

City of Riverside



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MS4

WATER PROTECTION PROGRAM

Stormwater Management Program
Permit No MO-R040007

A Storm Water Management Plan
of Implementation for
NPDES I Compliance
Using MDNR Guidelines
&
NPDES II Compliance Using
Six Minimum Control Measure Best Management
Practices

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CITY OF RIVERSIDE BACKGROUND INFORMATION

Information on the Permittee:

Name of the Permittee:	City of Riverside, Missouri
Type of Entity:	City – Municipality
Total Area (acres):	5.8 square miles
Mailing Address:	2950 NW Vivion Road Riverside, MO 64150
Primary Contact:	Travis Hoover, City Engineer
Phone Number:	816-741-3993
Secondary Contact:	Tom Wooddell
Phone Number:	816-741-3908
Population (2010):	2,937

Information on the Municipal Separate Storm Sewer System:

MS4 System Location:	Riverside, Missouri
Name of Organization:	City of Riverside, Missouri
County of Permittee:	Platte County

Major Receiving Waters within Permitted Area:

Line Creek, Burlington Creek and the Missouri River

None of the receiving waters are on the latest CWA's list of impaired waters.

Information on Adjacent Waterways:

Permittee is within 100 feet of:

Line Creek, Burlington Creek and the Missouri River

The Permittee is not within 100 feet of waters classified as major reservoirs.

The Permittee has some area defined as wetlands as identified by the National Wetland Inventory (see attached map).

Storm water from Riverside does not discharge to any known sinkholes.

CITY OF RIVERSIDE STORM WATER MANAGEMENT PROGRAM OVERVIEW

Coverage Under this Permit

Permit Area - City of Riverside MS4 Outfalls Map (*attached*)



Application Requirements

Application Information - Submitted Forms K & M on March 22, 2014 to Steve Krabbe.

Discharges to Impaired Waters

<u>Waterbody</u>	<u>Affected Area</u>	<u>Pollutant</u>	<u>Source</u>	<u>EPA effective date</u>
Line Creek	Platte County	E. Coli	Urban runoff/ Storm Sewer	2012

Storm Water Management Program and Plan

Riverside’s Storm Water Management Program is based on the six requirements of Phase II National Pollutant Discharge Elimination System (NPDES II):

1. Public Education and Outreach on Storm water Impacts
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm water Runoff Control
5. Post–Construction Stormwater Management in New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

The information on the following pages illustrates the requirements as well as the current and proposed projects for the six minimum measures.

Public Education and Outreach on Storm water Impacts

Regulatory Requirement—“40 CFR 122.34 (b)(1) – Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps the public can take to reduce pollutants in storm water runoff.”

Projects for Minimum Control Measure #1 –Public Education/Outreach on Stormwater impacts

Activity	Responsible Person	Goal	Accomplished
Obtain brochures from MARC to be available at City Hall and Public Works	Director of Public Works	On-going	First completed in 2013
Create link for storm water quality information to MARC website	Director of Public Works	9/1/2014	August 2014
Utilize existing city newsletter for occasional updates on storm water	Director of Public Works	Ongoing	
Incorporate storm water question into ETC Survey	Director of Community Development	Biannually	Incorporated into 2006, 2008, 2010, 2012 & 2014 Surveys
Develop a Builder’s Handbook which includes the importance of storm water management during and after the development process	Director of Community Development	On-going	First completed in 2009, updated as needed

Public Involvement and Participation

Regulatory Requirement—“40 CFR 122.34 (b)(2) -At a minimum, comply with state, Tribal, and local public notice requirements when implementing a public involvement/participation program.”

Projects for Minimum Control Measure #2 – Public Involvement and Participation

Activity	Responsible Person	Goal	Accomplished
Include information regarding how to become involved in MARC programs on website	Director of Public Works	Ongoing	First completed in August 2014
Create & Utilize App for Citizen Involvement	Director of Administration	Ongoing	First completed in March 2014
Provide opportunities for citizens to participate in open discussion	Director of Public Works	Biannual town hall meeting; Quarterly roundtable; Ongoing	Townhall meetings in November 2013 and March 2014

Illicit Discharge Detection and Elimination

Regulatory Requirement—“40 CFR 122.34 (b)(3) -Develop, implement, and enforce a program to detect and eliminate illicit discharges into your small MS4. Develop a storm sewer system map, showing the location of all outfalls and the names and locations of all water of the U.S. that receive discharges from those outfalls. To the extent allowable under state, tribal or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement appropriate enforcement procedures and actions. Develop and implement a plan to detect and address non-storm water discharges including illegal dumping to your system. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.”

Projects for Minimum Control Measure #3 - IDDE

Activity	Responsible Person	Goal	Accomplished
Utilize GIS to maintain updated map of storm water system	Director of Public Works	Update annually as development occurs	2013
Field check all major outfalls	Director of Public Works	Biannually or as needed	
IDDE Regulations are addressed and enforced	Director of Public Works	Ongoing	Chapter 705 City municipal code
Document investigations or enforcement actions	Director of Public Works	Ongoing	Chapter 705 City municipal code
Household Hazardous Waste (HHW) Program	Director of Public Works	Ongoing	Biannually beginning 2010
City wide cleanup events	Director of Public Works	Ongoing	
Street Sweeping	Director of Public Works	Ongoing	
Parks and opening space maintenance	Director of Public Works	Ongoing	
Municipal construction and land disturbance	Director of Public Works	Ongoing	
Waste collection and disposal	Director of Public Works	Ongoing	
Storm water system maintenance	Director of Public Works	Ongoing	

The Riverside Public Works Department reduces IDDE and non-point source pollution through ongoing City inspection and maintenance. The City also promotes proper and consistent illicit discharge detection and elimination control measures.

Enforcement procedures will be followed per the City of Riverside Municipal Code Chapter 705: *Storm Drainage System Regulations*.

Informational materials addressing proper waste disposal are available to businesses, public and employees at City Hall, Public Works, and Newsletter inserts, HHW Flyers, and City website with informational links. Public Works Department can be contacted at 816.741.3908 for information concerning illicit discharging and waste removal. City clean up days are held bi-annually for two weeks and Saturday for bulky waste disposal. The City partners with MARC and has two HHW events. Residents can also participate with Platte County's HHW event. The City participates with the City of Kansas City HHW Program which allows residents to access Kansas City's HHW Facility for free disposal. The City of Riverside provides yard waste disposal year round for residents at no charge. The City also provides curbside yard waste pick up in the fall and the spring at no cost to the residents. Residential curbside solid waste and recycle service is provided to residents at no charge. Public Works Department provides a bulky waste service for residents at no charge. Glass and co-mingle recycle containers are provided for employees, the general public and businesses located at the City Hall Campus. Storm water drain marker installation for all catch basins in MS4 area are installed as development occurs.

Construction Site Stormwater Runoff Control

Regulatory Requirement—“40 CFR 122.34 (b)(4) -Develop, implement and enforce a program to reduce pollutants in any storm water runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. If the NPDES permitting authority waives requirements for storm water discharges associated with small construction activity in accordance with § 122.26(b)(15)(i), you are not required to develop, implement, and/or enforce a program to reduce pollutant discharges from such sites.

Program must include: the development and implementation of (at a minimum) an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State, Tribal, or local law. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality. Procedures for site plan review which incorporate consideration of potential water quality impacts. Procedures for receipt and consideration of information submitted by the public. Procedures for site inspection and enforcement of control measures.”

Projects for Minimum Control Measure #4 – Construction Site Runoff

Activity	Responsible Person	Goal	Accomplished
Update the SWPPP guide	On-call City Engineer	March 2015	
Review and amend (as needed) section 400.860 of the Municipal code	Director of Community Development	June 2015	
Enforce erosion sediment control /construction waste control on job sites and document inspections and citations	Director of Public Works / Building Official	Ongoing	

The City of Riverside has complied with the requirements of Section 4.2.4 of the State Operating Permit by the adoption of specific codes to address stormwater management.

*Attached City of Riverside Municipal Code Section 400.860, Storm Water Management
Attached City of Riverside Municipal Code Section 400.920, Stream Buffer and Setback
Regulations*

Attached City of Riverside Municipal Code Section 400.930 Land Disturbance Regulations

As a part of all of the City’s regulations regarding development, Riverside has also adopted the Kansas City Metro American Public Works Standards for development, including Section 5600 Storm Drainage systems & Facilities.

Post-Construction Stormwater Management in New Development and Redevelopment

Regulatory Requirement—“40 CFR 122.34 (b)(5) –Develop, implement and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects that are less than one acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Your program must ensure that controls are in place that would prevent or minimize water quality impacts. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for your community. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State, Tribal or local law. Ensure adequate long-term operation and maintenance of BMPs.”

Projects for Minimum Control Measure #5 – Post Construction

Activity	Responsible Person	Goal	Accomplished
Inventory existing BMPs and determine ownership/maintenance responsibility	Director of Public Works / City Engineer	June 2015; Ongoing	
Regular maintenance of BMPs	Director of Public Works	Ongoing	
Inspection of long term structural BMPs	Director of Public Works	Ongoing	

The City of Riverside provides post construction storm water management through a variety of mechanisms. The City’s codes related to land disturbance and storm water management require storm water systems to be designed, constructed and maintained for the benefit of the community. All storm water projects are evaluated by the City Engineer or by an outside storm water engineering consultant for compliance with City and KCAPWA standards. This compliance includes plans for the long-term maintenance of storm water management facilities. In addition, the City incorporates storm water improvements into its infrastructure projects and attempts to create a systems approach to managing storm water throughout the City.

Attached City of Riverside Municipal Code Chapter 500, Building Codes

Pollution Prevention/Good Housekeeping for Municipal Operations

Regulatory Requirement—“40 CFR 122.34 (b)(6) Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Using training materials that are available from EPA, your State, Tribe, or other organizations, your program must include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.”

Projects for Minimum Control Measure #6 – Good Housekeeping

Activity	Responsible Person	Goal	Accomplished
Provide employee training on storm water topics	Director of Public Works	Ongoing	2014 training in August & October
Cleaning of City parking lots	Director of Public Works	Ongoing	
Litter removal from public rights-of-way	Director of Public Works	Ongoing	
Street sweeping	Director of Public Works	Ongoing	
Used oil recycling	Director of Public Works	Ongoing	
Stream inspections and maintenance efforts as needed	Director of Public Works	Ongoing	

Public Works Employees are trained. Refresher training is scheduled annually. New hires will complete training within their first year. Training is conducted with MARC along with in house approved video training.

