



Cuba Community Fire Protection District

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Ordinance 21-02

CUBA COMMUNITY FIRE PROTECTION DISTRICT ORDINANCE

AN ORDINANCE OF THE CUBA COMMUNITY FIRE PROTECTION DISTRICT AUTHORIZING THE ADOPTION OF THE 2018 INTERNATIONAL BUILDING CODE, SUBJECT TO CERTAIN ALTERATIONS AND AMENDMENTS THERETO, FOR THE PURPOSE OF ESTABLISHING REQUIREMENTS FOR THE PREVENTION OF FIRES, THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, THE HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, TO PROVIDE A REASONABLE LEVEL OF SAFETY FOR PUBLIC HEALTH AND GENERAL WELFARE, AND TO PROVIDE A REASONABLE LEVEL OF SAFETY TO FIRE FIGHTERS AND EMERGENCY RESPONDERS DURING EMERGENCY OPERATIONS

WHEREAS, within the territory included within the Cuba Community Fire Protection District, the inhabitants and the structures require protection from fire hazards and assistance for the prevention of fires, so that a code is necessary to enable such protection and prevention, and the Cuba Community Fire Protection District is specifically given power to adopt such a code pursuant to Chapter 321 of the Revised Statutes of Missouri, specifically including Section 321.220(12) RSMO, the Board of Directors of the Cuba Community Fire Protection District find that such a code may and should properly be adopted and provided by Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Cuba Community Fire Protection District as follows:

ORDINANCE NO. 21-02

An Ordinance for Adoption of the 2018 International Building Code

An ordinance of the Cuba Community Fire Protection District, comprising portions of Crawford County Missouri, adopting the *2018 International Building 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, and providing for and requiring the issuances of permits for hazardous uses and/or operations.

SECTION 1. ADOPTION OF THE FIRE CODE: Certain documents, copies of which are on file in the office of the Cuba Community Fire Protection District (the "District") and can be publicly viewed at <https://cubamofire.com/fire-prevention>, which are conspicuously marked and designated as the "**International Building Code**, (including Appendix H "Patio Covers" (see 2018 International Building

Code Section 101.2.1 Appendices) but excluding Appendix C “Group U-Agricultural Buildings”), as published by the International Code Council are hereby adopted and incorporated herein fully by reference and declared to be **The Building Code of Cuba Community Fire Protection District, Missouri**, for the control of buildings, structures and activities. Each and all of the regulations, provisions, penalties, conditions, and terms of the “2018 *International Building Code*”, as published by the International Code Council referenced herein are hereby adopted and fully incorporated herein by reference, as if fully set out verbatim in this Ordinance, subject to the amendments thereto as set forth in Section 2 of this Ordinance below. This Ordinance is effective for all portions of the Cuba Community Fire Protection District including those portions of Crawford County, Missouri and the City of Cuba, Missouri.

Section 2. In and for purposes of this Ordinance, the following sections of the “2018 *International Building Code*” are hereby amended in the following respects:

Section 101.1 of the 2018 *International Building Code* is hereby deleted in its entirety, and in lieu thereof, the following is hereby adopted and inserted:

101.1 “**Fire Building Code.** Title: These regulations shall be known as ‘The Fire Building Code of the Cuba Community Fire Protection District, Missouri’, hereinafter referred to as ‘this code.’”

In respect of Section 101.3 of the 2018 *International Building Code*, the words and phrases “structural strength”, “stability sanitation”, “adequate light and ventilation”, and “energy conservation” are hereby deleted.

In respect of Section 101.4.7.1 of the 2018 *International Building Code*, the following shall be added:

101.4.7.1 ‘**Increase in height or area of existing buildings.** It shall be unlawful to increase the height or area of an existing building or structure, unless the building or structure is made to conform to the requirements of this code in respect to Chapter 4 Special Detailed Requirements Based on Use and Occupancy, Chapter 9 Fire Protection Systems and Chapter 10 Means of Egress.’”

In respect of Section 101.5 of the 2018 *International Building Code*, the following shall be inserted:

101.5 “**Name of Jurisdiction.** Wherever “Name of Jurisdiction” appears in this code, it shall read ‘Cuba Community Fire Protection District, Missouri.’”

In respect of Section 101.6 of the 2018 *International Building Code*, the following shall be inserted:

101.6 “**Fire Code Official.** Wherever ‘Building Official’ appears in this code, it shall read ‘Fire Marshal.’”

