the City’s Sanitation Fund to the City’s Street Fund in the total sum of One Million and 00/100ths Dollars (\$1,000,000.00). The City Administrator, or his designee, is hereby further authorized and directed to complete additional transfers of One Million and 00/100ths Dollars (\$1,000,000.00) from the City’s Sanitation Fund to the City’s Street Fund in years 2024 and 2025. In each of said years, the additional transfers shall occur within thirty (30) days of the anniversary date of the final passage and approval of this ordinance.

Section 2. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this _____ day of _____, 2023.

President

APPROVED by the Mayor ___ this day of _____, 2023.

Mayor

FILED this _____ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

SECTION I. There is hereby appropriated out of the different funds as follows:

GENERAL FUND	\$ 154,383.88
SANITATION FUND	5,008.53
LIBRARY FUND	6,609.75
BAND FUND	5,848.99
PARK FUND	18,861.22
CITY OFFICE/REVITALIZATION	
STREET FUND	57,169.87
AIRPORT OPERATING FUND	2,975.53
TOURISM	
MARTIN COMMUNITY CENTER	930.23
HAB CENTER FUND	22,954.59
PARK CAPITAL IMPROVEMENT	18,228.67
SOUTH ODELL SEWER	
AMERICAN RESCUE PLAN	
WATER OPERATING FUND	\$ 184,429.35
ELECTRIC OPERATING FUND	1,058,828.50
SEWER REVENUE FUND	310,409.24
INTERNET OPERATING FUND	95,362.36
NATURAL GAS OPERATING FUND	2,701.88
ELECTRIC CONSUMER DEPOSIT FUND	-
SEWER EQUIPMENT FUND	-
WATER SEGREGATED	-

SECTION II. The City Clerk is hereby instructed to make out warrants in favor of the respective parties set out in the hereto attached lists and when said warrants are properly signed to deliver them to the proper parties.

PASSED by the City Council of the City of Marshall, Missouri, this 21st day of FEBRUARY, 2023.

President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 21st day of FEBRUARY, 2023.

Mayor

FILED this 21st day of FEBRUARY, 2023.

City Clerk