The Public Works Department performs routine and non-routine inspections and maintenance of BMP’s throughout the City relating to storm water quality. Inspections and maintenance is documented by feature and recorded.

Control measures are in place for the City. Refer to the table in Control Measure #3 – IDDE.

Proper disposal of waste is coordinated through an approved site.

New flood projects are reviewed and approved by the Community Development Department.

The Public Works Department uses existing and new materials from MARC for such training.

Controls are measured by record keeping, tracking, findings, assessments and evaluated.

• **Sharing Responsibility** - The City of Riverside is the sole entity responsible for implementation of the permit.

• **Reviewing and Updating Stormwater Management Programs and Plans** - The City uses the latest information for storm water management. We also require our consulting engineers to design to the latest standards as well as requiring the contractor to update the plan throughout the project.

Monitoring, Recordkeeping and Reporting

Monitoring- Currently, the City is not required to provide additional TMDL monitoring.

Recordkeeping - All records related to the permit are maintained in the office of the City Engineer located at Riverside City Hall.

Reporting - The City submits annual reports and complies with the requirements

Overall Compliance with Permit Conditions

Overall the City complies with the minimum control measures as identified in the MS4 permit. The City of Riverside will continue to comply with the new State Operating Permit.

Attachments

- I. City of Riverside MS4 Outfalls Map.....#1
- II. City of Riverside Municipal Code Chapter 705:
Storm Drainage System Regulations.....#2
- III. City of Riverside, MO – *Public Works Storm Sewer Map*...#3
- IV. City of Riverside Municipal Code Section 400.860,
Storm Water Management.....#4
- V. City of Riverside Municipal Code Section 400.920,
Stream Buffer and Setback Regulations.....#5
- VI. City of Riverside Municipal Code Section 400.930,
Land Disturbance Regulations.....#6
- VII. City of Riverside Municipal Code Chapter 500, *Building Codes*.....#7



CHAPTER 705: STORM DRAINAGE SYSTEM REGULATIONS

SECTION 705.010: PURPOSE/INTENT

The purpose of this Chapter is to provide for the health, safety and general welfare of the citizens of the City of Riverside, Missouri, through the regulations of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by Federal and State law. This Chapter establishes the methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with the requirements of the National Pollution Discharge Elimination System (NPDES) permit process. The objectives of this Chapter are:

1. To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) through stormwater discharge by any user;
2. To prohibit illicit connections and discharges to the MS4; and
3. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Chapter. (R.O. 2011 §703.010; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.020: DEFINITIONS

As used in this Chapter, the following terms shall have these prescribed meanings:

AUTHORIZED ENFORCEMENT AGENCY: The Codes Enforcement Officer and/or the City Engineer of the City of Riverside, Missouri, who are authorized to enforce this Chapter.

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. Sections 1251, et seq.) and any subsequent amendments thereto.

CONSTRUCTION ACTIVITY: Activities subject to NPDES construction permits. Such activities include, but are not limited to, clearing and grubbing, grading, excavating and demolition.

HAZARDOUS MATERIALS: Any material, including any substance, waste or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLEGAL DISCHARGE: Any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in Section 705.060 of this Chapter.

ILLCIT CONNECTIONS: An illicit connection is defined as either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited to, any conveyances which allow any non-stormwater discharge, including sewage, process wastewater and wash water, to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted or approved by an authorized enforcement agency; or
2. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps or equivalent records and approved by an authorized enforcement agency.

INDUSTRIAL ACTIVITY: Activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26(b)(14).

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT: A permit issued by the United States Environmental Protection Agency (EPA), or by a State department or agency under authority delegated pursuant to 33 U.S.C. Section 1342(b), that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

NON-STORMWATER DISCHARGE: Any discharge to the storm drain system that is not composed entirely of stormwater.

PERSON: Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

POLLUTANT: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations so that same may cause or contribute to pollution; floatables; pesticides, herbicides and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from the construction of a building or structure; and noxious or offensive matter of any kind.

PREMISES: Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

STORM DRAINAGE SYSTEM: Publicly-owned facilities by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, swales, and other drainage structures.

STORMWATER: Any surface flow, runoff and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

STORMWATER POLLUTION PREVENTION PLAN: A document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the action to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

WASTE WATER: Any water or other liquid, other than uncontaminated stormwater, discharged from a facility. (R.O. 2011 §703.020; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.030: APPLICABILITY

This Chapter shall apply to all water entering the storm drainage system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency. (R.O. 2011 §703.030; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.040: RESPONSIBILITY FOR ADMINISTRATION

The authorized enforcement agency shall administer, implement and enforce the provisions of this Chapter. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Board of Aldermen of the City of Riverside, Missouri, to persons or entities acting in the beneficial interest of or in the employ of the agency. (R.O. 2011 §703.040; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.050: ULTIMATE RESPONSIBILITY

The standards set forth herein and promulgated pursuant to this Chapter are minimum standards. Therefore, this Chapter does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants. (R.O. 2011 §703.050; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.060: DISCHARGE PROHIBITIONS

A. *Prohibition Of Illegal Discharges.* No person shall discharge or cause to be discharged into the municipal storm drainage system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants, that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drainage system is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by this Chapter: Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active ground water dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, swimming pools (if dechlorinated--typically less than one (1) PPM chlorine), fire-fighting activities, and any other water source not containing pollutants.

2. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.

3. Dye testing is an allowable discharge but requires a written notification to the authorized enforcement agency prior to the time of the test.

4. The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver or waste discharge order issued to the discharger and administered under the authority of the EPA, provided that the discharger is in full compliance with all requirements of the permit, waiver or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drainage system.

B. *Prohibition Of Illicit Connections.*

1. The construction, use, maintenance or continued existence of illicit connections to the storm drainage system is prohibited.

2. A person is considered to be in violation of this Chapter if the person connects a line conveying sewage to the MS4 or allows such a connection to continue. (R.O. 2011 §703.060; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.070: SUSPENSION OF MS4 ACCESS

A. *Suspension Due To Illicit Discharges In Emergency Situations.* The authorized enforcement agency may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the United States or to minimize danger to persons.

B. *Suspension Due To The Detection Of Illicit Discharge.* Any person discharging to the MS4 in violation of this Chapter may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing. A person violates this Section if the person reinstates MS4 access to premises terminated pursuant to this Section without the prior approval of the authorized enforcement agency. (R.O. 2011 §703.070; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.080: INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES

Any person subject to an individual or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the authorized enforcement agency prior to the allowing of discharges to the MS4. (R.O. 2011 §703.080; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.090: MONITORING OF DISCHARGES

A. *Applicability.* This Section applies to all facilities that have stormwater discharge associated with industrial activity, including construction activity.

B. *Access To Facilities.*

1. The authorized enforcement agency shall be permitted to enter and inspect facilities subject to regulation under this Chapter as often as may be necessary to determine compliance with this Chapter. If a discharges has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangement to allow access to representatives of the authorized enforcement agency.

2. Facility operators shall allow the authorized enforcement agency ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater and the performance of any additional duties as defined by State and Federal law.

3. The authorized enforcement agency shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's stormwater discharge.

4. The authorized enforcement agency shall have the right to require the discharges to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

5. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the authorized enforcement agency and shall not be replaced. The costs of clearing such access shall be borne by the operator.

6. Unreasonable delays in allowing the authorized enforcement agency access to a permitted facility is a violation of a stormwater discharge permit and of this Section. A person who is the operator of a facility with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this Chapter.

7. If the authorized enforcement agency has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this Chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Chapter or any order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction. (R.O. 2011 §703.090; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.100: REQUIREMENT TO PREVENT, CONTROL AND REDUCE STORM-WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES (BMPs)

The authorized enforcement agency will adopt requirements identifying best management practices (BMPs) for any activity, operation or facility which may cause or contribute to pollution or contamination of stormwater, the storm drainage system, or waters of the United States. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drainage system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this Section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit. (R.O. 2011 §703.100; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.110: WATERCOURSE PROTECTION

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation and other obstacles that would pollute, contaminate or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function or physical integrity of the watercourse. (R.O. 2011 §703.110; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.120: NOTIFICATION OF SPILLS

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of material which is resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or water of the United States, said person shall take all necessary steps to ensure the discovery, containment and cleanup of such release. In the event of such a release of hazardous materials, said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized emergency agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the authorized enforcement agency within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years. (R.O. 2011 §703.120; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.130: ENFORCEMENT

A. *Notice Of Violations.* Whenever the authorized enforcement agency finds that a person has violated a prohibition or failed to meet a requirement of this Chapter, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. Such notice may require without limitation any and/or all of the following:

1. The performance of monitoring, analyses and reporting;

2. The elimination of illicit connections or discharges;
3. That violating discharges, practices or operations shall cease and desist;
4. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
5. Payment of a fine to cover administrative and remediation costs; and
6. The implementation of source control or treatment BMPs.