In respect of Section 101.7 of the 2018 *International Building Code*, the following shall be inserted:

101.7 Fire Code Official. Fire Code Official is defined as “the Fire Marshal of the Cuba Community Fire Protection District, Missouri or his or her duly authorized representative(s).”

In respect of Section 101.8 of the 2018 *International Building Code*, the following shall be inserted:

101.8 “Fire Prevention Bureau. Wherever the phrase “Department of building safety” appears in the code, it shall read “Fire Prevention Bureau of the Cuba Community Fire Protection District, Missouri.”

In respect of Section 101.9 of the 2018 *International Building Code*, the following shall be inserted:

101.9 “ Board of Appeals. Wherever ‘Board of Appeals’ appears in this code, it shall read “Board of Directors of the Cuba Community Fire Protection District, Missouri.”

Section 105.1.2 of the 2018 *International Building Code* is hereby amended and shall read as follows:

Types of permits.

Section 105.1.3 Types of Permits. There shall be three types of permits as follows:

1. *Occupancy Permit.* An occupancy permit allows the applicant to conduct an operation or a business for which a permit is required by section 105.6 for either a:
 - 1.1 Change in occupancy,
 - 1.2 Change in ownership,
 - 1.3 Change in business name, or
 - 1.4 Change in location
2. *Fire Building Construction Permit.* A Fire Building Construction Permit shall be required in new construction or to install or modify systems and equipment for which a permit is required by section 105.7.
3. *Fireworks Permit.* A Fireworks Permit shall be required before stocking or operating any fireworks stand. A Fireworks Permit shall be required for any static displays within the Cuba Community Fire Protection District. Permits will be valid from the twentieth (20th) calendar day of June through the tenth (10th) calendar day of July. Any other sale outside this time frame shall be determined in the sole and exclusive discretion of the *Fire Code Official*.

In respect of the 2018 *International Building Code*, two (2) new sections, to-wit: Section 109.1.1 and Section 109.1.2, are hereby added and shall read and apply as follows:

109.1.1 Schedule of permit fees.

1. Fire District Building permit will be based on square feet. Rate is set to .08/sq.ft.

2. Minimum permit fee	\$150
3. Starting Construction without a permit	\$200
4. Sprinkler System	\$150
5. Institutional	\$150
6. Educational	\$150
7. Assembly	\$100
8. High Hazard	\$300
9. Occupancy	\$25
10. Firework	\$75
11. Additional Inspections	\$50

109.1.2 Invalid payment. If the form of payment is found to be invalid, work shall be stopped and the permit shall be suspended until a valid form of payment is received by the Fire Prevention Bureau. In such cases, a valid form of payment shall consist of exact cash, cashier's check or money order.

Section 113 of the 2018 *International Building Code* is hereby deleted in its entirety, and in lieu thereof, the following is hereby adopted and inserted and shall read as follows:

113.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, the Board of Directors of the Cuba Community Fire Protection District (the "Board") shall hear all such appeals in accordance with rules of procedure as the Board may adopt from time to time.

113.2 Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed.

Section 3. 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 3 of this ordinance, nor shall any just or legal right remedy of any character be lost, impaired or affected by this ordinance. This Ordinance is intended to apply prospectively from the date of its adoption.

Section 4. If any section, subsection, provision, sentence, clause or phrase of this Ordinance or of the *2018 International Building Code* is for any reason held to be unconstitutional or invalid, such decision or holding shall not affect the validity of the remaining portions of this Ordinance or of said Fire Code, and the Cuba Community Fire Protection District hereby declares that it would have passed the same, even though such portions so held to be unconstitutional had not been included therein.

Section 5. In the event that the Cuba Community Fire Protection District initiates any legal action in order to compel with and/or prevent violation(s) of any of the provisions enumerated herein, the District shall be entitled to recover from offending party or parties any and all attorneys' fees and costs associated with the District's bringing of such action.

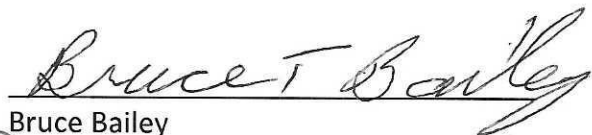
Section 6. This Ordinance number 21-02, having been duly considered and voted upon by the Board of Directors of the Cuba Community Fire Protection District was enacted as an Ordinance of said Fire Protection District on the 14 th day of December, 2021. This Ordinance shall take effect and be in force at 12:01 am on the 1st day of January, 2022.



Patrick Myers
President & Director



William Lange
Vice President & Director



Bruce Bailey
Secretary & Director