B. *Abatement And/Or Restoration.* If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator. (R.O. 2011 §703.130; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.140: APPEAL OF NOTICE OF VIOLATION

Any person receiving a notice of violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be received within ten (10) days of the date of the notice of violation. Hearing on the appeal before the Board of Aldermen shall be at the next available meeting of the Board after the date of receipt of the notice of appeal. The decision of the Board of Aldermen or its designee shall be final. (R.O. 2011 §703.140; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.150: ENFORCEMENT MEASURES AFTER APPEAL

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation or, in the event of an appeal, within seven (7) days of the decision of the Board of Aldermen upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above. (R.O. 2011 §703.150; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.160: COST OF ABATEMENT OF THE VIOLATION

Within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within ten (10) days. If the amount due is not paid within a timely manner as determined by the decision of the Board of Aldermen or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. (R.O. 2011 §703.160; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.170: INJUNCTIVE RELIEF

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Chapter. If a person has violated or continues to violate the provisions of this Chapter, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation. (R.O. 2011 §703.170; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.180: COMPENSATORY ACTION

In lieu of enforcement proceedings, penalties and remedies authorized by this Chapter, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc. (R.O. 2011 §703.180; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.190: VIOLATIONS DEEMED A PUBLIC NUISANCE

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to public health, safety and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken. (R.O. 2011 §703.190; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.200: CRIMINAL PROSECUTION

Any person that has violated or continues to violate this Chapter shall be liable to criminal prosecution to the fullest extent of the law and shall be subject to the criminal penalties established by Section 100.240 of the Code. (R.O. 2011 §703.200; Ord. No. 2003-56 §1, 6-17-03)

SECTION 705.210: REMEDIES NOT EXCLUSIVE

The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable Federal, State or local law, and it is within the discretion of the authorized enforcement agency to seek cumulative remedies. (R.O. 2011 §703.210; Ord. No. 2003-56 §1, 6-17-03)

SECTION 400.860: STORM WATER MANAGEMENT

A. General Requirements.

1. Unless otherwise specified within these regulations, an adequate drainage system, including pipes, culverts, intersectional drains, drop inlets, bridges and other approved methods for proper drainage of all water, shall be provided for each development. The storm water management system shall be designed and constructed in accordance with the standards of KCAPWA, unless otherwise noted in this Section.
2. Storm water systems shall be separate and independent of any sanitary sewer system.
3. Unless otherwise specified by the City, storm sewers shall be designed by the Rational Method and a copy of design computations shall be submitted along with construction plans.
4. Inlets shall be provided so that surface water is not carried across or around any intersection nor for a distance of more than six hundred (600) feet in the gutter. Provisions shall be made to prevent surface water from flowing onto public right-of-way from a private development at all possible locations. When such provisions are impracticable, computations shall be provided to show assurance that the public system is adequately sized to receive the additional surface water from the development. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point and catch basins shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for each and every lot and block. Where applicable, an overland flow escape route must be identified and calculations must be provided to verify that no principal structures will be flooded when larger return period storms exceed the capacity of the proposed storm water system.

B. Nature Of Storm Water Facilities.

1. *Location.* The developer may be required by the City to construct facilities to convey any spring or surface water that may exist either previously to or as a result of the development. Such drainage facilities shall be located in the road right-of-way, where feasible, or in perpetual unobstructed easements.
2. *Accessibility to public storm sewers.* Where a public storm sewer is accessible, the developer shall install storm sewer facilities or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm water, subject to the specifications of the City. If a connection to a public storm sewer will be provided eventually, the developer shall make arrangements for future storm water disposal by a public utility system. Provision for such connection shall be incorporated by inclusion in the performance bond required for platting. An agreement by the Board of Aldermen for the maintenance of said storm sewers is required or an agreement for such maintenance by a property owners' association is required.
3. *Accommodation of upstream drainage areas.* A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the development. The developer shall determine the necessary size of the facility, assuming conditions of maximum potential watershed development permitted by this Chapter. Such determination shall be verified and approved by the City.
4. *Effect on downstream drainage areas.* The developer shall determine the effect of the development on existing downstream drainage facilities outside the area of the development. Such determination shall be verified and approved by the City. Drainage studies, together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development will overload an existing downstream drainage facility, the City may withhold approval of the development until provision has been made for the expansion of the existing downstream drainage facility. No development shall be approved unless adequate drainage will be provided to an adequate downstream drainage

watercourse or facility.

5. *Areas of poor drainage.* When development is proposed for an area that is subject to flooding, the City may approve such application provided that the developer fills the affected area to an elevation sufficient to place the elevation of streets and lots at a minimum of twenty-four (24) inches above the elevation of the 100-year floodplain. A copy of the required floodplain fill permit shall be submitted prior to the issuance of a building permit, along with computations showing that the elevation requirements have been met. The development shall provide for an overflow zone along the bank of any stream or watercourse in a width that shall be sufficient to contain or move the water in times of high water. No fill shall be placed in the overflow zone nor shall any structure be erected or placed in the overflow zone. The boundaries of the overflow zone shall be subject to approval by the City. Development of areas of extremely poor drainage is discouraged and the City may deny development in such areas.

6. *Floodplain areas.* The City may, when it deems it necessary for the health, safety or welfare of the present and future population of the area and necessary to the conservation of water, drainage and sanitary facilities, prohibit the development of any portion of the property that lies within the floodplain of any stream or drainage course. These floodplain areas shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material or stumps, except at the discretion of the City.

7. *Best management practices (BMP).* The storm water management system shall follow BMP requirements of the City. The City may deny any development applications that do not incorporate such practices.

C. *Dedication Of Drainage Easements.*

1. *General requirements.* When a development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width and construction as will be adequate for the purpose. Wherever possible, drainage should be maintained by an open channel with landscape banks and adequate width for maximum potential volume of flow.

2. *Drainage easements.*

a. Where topography or other conditions are such that it is impractical to include drainage facilities within street right-of-way, perpetual, unobstructed easements at least fifteen (15) feet in width for drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall extend from the road to a natural watercourse or to other drainage facilities.

b. When a proposed drainage system will carry water across private land outside the development, appropriate drainage rights must be secured and indicated on the plat.

c. The developer shall dedicate, either in fee simple title or by a drainage or conservation easement, land on both sides of existing watercourses to a distance to be determined by the City.

d. Low-lying land along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainageways. (R.O. 2011 §400.860; Ord. No. 2006-170 §1, 12-19-06)

SECTION 400.920: STREAM BUFFER AND SETBACK REGULATIONS

A. *Purpose.* This Section sets forth requirements for the protection of natural streams as a conveyance for storm water. Natural streams provide numerous water quality, ecological and quality of life benefits; therefore the protection and preservation of streams should be considered a priority for the community.

B. *Applicability.* The requirements for stream buffers shall be satisfied for all development/ redevelopment proposed adjacent to or ultimately discharging to an existing natural stream.

C. *Standards.* Chapter 5600 of the Kansas City Chapter of the American Public Works Association Standard Specifications and Design Criteria shall govern the preservation of natural streams. (R.O. 2011 §400.920; Ord. No. 2006-170 §1, 12-19-06)

SECTION 400.930: LAND DISTURBANCE REGULATIONS

A. *Adoption Of Kansas City Metro American Public Works Association's Erosion And Sediment Control Manual.*

1. *Adoption.* The Kansas City Metro American Public Works Association's Erosion and Sediment Control Manual (the "Erosion and Sediment Control Manual") is hereby enacted and made a part of this Chapter by reference except as to portions hereinafter specifically deleted, clarified or amended.
2. *Adopted standards.* The term "*adopted standards*" shall include the Erosion and Sediment Control Manual.
3. *Conflicts.* If any conflict should exist between the Erosion and Sediment Control Manual and the City Municipal Code, the provisions of the Code shall control.

B. *Surety.*

1. All applications for a land disturbance permit shall include such escrow, bond, insurance, affidavits, easements, etc., as described below and as required for particular sites. The applicant shall deposit with the City a sum equal to that which is required for assurance of the completion of said project. The Director of Planning and Economic Development or their designees may adopt procedures, fees and schedules relating to the payment and release of such bonds. Said escrow funds shall guarantee the restoration, maintenance and/or rehabilitation of said site if the project does not proceed in accordance with the plans as approved by the City. Said escrow can be approved by the Director or their designees and the City Attorney and drawn upon by order of the Director or their designees if the requirements of the permit or of this Section are not satisfied. In drawing upon such funds, the Director may use such funds to restore the site to a stable or finished condition or to otherwise remedy any violations, including any costs of inspections and enforcement.
2. In lieu of cash escrow, a bond or surety for not less than one thousand dollars (\$1,000.00) may be provided for each grading site, subject to all the terms and conditions of this Chapter and to the approval of the City Attorney. The amount of the bond escrow or indemnity shall partially be based on the City's previous experience with the owner, contractor or builders.
3. Any portion of the deposit not expended or retained by the City hereunder shall be refunded when the disturbance is completed and soil conditions are stabilized to the satisfaction of the City.

C. *Standards--Safety Precaution.* A permit shall be issued and shall remain in force only upon compliance with the following requirements:

1. *Surface waters--damage.* Adequate provision shall be made to prevent any surface waters from damaging the cut face of an excavation or the sloping surface of a hill.
2. *Retaining walls--cribbing.* Retaining walls or cribbing shall be required whenever deemed necessary by the Department of Public Works to prevent the surface of any excavation or fill from exceeding at any point the maximum allowable slopes as set forth herein.
3. *Drainage.* All drainage provisions shall be of such design to carry surface waters to the nearest practical storm drain or natural watercourse as approved by the Department of Public Works as a suitable place to deposit and receive such waters. Where possible, water shall be dispersed by convex surfaces to dissipate water energy and velocity and disperse volume over a greater surface area before being carried to a storm drain or watercourse.
4. *Protection of streets and property.* No excavation shall be made so close to the property line to endanger any adjoining public or private street without supporting and protecting such public or private street or property from settling, cracking or other damage.

5. *Fill location.* No fill shall be made so as to cause or to allow the same to be deposited upon or to roll, flow or wash upon or over the premises of another without the express written consent of the owner of such premises so affected; or upon or over any public street, walk, place or way; nor so close to the top of a bank of a channel as to create the possibility of bank failure and sliding.

6. *Materials.* Materials for fills shall consist of material obtained from excavation of banks, borrow pits or other approved source. Material shall be free of vegetable matter and deleterious material and shall not contain large rocks or lumps. Materials for roadways are not covered by this Section as per exceptions in

Section 400.260(2) Exemptions.

7. *Minimum standards.* Minimum standards of excavations and fills shall be as follows:

- a. No excavation shall be made with a cut face steeper in slope than three (3) horizontal to one (1) vertical.
- b. No fill shall be made which creates an exposed embankment face steeper in slope than three (3) horizontal to one (1) vertical. The embanked end of the fill shall be uniformly compacted as provided below and stable under the proposed conditions.

8. *Minimum standards--land disturbance.* Unless modified as may be permitted in this Subsection or by provisions of Subsection (C)(9) below, minimum standards for land disturbance shall be as follows:

- a. No land disturbance shall occur within fifty (50) feet of any creek, stream, water runoff channels or ravines or in other areas determined by the Director of Planning and Economic Development or their designees to be highly sensitive or subject to erosion or flooding, except as necessary for construction pursuant to an approved final development plan, special use permit or plat specifically authorizing the modification of this standard and necessitating exception to this minimum standard.
- b. No land disturbance shall occur on terrain that does not satisfy the minimum standards for excavation or fill, except as necessary for construction pursuant to an approved final development plan, special use permit or plat specifically authorizing the modification of this standard and necessitating exception to this minimum standard.
- c. No land disturbance shall occur on any property or lot line or within the area of building setback required by this Chapter, except as necessary for construction pursuant to an approved final development plan, special use permit or plat specifically authorizing the modification of this standard and necessitating exception to this minimum standard.
- d. No land disturbance shall occur which shall cause a nuisance to any adjoining property owner or which shall violate any Federal, State or local law or regulation. The Department of Public Works, in conjunction with the Department of Planning, shall establish regulations for the granting of permits so as to enforce this Chapter and ensure that any grading is completed with minimum erosion, aesthetic degradation or other negative impact on the site or surrounding areas or the community.
- e. The Department of Public Works, in conjunction with the Department of Planning, shall establish such other minimum standards as may be necessary to protect grand trees or specimen vegetation or land features or to otherwise affect the purposes of this Section.

9. *Minimum standards--all grading.*

- a. All grading shall comply with the restrictions and prohibitions set forth in this Section pertaining to the site or development. No land disturbance permit shall be issued on any site where there is an existing uncured violation of any provision of this Chapter or other development regulations of the City of Riverside.
- b. *Modifications.* Any party seeking a permit may request a modification of any of the minimum standards set forth in this Section by filing a written request with the Department of Public Works specifically identifying:

- (1) Unique or unusual characteristic(s) of the site, not generally applicable, that eliminate the need for full application of the standard, or
- (2) The precise mitigation proposed that would fully rectify the harms addressed by the minimum standard to be modified.

The Department of Public Works may make such modification upon a determination that such facts exist qualifying for such modification; provided that no modification shall be permitted that shall circumvent any other applicable regulation or the intent of these minimum standards to eliminate the detrimental impact of grading addressed by each such standard.

10. *Compaction.* All fills intended to support buildings or structures, sewers and conduits shall be compacted to a minimum of ninety percent (90%) compaction as determined by Modified Proctor, ASTM D-1775. Compaction of fills for these uses must be certified by a registered professional engineer at the owner's expense. Frequency of compaction tests is to be determined by the Department of Public Works. Compaction of other fills shall be required where necessary as a safety measure to aid in preventing the saturation, slipping or erosion of the fill. The requirements of the Department of Public Works for the compaction of fills shall include, but shall not be limited to, the following:

- a. Areas to be graded by cutting or filling shall be rough graded to within two-tenths (.2) of a foot of accepted elevation after allowance has been made for thickness of topsoil, paved areas and other installations.
- b. The natural ground surface shall be prepared by removing topsoil and vegetation and by compacting the fill upon a series of terraces. Hillside or slope fills shall require plowing or scarification of original ground.
- c. Grading of slopes will require silt fencing at intermediate levels to slow surface water, prevent rutting and decrease erosion.
- d. Grading sites will require silting basins to prevent mud from washing onto adjacent properties.
- e. If fill material moisture content is below the requirement for compacting to maximum practical density, water in the proper amount shall be added. If moisture content is too great, fill material shall be aerated by blading or other satisfactory methods to reduce moisture content.
- f. Frozen materials or soft, mucky, friable, easily compressible materials shall not be incorporated in fills intended to support buildings, structures, sewers or conduits or in the embanked ends of fills. In heavy rain, interrupted work shall not be resumed until moisture content is satisfactory. Fill material shall not be placed, spread or rolled while the ground is frozen or thawing.
- g. The maximum uncompacted thickness of layers of the fill to be compacted shall not exceed eight (8) inches.
- h. Compaction shall be by tamping, sheeps foot rollers, multiple wheel pneumatic or other type rollers. Rolling shall be continuous until the desired maximum density is obtained.
- i. Topsoil disturbed by grading or building operations shall be stripped and piled for storage in an amount necessary to complete finished grading only.

11. *Removal of timber, rubbish, etc.* Timber, logs, trees, brush, vegetable matters and rubbish of any description shall be removed and disposed of so as to leave the disturbed area with a neat and finished appearance. Tree stumps, masonry and other obstructions shall be removed to the following depths:

- a. *Paved areas.* Two (2) feet below subgrade.
- b. *Lawn areas.* Two (2) feet below finished grade.

Solid rock, shale or similar materials shall be removed to a depth of fifteen (15) inches below subgrade for

paved area and two (2) feet below finish grade for lawn area except where it is impractical because of rock outcropping.

D. Use Of Streets During Grading.

1. *Notice.* At least five (5) working days prior to the use of any street in the City by trucks or hauling or grading equipment engaged in grading operations in the City which requires the use of the streets of the City, the contractor in charge shall make a written report to the Department of Public Works specifying the kind and description of trucks or hauling or grading equipment and the loaded and unloaded weight of trucks and hauling equipment and the number of each and the length of time they will be required to use the streets of the City. The contractor shall furnish the Department of Public Works with all other information required to estimate or determine the amount of wear and tear or damage, if any, that may be caused to streets by such usage. Before construction actually commences or while the work on the streets is in progress, the Department of Public Works may require any contractor or subcontractor to post surety bond or insurance with the City to guarantee the City for compensation for any damage to streets, curbs, sidewalks, trees, landscaping or other public facilities.

2. *Routes.* The Department of Public Works shall, at least two (2) working days before the commencement of work and usage of the streets of the City, notify the contractor of the route or routes to be used by such trucks and equipment. The contractor shall be charged with the duty of seeing that the trucks or equipment use only the route or routes designated by the Department of Public Works. In the event of any emergency requiring a change in route or routes or if the Department of Public Works finds or determines that any route or routes so designated are not safe or that excessive damage is being caused to any street or streets in the City by such usage or if they find the welfare of the City so requires, they may, upon one (1) days' notice to the contractor in writing, designate an alternate route or routes and it shall thereupon be the duty of the contractor to see that the trucks or equipment use only the alternate route or routes so designated by the Department of Public Works.

E. Conditions Of Streets.

1. *Photographs.* It shall be the duty of the Department of Public Works, immediately prior to the time of designating the route or routes or alternate route or routes as provided herein, to examine the condition of the streets to be used and to take photographs of the streets showing the condition of the pavement, curbs, sidewalks and other physical features, which shall be dated and a memorandum made of the location shown by each photograph. Within five (5) days after termination of the use of the streets as herein provided, the Department of Public Works shall have additional photographs made and proper descriptive matter included therewith.

2. *Inspection.* In addition to the taking of photographs before and after construction, the Department of Public Works shall cause a thorough inspection to be made of the condition of the pavement of the streets designated and used under the permit, as well as the curbs and sidewalks, and shall make written reports of their findings, including with their report after termination of the work their estimate of the cost of restoring the street to its original condition as well as any curbs or sidewalks.

F. Damage to Streets, Curbs And Sidewalks. At the time the Department of Public Works designates the route or routes to be used as provided above, they shall notify the contractor that the City will hold the contractor liable for unusual wear and tear or damage to the streets, curbs and sidewalks resulting from such usage and that acceptance of the route or routes by the contractor shall constitute an agreement on their part to pay the reasonable cost of restoring the streets, curbs and sidewalks in question to their original condition. Within thirty (30) days after termination of the contractor's usage of said route or routes under the land disturbance permit, the contractor shall pay to the City an amount sufficient to reimburse the City for the expense of restoring the streets, sidewalks and curbs to their original condition.

G. Construction Dirt, Debris And Noise.

1. *Barriers at construction site.* After new excavation or construction is commenced on any lot or tract of land

in the City and until sodding, planting, concreting, paving or other final surfacing is in place which will avoid washing or spreading of dirt and mud onto other property, sidewalks, curbs, gutters, streets and the space between sidewalks and curbs, the owner of the property or the contractor or builder in charge of work shall erect and maintain temporary walls or other approved barriers to prevent such washing or spreading of mud or dirt. At the end of each day and as required throughout the day during the course of excavating or construction, dirt and mud on the sidewalks, curbs, gutters and streets and the space between sidewalk and street, resulting from work, must be removed.

2. *Removing mud from vehicle wheels.* The owners, contractors, subcontractors and builders, jointly and severally, shall provide their personnel with shovels or other equipment as necessary to remove dirt from the wheels of all vehicles leaving any grading site where mud has accumulated on the wheels, before such vehicles enter any public or private street of the City. It shall be unlawful for any owner, contractor or subcontractor or builder to permit any vehicles to leave such place with mud on the wheels which is liable to be dispersed over any public or private street of the City and it shall be unlawful for any driver of a vehicle to enter upon the public or private streets of the City without having removed or had mud removed from the wheels prior to such entry. Each occurrence in which the mud is not removed shall be a separate offense.

3. *Spilling materials on streets.* The owners, contractors, subcontractors and builders, jointly and severally, who may load dirt, mud or other materials on any vehicle at any grading site in the City, during construction or otherwise, shall so load the same that no portion thereof shall be spilled or be liable to be spilled on the streets of the City. It shall be unlawful for any such person to permit any vehicle to enter upon the streets of the City loaded in violation of this provision and it shall be unlawful for any driver to operate a vehicle on the streets of the City which is loaded in such manner that it spills or is liable to spill mud, dirt or other materials on the streets.

4. *Boards over sidewalks.* Boards, tracks or other protection must be laid over sidewalks, curbs and gutters to avoid dirt and mud accumulating therein, as completely as possible and to prevent breakage or damage to such installations, of whatever material constructed. Damage to walks, curbs and gutters will be repaired by the contractor or the Department of Public Works may cause to have them repaired at the contractor's expense.

5. *Waste material.* During the course of construction or excavation, owners, contractors and builders are required to clean up all paper, refuse, sticks, lumber and other building waste and all other waste material daily and to prevent the same from blowing or otherwise being scattered over adjacent public or private property.

6. *Planting ground.* Vacant property and improved property, after grading and construction is completed, shall be sodded, planted, concreted, paved or otherwise surfaced to avoid washing or spreading of dirt and mud onto other property, sidewalks, curbs, gutters, streets and the space between sidewalks and curbs prior to issuing an occupancy permit.

7. *Grading.* Grading, including operation or idling of equipment, shall be accomplished only between the hours of 7:00 A.M. and sunset on weekdays and 8:00 A.M. and sunset on Saturdays and Sundays, unless in the case of an emergency or a limited extension of hours is specifically granted by the Department of Public Works.

8. *Noise.* The applicant shall take appropriate measures to reduce noise to the fullest extent practical in the performance of the grading work.

H. *Correction Of Deficiencies.*

1. All violations shall be corrected within the time limit specified in the issuance of a written notice to correct. Action to correct violations which require immediate action shall be taken upon verbal notification of the contractor by the City. All persons failing to comply with such notice shall be deemed in violation of this Chapter.

2. Any usage of the applicant's surety shall be followed by a written explanation by the Director of Planning and Economic Development or their designees describing the condition corrected and the funds required to

complete the corrective action.

3. Nothing in this Section shall prevent prosecution of violations of this Chapter in the absence of, or in addition to, the issuance of a notice of violation.

I. *Right-Of-Way Permit.*

1. *Permit required.* No person shall make or cause to be made any excavation in any public place, street, roadway, parkway, walkway, alley, right-of-way or easement ("public area") without first obtaining a permit from the Department of Public Works except in case of public work done by the employees of the City or by any contractor under contract with the City. Each separate and distinct excavation shall require a separate permit. This Subsection shall apply to all persons and to all private, public and municipal corporations.

2. *Emergency work.* In cases where public health or safety is in danger or whatever excavations must be made on an emergency basis to eliminate hazards to persons or to prevent interruptions in the utility services or to restore such services after an interruption has developed and the City is not open, the provisions of this Subsection relating to issuances of a permit prior to excavation shall not apply. In such case the person making the excavation shall notify the Police Department of the City that the emergency work is being commenced and the location thereof and the work may precede immediately. Final surfacing or temporary patches by the contractor shall not be placed until such time as the City has inspected and approved the backfill and issued a permit therefore. Application for a permit shall be made on the first (1st) day the City public works office is open after the emergency work is commenced.

3. *Application and permit fee.* Application for a permit as required above shall be made on a form provided by the City, which application shall contain information regarding the purpose, location and the size of the proposed excavation and the approximate time work thereon will be commenced and shall state the length of time applicant estimates will elapse from the commencement of the work until complete restoration of the surface. Each excavation shall require a separate permit. The fee for each permit shall be as stated in

Section 400.1110 Schedule of Fees.

4. *Posting insurance.* Before any permit is issued, the applicant shall furnish proof of adequate insurance and protection to the City against all claims for damages arising from the prosecution of the work as provided in Subsection (I)(5) of this Section.

5. *Deposit.* The application for a permit shall, in lieu of or in conjunction with the surety required by Subsection (B) of this Section, include a cash deposit to insure the applicant will backfill the excavation, repair the pavement and restore the site in compliance with this Section.

a. The approximate cost of granular backfill, repaving operations and general site restoration to be performed by applicant desiring to make an excavation will be estimated by the Department of Public Works at the time the application for a permit is submitted and the cost so estimated shall be deposited with the City. The amount of the deposit shall be reasonably sufficient to secure the City against any damage or expense which may result from the applicant's failure to comply with the provisions of this Section. The amount of such deposit shall be based upon the location, purpose and extent of the work. However, the minimum amount of deposit shall be one hundred dollars (\$100.00). The maximum deposit shall not exceed five thousand dollars (\$5,000.00), except where unusual circumstances exist.

b. Utility companies, contractors performing excavations under contract for utility companies or other governmental agencies are not required to provide a cash deposit.

c. Each permit shall have a separate cash deposit to guarantee backfilling, paving and site restoration in accordance with this Section.

d. The applicant is responsible for maintenance of the excavation for one hundred eighty (180) days. Settlement of the excavation or cracking, breaking or rutting of the surface shall be prima facie evidence of improper backfill, which shall be replaced by the applicant or by the City with the cost paid out of the

deposit.

e. If the work is completed satisfactorily, the deposit shall be refunded to the applicant within fifteen (15) days of the final inspection by the Department of Public Works. The contractor is responsible for notifying the Department of Public Works of final completion of work. The final inspection will not be performed until the one hundred eighty (180) day maintenance period is over.

f. In the event the applicant fails to complete or correct the work required by this Section, the City may correct or complete said work; and the cost to the City shall be paid out of the deposit. In the event that such deposit is insufficient to pay for the City's cost or if no deposit was retained, the applicant shall pay the excess cost to the City within thirty (30) days. Failure to pay said costs shall constitute cause to deny future applications for grading or excavation until any default is fully cured.

g. Failure of the applicant to call for the final inspection within one (1) year of the issuance date of the permit shall result in the deposit being forfeited by the applicant and said deposit shall be paid to the City Treasury as general revenue.

6. *Liability insurance or bond.* Every applicant for an excavation permit shall register with the City proof that the applicant is maintaining liability insurance in the sum of one hundred thousand dollars (\$100,000.00) for bodily injury to each person, three hundred thousand dollars (\$300,000.00) for bodily injury to all persons in one (1) occurrence arising out of or on account of excavation work on account of or in consequence of any neglect in safeguarding the work. Such insured shall be carried in a firm or corporation which has been licensed or permitted to carry on such business in the State and shall be kept and maintained continuously in force and effect so long as the excavation work shall be in process. A verified copy of the insurance policy shall be filed with the City with the certificate of the insurer that the policy is in full force and effect and that such insurance will not be altered, amended, terminated or ended without notice having been given to the City. In lieu of the insurance as herein provided, the applicant may deposit a corporate or other surety bond in the penal sum of one hundred thousand dollars (\$100,000.00) conditioned that they will pay any judgment recovered by any person injured or any property damage incurred on account of the excavation work or on account of or in consequence of any neglect in safeguarding the work. In the event the insurance policy provided for herein lapses and is not immediately renewed or any bond terminates in any manner whatsoever and a substitute in lieu thereof is not deposited, the permit for such excavation shall be revoked immediately.

7. *Manner of making excavations.*

a. In the making of excavations in any street or public space, the excavated materials from the trenches shall be placed where they will cause the least possible inconvenience to the public. If the excavated material is waste material, it shall be immediately removed from the site.

b. The width of excavation shall be no greater than is necessary for doing the work and sheathing and bracing shall be used, as necessary, to keep the sides of the trench vertical and to prevent caving. Excavations shall be made in accordance with City, County, State and Federal regulations.

c. Adequate provision for proper drainage of the area surrounding the work shall be maintained at all times.

d. At no time shall the maximum length of an open trench be permitted to exceed five hundred (500) feet.

e. No trench or pit shall be permitted to remain open without work actually in progress at each specific location for a period in excess of three (3) full working days, Saturdays, Sundays and legal holidays excepted.

f. Excavations shall be covered or fenced when work is not in progress. Excavations in roadways shall be backfilled or covered with steel plates at the end of the workday to allow traffic to safely cross over the excavation.

g. When a roadway is partially blocked by the excavation work, the applicant shall provide a flag person to direct traffic safely through the excavation site. Roadways shall not be closed except upon approval by the Department of Public Works after an approved detour has been established and properly signed and after

the Police and appropriate Fire Department have been notified.

8. *Manner of backfilling, repaving and site restoration.*

- a. Excavations made in or under the street, walk or driveway pavement shall be backfilled with granular material thoroughly tamped into place and the pavement surface restored. In such locations, excavated materials shall be removed from the site of the work as the excavation is made and no such materials shall be allowed to accumulate on the site.
- b. Substitution may be made for granular backfill or pavement restoration only with the specific approval of the Department of Public Works in each instance.
- c. Approved granular backfill material shall be composed of one (1) inch minus crushed stone or gravel and sand, free from clay lumps and trash and conforming to industry standards for sieve analysis.
- d. The granular backfilling material shall be at the excavation site at the time of the inspection by the Department of Public Works so they can determine compliance with aggregate specifications. Granular backfill shall be placed in horizontal layers not greater than six (6) inches thick before compaction and shall be densified by mechanical tamping or inundating and vibration or jetting. Each layer of fill material shall be compacted to ensure the desired compaction and density which shall be not less than ninety-five percent (95%) standard compaction. During placement, care shall be taken to avoid undue segregation of coarse and fine particles.
- e. Asphaltic concrete pavement, macadam pavement or bituminous pavement shall be restored as follows:
 - (1) Excavation edges shall be cut straight to a minimum depth of two (2) inches and squared with a concrete saw. The edge shall be primed and an asphaltic concrete, as approved by the Department of Public Works, shall be placed on the compacted backfill. The depth of asphaltic concrete shall be eight (8) inches placed in layers not greater than three (3) inches nor less than one (1) inch. Each layer shall be thoroughly compacted and the surface shall be smooth and free of ruts matching the existing pavement to support traffic without rutting or settling.
- f. Concrete pavement shall be restored as follows:
 - (1) Excavation edges shall be straight, cut full depth and squared with a concrete saw or replaced to a joint. A six (6) sack Portland cement concrete shall be placed on the compacted backfill. The concrete thickness shall be seven (7) inch minimum. The concrete surface shall be finished to match the surrounding finishes. The concrete shall be protected from traffic for seven (7) days.
- g. Curbs shall be restored as follows:
 - (1) The existing remaining curb shall be cut straight with a concrete saw or removed to a joint. The new curb shall match (asphaltic concrete or Portland cement concrete), shape and style of the existing curbs. Concrete curbs shall be reconstructed with six (6) sack Portland cement concrete.
- h. Excavations in parkways outside of the paved area may be backfilled with earth and all grassed areas returned to their original condition by sodding or seeding as directed by the City. Earth backfill is to be placed and compacted in the same manner as described in this Section for granular fills or thoroughly jetted to obtain maximum settlement and shall be maintained by the applicant until the areas has been stabilized in the original condition. As soon as the excavation has been backfilled, all excess excavated materials shall be removed from the area and disposed of.

9. All work shall be guaranteed from defects for a period of one (1) year after the inspection.

10. *Inspection of backfill material and pavement replacement.* Backfill material must be approved by a City Inspector. In the event backfill material is not approved by the City, all such backfill must be removed and replaced under a City Inspector's supervision. Pavement shall be replaced only upon inspection by the City.

11. *Interference with traffic and driveways--restoration of surfaces.* All excavations regulated by this Section shall be made in such manner as not to inconvenience or interfere with the public use or travel upon the streets, sidewalks or other public places when possible. When such use is unavoidably obstructed, the person making such excavation shall exercise all reasonable dispatch in prosecuting the work so that the public use will not be obstructed beyond a reasonable time. All sidewalks, crosswalks, curbs, gutters, streets or public places disturbed, interfered with or injured in making such excavation shall be restored, replaced and repaired to as good condition as they were before such excavation was made.

12. *Barricades, signs, lights and warning signals.* Every person who shall make or cause to be made any excavation in or adjoining on a public street, highway or public place shall provide, erect and maintain at all times along the line of work all such barricades, signs, lights and warning signals as may be necessary to advise, warn and protect the public from the hazards arising from the operation. All traffic control devices shall be in accordance with the Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.

13. *Protection of public as to excavations near public ways.* No person shall make, cause or permit, any opening near any public street, highway, alley or other public place to be left open and unguarded so as to be dangerous to persons passing along said street, highway, alley or other public place.

14. *Inspections.* Inspection fees for each inspection performed shall be in accordance with

Section 400.1110 Schedule of Fees. A minimum of one (1) inspection shall be required for each permit. (R.O. 2011 §400.930; Ord. No. 2006-170 §1, 12-19-06)

CHAPTER 500: CODE ADOPTIONS

ARTICLE I. BUILDING CODE

SECTION 500.010: ADOPTION OF THE INTERNATIONAL BUILDING CODE

A. *Adoption.* The International Building Code®, 2012 Edition, as published by the International Code Council, Inc., including:

Appendix Chapter C: GROUP U--AGRICULTURAL BUILDINGS

Appendix Chapter G: FLOOD-RESISTANT CONSTRUCTION

Appendix Chapter I: PATIO COVERS

Appendix Chapter J: GRADING

is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.

B. If any conflict should exist between the International Building Code and the Unified Development Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the International Building Code and any other ordinance of the City of Riverside, Missouri, the International Building Code provisions shall control and the portion of the ordinance in conflict with the International Building Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the International Building Code and shall not affect any other portions of the ordinance.

C. The following changes shall be made in the International Building Code:

1. Amend Subsection 101.1. "Title" by adding the following: "City of Riverside, Missouri".
2. Amend Subsection 101.4.4 "Property Maintenance" by replacing a reference to The International Property Maintenance Code to read "Chapter 229 PROPERTY MAINTENANCE REGULATIONS of the City Code of the City of Riverside Missouri".
3. Amend Subsection 107.1 "General" by deleting the following: "...where required by the statutes of the jurisdiction in which the project is to be constructed".
4. Delete Subsection 109.6 "Refunds" in its entirety.
5. Delete Subsection 113 "Board of Appeals" in its entirety.
6. Amend Subsection 406.3.4 "Separation" by deleting item 1 and replacing it with the following: "The private garage shall be separated from the dwelling unit and its attic area by means of gypsum board, not less than ½ inch thick applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a ½ inch Type X gypsum board or equivalent and 5/8 inch Type X gypsum board applied to structures supporting the separation from habitable rooms above the garage. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or honeycomb or solid core steel doors not less than 1½ inches in thickness or doors in compliance with Section 716.5.3 with a fire protection rating of not less than 20 minutes. Openings from a private garage directly into a room used for

sleeping purposes shall not be permitted. Doors shall be self-closing and self-latching."

7. Add a new Subsection 1016.4 "Roof Vent Increase" to read as follows: "Roof vent increase. In buildings that are one story in height, equipped with automatic heat and smoke roof vents complying with Section 910 and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the maximum exit access travel distance shall be 400 feet (122 m) for occupancies in Group F-1 or S-1."

8. Amend Subsection 1612.3 "Establishment of Flood Hazard Areas" by inserting the following: "City of Riverside, Missouri" and "June 4, 1987".

9. Amend Subsection 2901.1 "Scope" by deleting the last sentence: "Private sewage disposal systems shall conform to the International Private Sewage Disposal Code."

10. Amend Subsection 3412.2 "Applicability" by inserting the following: "January 1, 2013". (R.O. 2011 §500.010; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 2008-127 §1, 11-18-08; Ord. No. 1176 §1, 12-18-12)

ARTICLE II. PLUMBING CODE

SECTION 500.020: ADOPTION OF THE INTERNATIONAL PLUMBING CODE

A. The International Plumbing Code®, 2012 Edition, as published by the International Code Council, Inc., is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.

B. If any conflict should exist between the International Plumbing Code and the Unified Development Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the International Plumbing Code and any other ordinance of the City of Riverside, Missouri, the International Plumbing Code provisions shall control and the portion of the ordinance in conflict with the International Plumbing Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the International Plumbing Code and shall not affect any other portions of the ordinance.

C. The following changes shall be made in the International Plumbing Code:

1. Amend Subsection 101.1. "Title" by adding the following: "City of Riverside, Missouri".
2. Amend Subsection 106.3.1 "Construction Documents" by deleting the following: "...when required by state law".
3. Delete Subsection 106.6.2 "Fee Schedule" in its entirety.
4. Delete Subsection 106.6.3 "Fee Refunds" in its entirety.
5. Delete Subsection 108.4 "Violation Penalties" in its entirety.
6. Delete that portion of Subsection 108.5 "Stop Work Orders" that reads as follows: "...of not less than [AMOUNT] dollars or more than [AMOUNT] dollars".
7. Delete Section 109 "Means of Appeal" in its entirety.
8. Amend Subsection 305.4.1 "Sewer Depth" by adding "18" in both brackets contained in such Subsection.
9. Amend Subsection 903.1 "Roof Extension" by adding "6" in the bracket contained in such Subsection. (R.O.

ARTICLE III. FUEL GAS CODE

SECTION 500.030: ADOPTION OF THE INTERNATIONAL FUEL GAS CODE

A. The International Fuel Gas Code®, 2012 Edition, as published by the International Code Council, Inc., including:

Appendix Chapter A--SIZING AND CAPACITY OF GAS PIPING

Appendix Chapter B--SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY 1 APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS

Appendix Chapter C--EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS.

is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.

B. If any conflict should exist between the International Fuel Gas Code and the Unified Development Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the International Fuel Gas Code and any other ordinance of the City of Riverside, Missouri, the International Fuel Gas Code provisions shall control and the portion of the ordinance in conflict with the International Fuel Gas Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the International Fuel Gas Code and shall not affect any other portions of the ordinance.

C. The following changes shall be made in the International Fuel Gas Code:

1. Amend Subsection 101.1. "Title" by adding the following: "City of Riverside, Missouri".
2. Amend Subsection 106.3.1 "Construction Documents" by deleting the following: "...when required by state law".
3. Amend Subsection 106.6 "Fees" to read as follows: "All fees chargeable under this code shall be in the amount and shall be paid at such time as determined by the City of Riverside."
4. Delete Subsection 106.6.2 "Fee Schedule" in its entirety.
5. Delete Subsection 106.6.3 "Fee Refunds" in its entirety.
6. Delete Subsection 108.4 "Violation Penalties" in its entirety.
7. Delete that portion of Subsection 108.5 "Stop Work Orders" that reads as follows: "...of not less than [AMOUNT] dollars or more than [AMOUNT] dollars".
8. Delete Section 109 "Means of Appeal" in its entirety. (R.O. 2011 §500.030; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 1176 §1, 12-18-12)

ARTICLE IV. MECHANICAL CODE

SECTION 500.040: ADOPTION OF THE INTERNATIONAL MECHANICAL CODE

A. The International Mechanical Code®, 2012 Edition, as published by the International Code Council, Inc., including

Appendix A: Chimney Connector Pass-Throughs

is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.

B. If any conflict should exist between the International Mechanical Code and the Unified Development Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the International Mechanical Code and any other ordinance of the City of Riverside, Missouri, the International Mechanical Code provisions shall control and the portion of the ordinance in conflict with the International Mechanical Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the International Mechanical Code and shall not affect any other portions of the ordinance.

C. The following changes shall be made in the International Mechanical Code:

1. Amend Subsection 101.1 "Title" by adding: "City of Riverside, Missouri".
2. Amend Subsection 106.3.1 "Construction Documents" by deleting the following: "...when required by state law".
3. Amend Subsection 106.5 "Fees" to read as follows: "All fees chargeable and paid under this code shall be in the amount and at such time as determined by the City of Riverside."
4. Delete Subsection 106.5.2 "Fee schedule" in its entirety.
5. Delete Subsection 106.5.3 "Fee refunds" in its entirety.
6. Delete Subsection 108.4 "Violation penalties" in its entirety.
7. Delete within Subsection 108.5 "Stop Work Orders" the following phrase: "...of not less than [AMOUNT] dollars or more than [AMOUNT] dollars..".
8. Delete Section 109 "Means of Appeal" in its entirety. (R.O. 2011 §500.040; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 1176 §1, 12-18-12)

ARTICLE V. ELECTRICAL CODE

SECTION 500.050: ADOPTION OF THE INTERNATIONAL SERIES OF THE NATIONAL ELECTRICAL CODE

A. The International Series of the National Electrical Code®, 2011 Edition, is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.

B. If any conflict should exist between the National Electrical Code and the Unified Development Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the National Electrical Code and any other ordinance of the City of Riverside, Missouri, the National Electrical Code provisions shall control and the portion of the ordinance in conflict with the National Electrical Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the National Electrical Code and shall not affect any other portions of the ordinance.

C. The following changes shall be made in the International Series of the National Electrical Code:

1. Amend Subsection 210.8(A)(2) "Dwelling Units" "Garages..." to include the following exception: "Exception: A dedicated receptacle supplying a garage door opener or a single outlet dedicated receptacle supplying an appliance."
2. Amend Subsection 210.8(A)(5) "Dwelling Units" "Unfinished Basements" "Exception..." to include the following: "a single dedicated receptacle supplying a sump pump or a single dedicated receptacle supplying an appliance".
3. Amend Subsection 210.12 (A) "Dwelling Units" by deleting the following: "...family rooms, dining rooms, living rooms, parlors, libraries, dens, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas..." such that the Subsection only contains "bedrooms" as a listed room.
4. Delete Subsection 406.12 "Tamper-Resistant Receptacles in Dwelling Units" in its entirety.
5. Delete Subsection 406.13 "Tamper-Resistant Receptacles in Guest Rooms and Guest Suites" in its entirety. (R.O. 2011 §500.050; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 1176 §1, 12-18-12)

ARTICLE VI. FIRE CODE

SECTION 500.060: ADOPTION OF THE INTERNATIONAL FIRE CODE

A. The International Fire Code®, 2012 Edition, as published by the International Code Council, Inc., including:

Chapter 80--REFERENCED STANDARDS

Appendix B--FIRE-FLOW REQUIREMENTS FOR BUILDINGS

Appendix C--FIRE HYDRANT LOCATIONS AND DISTRIBUTION

Appendix D--FIRE APPARATUS ACCESS ROAD

Appendix E--HAZARD CATEGORIES

Appendix F--HAZARD RANKING

Appendix G--CRYOGENIC FLUIDS--WEIGHT AND VOLUME EQUIVALENTS

Appendix H--HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS

Appendix I--FIRE PROTECTION SYSTEMS--NONCOMPLIANT CONDITIONS

Appendix J--BUILDING INFORMATION SIGNS

is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.

B. If any conflict should exist between the International Fire Code and the Unified Development Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the International Fire Code and any other ordinance of the City of Riverside, Missouri, the International Fire Code provisions shall control and the portion of the ordinance in conflict with the International Fire Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the International Fire Code and shall not affect any other portions of the ordinance.

C. The following changes shall be made in the International Fire Code:

1. Amend Subsection [A] 101.1 "Title" by adding the following: "City of Riverside, Missouri".
2. Amend Subsection [A] 105.4.1 "Submittals" by amending the last sentence to read as follows: "The construction documents shall be prepared and stamped by a Missouri registered design professional."
3. Amend Subsection [A] 105.4 "Construction Documents" by adding a new Subsection 105.4.7 to read as follows:

"[A] 105.4.7 ELECTRONIC: As-built construction documents. At the completion of construction and before a Certificate of Occupancy is granted the applicant shall submit a complete set of as-built documents to the fire code official on CD in PDF format."

4. Amend Subsection [A] 105.6.20 "Hazardous Materials" to read as follows: "An Operational Permit is required for using, dispensing, transporting, handling, and/or storing of extremely hazardous substances. "Extremely Hazardous Substances (EHS) Facilities" are defined as facilities subject to the provisions of Superfund Amendments and Reauthorization Act of 1986 (SARA TITLE III), Section 302, for storing, dispensing, using or handling listed chemicals in excess of their threshold planning quantities (TPQ) or in excess of the amounts listed in Table 105.6.20."

5. Amend Subsection [A] 105.6.30 "Open Burning" to read as follows:

"[A] 105.6.30 Open Burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Applications for open burning shall be obtained and submitted to the Riverside Fire Department, before the fire is set and shall be in such form and contain such information as required by the Fire Department. Require Missouri Department of Natural Resources approval & permit."

6. Delete Subsection 108.1 "Board of Appeals" in its entirety.

7. Amend Subsection [A] 109.4: "Violation penalties" to read as follows: "shall be punishable as provided in Section 500.090 of the Riverside City Code".

8. Amend Subsection [A] 111.4 "Failure to Comply" to read as follows: "shall be liable as provided under City of Riverside City Code Section 500.090".

9. Amend Subsection 307.1.1 "Prohibited Open Burning" to read as follows: "Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous, including the use of airborne fireworks & paper lanterns."

10. Add Subsection 307.1.2 "Meteorological Conditions" to read as follows: "Open burning shall not be initiated until 07:00 AM or sunrise whichever is latest and shall be extinguished at least two hours prior to 6:00 PM or sunset whichever is earliest. Burning shall be restricted to periods when surface wind speeds are 15 m.p.h. or less.

Exception:

1. Fires in portable outdoor fireplaces to include Section 307.4.1 & 307.4.3
2. BBQ Grills."

11. Add Subsection 307.1.3 "Commercial Open Burning Operations" to read as follows: "All commercial open burning permits will be required to have an air curtain destructor and pit approved by the fire code official. Require MODNR approval & permit."

12. Amend Subsection 307.4 "Location" to read as follows: "The location for open burning shall not be less than 100 feet from any structure or public roadway, and provisions shall be made to prevent the fire from spreading to within 100 feet of any structure or public roadway."

13. Amend Subsection 307.4.1 "Bonfires" by adding the following sentence to the end of the Subsection: "Bonfire dimensions shall not exceed 6 feet in diameter and 6 feet in height and shall be approved by the fire code official, and permit issued. Section 307.1.1 applies to Bonfires."

14. Delete Subsection 307.4.2 "Recreational Fires" in its entirety.

15. Amend Subsection 307.4.3: "Portable Outdoor Fireplaces" to read as follows: "Fires contained within commercially built outdoor fireplaces designed to prevent the spread of flames or embers are permitted on privately owned property of a one- or two-family dwelling for pleasure, cooking, warmth, or similar purposes. Outdoor fireplaces shall not be operated on or within 15 feet of combustible materials, decks or patios. Outdoor fireplaces may not be used for burning trash, yard waste (other than small tree branches, cut/broken to fit in the fireplace), rubbish or similar material. Section 307.1.1 applies to outdoor fireplaces."

16. Delete the exception to Subsection 307.4.3 in its entirety.

17. Add Subsection 503.3.1 "Marking Requirements" to read as follows: "The number and location of all signs shall be approved by the fire code official. In addition the curb or if absent the pavement shall be marked along the entire length shall be painted red with white 3 inch letters stating FIRE LANE NO PARKING. This marking shall occur no less than every 20 feet. However the presence of such markings is not a prerequisite to the enforcement of fire lane parking violations."

18. Add Subsection 505.1.1 "Secondary Address Numbers" to read as follows: "Multi-tenant buildings in which tenant spaces have secondary entry doors from the exterior facade of the building and have access adjacent to such door shall have approved numbers or addresses on or adjacent to each door. Numbers shall be a minimum of four inches in height."

19. Add Subsection 505.1.2 "Exterior Door Markings" to read as follows: "The fire code official may require buildings to have additional signage inside and outside exit and access doors that shall designate the doors by the letters FD and then starting with the number 1 to be done in sequential order on additional doors."

20. Amend Subsection 506.1 "Where Required" to add the following after "firefighting purposes": "all commercial & retail structures in the city of Riverside shall install an approved Knox Box systems key box".

21. Add Subsection 507.5.2.1 "Hydrants--color" to read as follows:

"507.5.2.1 Hydrants--color. All hydrants shall be painted and highly visible. The barrels shall be Rustoleum safety yellow and the bonnets shall be according to the size of the water main, these color specifications shall be provided by the fire code official. Private fire hydrants hose connections shall be painted red in color. The fire code official shall be contacted before commencing painting for approval of color."

22. Amend Subsection 509.1 by adding the following language after the last sentence: "Signs shall be identified by 3--4 inch letters on a contrasting background."

23. Add Subsection 903.2.13 "Buildings Storing Fireworks" to read as follows: "All buildings that store fireworks shall be required to provide an ESFR fire sprinkler system."

Exceptions:

Temporary tents that are placed for the purpose of selling fireworks during the periods described in the City of Riverside Municipal Code.

Existing buildings storing fireworks that presently do not have a fire sprinkler system, until such time that they require 50% or more reconstruction as determined by the fire code official."

24. Amend Subsection 903.1.1.1.1 "System Zoning of Buildings" by adding the following to the end of the Subsection: "Buildings that have or may have the potential to have multiple tenants are required to provide multiple zones to the sprinkler system so as to limit the impact on other tenants in the building. The fire code official working with the sprinkler contractor will determine the number of zones required."

25. Amend Subsection 903.4.2 Alarms to add "visual" after "audible" in first sentence of such Subsection.

26. Add Subsection 903.4.2.1 to read as follows:

"903.4.2.1 Notification devices: Where an automatic fire sprinkler system is installed in building, audible and visible notification appliances shall be installed throughout the building as follows:

1. Audible notification appliances shall be installed so as to be audible at 15 dBa above average sound pressure level throughout the building.

2. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.

3. Visible notification devices can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

Exception: The requirements of this Section do not apply to Group R-3 occupancies."

27. Add Subsection 905.3.9 "Commercial/Industrial Buildings" to read as follows: "Class I standpipes are required in commercial/industrial buildings as need is determined by the fire code official. They shall be located at access doors in a manor determined by the fire code official."

28. Add Subsection 912.3.4 "Type Connection" to read as follows: "Shall be fitted with a four inch Storz quick coupling connector. With Knox type locking caps."

29. Amend Subsection 912.4 "Signs" to add a new first sentence to read as follows: "Fire department connections shall have a sign in an approved location by the fire code official. The six inch sign shall have a white background; have red letters FDC four inches high, unless alternative signage is approved by the fire code official."

30. Amend Subsection [B] 1006.3 "Illumination Emergency Power" by adding: "#6 Bathrooms and shower facilities."

31. Add Subsection [B] 1016.4 "Roof Vent Increase" to read as follows: "In buildings which are one story in height, equipped with automatic heat and smoke roof vents complying with Section 910 and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the maximum exit access travel distance shall be 400 feet (122 m) for occupancies in Group F-1 or S."

32. Amend Subsection [B] 1027.5 "Access to Public Way" by adding a second sentence to read as follows: "The exit discharge to a public way shall be constructed of a hard surface, such as concrete or asphalt."

33. Amend Subsection [B] 1027.5 "Access to Public Way" by adding a new exception as follows: "*Exception:* The area shall be constructed of a hard surface, such as concrete or asphalt."

34. Amend Subsection 3103.2 "Approval Required" by changing "400 sq ft" to "200 sq feet".

35. Amend Subsection 3103.2 "Approval Required" by deleting Exception 2 in its entirety.

36. Amend Subsection 3103.5 "Use" by changing "180 days" to "30 days" and adding the following sentence: "A temporary tent or structure may be erected on a single premises for more than 30 days pursuant to issuance of a Special Use Permit."
37. Amend Subsection 3103.7 "Inspections" by changing "30 days" to "10 days".
38. Amend Subsection 3103.8.2 "Location" by deleting Exceptions 1 & 2 in their entirety.
39. Amend Subsection 3103.8.6 "Fire Break" by changing "12 feet" to "20 feet".
40. Amend Subsection 3103.12.2 "Number" by changing "one exit" to "two exits".
41. Amend Subsection 3104.7 "Open or Exposed Flame" by changing "20 feet" to "50 feet" and adding "to include smoking materials".
42. Amend Subsection 3104.8 "Fireworks" by changing "100 feet" to "300 feet".
43. Amend Subsection 3104.15.3 "Location" by changing "10 feet" to "50 feet".
44. Amend Subsection 3104.15.6 "Outdoor Cooking" by changing "20 feet" to "50 feet".
45. Amend Subsection 3104.16.2.1 "Containers 500 Gallons or Less" by changing "10 feet" to "50 feet".
46. Amend Subsection 3104.16.2.2 "Containers More than 500 Gallons" by changing "25 feet" to "50 feet".
47. Amend Subsection 5001.5.1 "Hazardous Materials Management Plan" by adding a new condition #10 to read as follows: "shall have a 24 hour 7 day a week Emergency Response contractor or team under contract to respond to environmental emergencies. A copy of the contract or qualifications of team shall be provided each year as well as emergency contact information for said contractor or team".
48. Amend Appendix Chapter B "Fire Flow Requirements for Buildings" Table B105.2 letter b. by changing "20 psi" to "25 psi".
49. Amend Appendix Chapter D "Fire Apparatus Access Roads" Subsection D105.1. by changing "75,000 pounds" to "80,000 pounds". (R.O. 2011 §500.060; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 2007-139 §1, 12-18-07; Ord. No. 1176 §1, 12-18-12)

ARTICLE VII. RESIDENTIAL CODE

SECTION 500.070: ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE

A. The International Residential Building Code[®], 2012 Edition, as published by the International Code Council, Inc., including:

Appendix F: Radon Control Methods

Appendix G: Swimming Pools, Spas, and Hot Tubs

Appendix H: Patio Covers

is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.

B. If any conflict should exist between the International Residential Building Code and the Unified Development

Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the International Residential Building Code and any other ordinance of the City of Riverside, Missouri, the International Residential Building Code provisions shall control and the portion of the ordinance in conflict with the International Residential Building Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the International Residential Building Code and shall not affect any other portions of the ordinance.

C. The following changes shall be made in the International Residential Building Code:

1. Amend Subsection R101.1 "Title" by adding the following: "City of Riverside, Missouri".
2. Amend Subsection R102.7 "Additions, Alterations or Repairs" by replacing the reference: the International Property Maintenance Code with the following: "Chapter 490: PROPERTY MAINTENANCE REGULATIONS of the Municipal Code of the City of Riverside, Missouri".
3. Amend Subsection R105.2 "Work Exempt" from permit by deleting item 10 and replacing it with the following: "Replacement of roof coverings and exterior wall coverings on structures governed by this code".
4. Amend Subsection R106.1 "Submittal Documents" by deleting the following: "...where required by the statutes of the jurisdiction in which the project is to be constructed".
5. Delete Subsection 108.5 "Refunds" in its entirety.
6. Amend Section R111 "Service Utilities" by adding a new Subsection to read as follows: "111.4

Demolition Permits. Confirmation Letters by Utility Purveyors acknowledging the termination of Electric, Gas and Water services shall be required as a prerequisite to approval for demolition permits unless otherwise approved for immediate re-use."

7. Delete Section R112 "Board of Appeals" in its entirety.
8. Amend Table R301.2(1) "Climatic and Geographic Design Criteria" to include the following:
 - a. Ground snow load = 20 psf
 - b. Wind speed = 90 mph
 - c. Topographic effects = NO
 - d. Seismic design = A
 - e. Weathering = Severe
 - f. Frost depth = 36 inches
 - g. Termite = Yes
 - h. Winter temp = 6 degrees F
 - i. Ice barrier = YES
 - j. Flood hazards = 1987
 - k. Air freezing = 950 index rating
 - l. Mean temp = 55 degrees F
9. Amend Table R302.6 "Dwelling/Garage Separation" to read as follows under ALL Material categories: "Not

less than 5/8 inch Type X gypsum board or equivalent".

10. Delete Section R313 "Automatic Fire Sprinkler Systems" and replace with the following:

"Per Missouri Revised Statutes Section 67.281.1 A builder of one- or two-family dwellings or townhouses shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling or townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such a one- or two-family dwelling or townhouse shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or townhouse being purchased by any code, ordinance, rule, regulation, order, or resolution by any county or other political subdivision. Any county or other political subdivision shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory option for purchasers to have the right to choose and the requirement that builders offer to purchasers the option to purchase fire sprinklers in connection with the purchase of any one- or two-family dwelling or townhouse. The provisions of this Section shall expire on December 31, 2019. and 67.281.2 Any governing body of any political subdivision that adopts the 2009 International Residential Code for One- and Two- Family Dwellings or a subsequent edition of such code without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the language in Section R317 of the 2006 International Residential Code for One- and Two- Family Dwellings (R317.1) and Townhomes (R317.2)."

"SECTION R317 DWELLING UNIT SEPERATION

R317.1 Two-family dwellings. Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than 1-hour fire-resistance rating when tested in accordance with ASTM E 119. Fire-resistance-rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend to the underside of the roof sheathing.

EXCEPTIONS:

1. A fire-resistance rating of ½ hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.
2. Wall assemblies need not extend through attic spaces when the ceiling is protected by not less than 5/8 inch (15.9 mm) Type X gypsum board and an attic draft stop constructed as specified in Section R502.12.1 is provided above and along the wall assembly separating the dwellings. The structural framing supporting the ceiling shall also be protected by not less than ½ inch (12.7 mm) gypsum board or equivalent.

R317.1.1 Supporting construction. When floor assemblies are required to be fire-resistance-rated by Section R317.1, the supporting construction of such assemblies shall have an equal or greater fire-resistive rating.

R317.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302 for exterior walls.

EXCEPTION: A common 2 hour fire-resistance-rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be installed in accordance with Chapters 33 through 42. Penetrations of electrical outlet boxes shall be in accordance with Section R317.3.

R317.2.1 Continuity. The fire-resistance-rated wall or assembly separating townhouses shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed accessory structures."

11. Amend Subsection R602.6.1 "Drilling and Notching of Top Plate" by deleting "eight 10d" and replacing with "four 10d".

12. Delete Chapter 11 "Energy Efficiency" in its entirety and replace with "2009 International Energy

Conservation Code".

13. Amend Subsection E3902.2 "Garage and Accessory Building Receptacles" by adding the following: "Exception: A dedicated receptacle supplying a garage door opener or a single outlet dedicated receptacle supplying a specific appliance."
14. Amend Subsection E3902.5 "Unfinished Basement Receptacles" by adding a second exception to read as follows: "Exception 2. A single dedicated receptacle supplying a sump pump or appliance."
15. Amend Subsection E3902.12 "Arc-fault Circuit-Interrupter Protection" by deleting all rooms listed except for "bedrooms".
16. Delete Subsection E4002.14 "Tamper-resistant Receptacles" in its entirety.
17. The Board of Aldermen is authorized to wave the submission of construction documents by a registered design professional upon good cause shown. (R.O. 2011 §500.070; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 2008-127 §2, 11-18-08; Ord. No. 1176 §1, 12-18-12)

ARTICLE VIII. ENERGY CONSERVATION CODE

SECTION 500.080: ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE

- A. The International Energy Conservation Code®, 2009 Edition, as published by the International Code Council, Inc., is hereby enacted and made part of this Section by reference except as to portions hereinafter specifically deleted, clarified or amended.
- B. If any conflict should exist between the International Energy Conservation Code and the Unified Development Ordinance of the City of Riverside, Missouri, the provisions of the Unified Development Ordinance shall control. If any conflict should exist between the International Energy Conservation Code and any other ordinance of the City of Riverside, Missouri, the International Energy Conservation Code provisions shall control and the portion of the ordinance in conflict with the International Energy Conservation Code provision shall be repealed. Such repeal will affect only that portion of any ordinance which is in conflict with the International Energy Conservation Code and shall not affect any other portions of the ordinance.
- C. The following changes shall be made in the International Energy Conservation Code:
 1. Amend Subsection 101.1 "Title" by adding the following: "City of Riverside, Missouri".
 2. Amend Subsection 103.1 "General" by deleting the following: "where required by the statutes of the jurisdiction in which the project is to be constructed".
 3. Delete Subsection 107.5 "Refunds" in its entirety.
 4. Amend Subsection 108.4 "Failure to Comply" by deleting the last phrase "...of not less than [AMOUNT] dollars or more than [AMOUNT] dollars".
 5. Delete Section 109 "Board of Appeals" in its entirety. (Ord. No. 1176 §1, 12-18-12)

ARTICLE IX. VIOLATIONS AND PENALTIES

SECTION 500.090: VIOLATIONS AND PENALTIES

Any person violating any of the provisions of this Chapter or any of the codes, as amended or adopted in this Chapter of the Municipal Code of the City of Riverside, Missouri, shall be deemed guilty of an ordinance violation and upon conviction thereof shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the City or County Jail for a period not exceeding ninety (90) days, or both a fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (R.O. 2011 §500.080; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 1176 §1, 12-18-12)

ARTICLE X. APPEALS

SECTION 500.100: APPEALS

The Board of Zoning Adjustment, as established under

Title IV, Chapter 400, Section 400.170 of the Municipal Code of the City of Riverside, Missouri, shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Building Official in the enforcement of this Chapter. (R.O. 2011 §500.090; Ord. No. 2005-05 §1, 1-18-05; Ord. No. 1176 §1, 12-18-12)