

July 18, 2023

**JOURNAL OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, PERRY COUNTY, MISSOURI.**

The Board of Aldermen of the City of Perryville, Perry County, Missouri, met at City Hall in said City on the above date in regular session pursuant to adjournment. Present: Larry Riney, Mayor; Seth Amschler, Curt Buerck, Tom Guth, Clint Rice, Douglas K. Martin, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney.

Mayor Riney opens the meeting with the Pledge of Allegiance and invocation.

Mayor Riney now asks for citizens' participation from the floor.

Glenda Hopper of 408 North School Street approaches the podium. She tells the Board that a neighbor leaves her trash can out by the street all week. She notes that the neighbor is capable of removing the trash can. City Administrator Buerck tells Ms. Hopper that the Code Enforcement Officer will be informed of the situation and will address it.

Keith Carroll of 592 Highway T now approaches the Board. He states that he is in favor of removing the present code regarding fortunetellers.

There being no one else coming forth, Mayor Riney closes the citizens' participation portion of the meeting.

Mayor Riney announces that tenure awards are presented to the following city employees:

- 5 Years** - Kaysea M. Stortz
- 15 Years** - Linda K. Chappius

**CONSENT AGENDA ITEMS**

4. Approve minutes from meeting of July 5, 2023.
5. Approve financial reports for June 2023.

CITY OF PERRYVILLE STATEMENT OF CASH POSITION JUNE, 2023								
FUND NAME	April 1, 2023 Fund Balance	REVENUE Y-T-D	EXPENSE Y-T-D	NET INCOME	CURRENT FUND BALANCE	ACCOUNTS RECEIVABLE	CURRENT LIABILITIES	CURRENT CASH BALANCE
101 Gen Rev	\$ 3,187,081.95	\$ 986,404.13	\$ (2,058,242.27)	\$ (1,071,838.14)	\$ 2,115,243.81	\$ (94,617.13)	\$ (87,273.14)	\$ 2,122,587.80
105 FSA Administration	\$ 9,928.53	\$ 121.31	\$ -	\$ 121.31	\$ 10,049.84	\$ -	\$ -	\$ 10,049.84
106 Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99	\$ -	\$ -	\$ 53.99
204 Airport	\$ (267,237.05)	\$ 1,358,400.81	\$ (1,195,593.34)	\$ 162,807.47	\$ (104,429.58)	\$ 710.00	\$ 6,853.10	\$ (98,286.48)
206 Trans Trust	\$ 557,214.54	\$ 297,430.14	\$ (352,838.96)	\$ (55,408.82)	\$ 501,805.72	\$ -	\$ 2,764.01	\$ 504,569.73
207 Perry Park Ctr.	\$ 609,074.66	\$ 460,765.09	\$ (671,661.72)	\$ (210,896.63)	\$ 398,178.03	\$ (36,932.05)	\$ (27,842.48)	\$ 407,267.60
211 Veterans Field	\$ 10,542.49	\$ 6,697.15	\$ (4,145.64)	\$ 2,551.51	\$ 13,094.00	\$ -	\$ -	\$ 13,094.00
213 Field Improvement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
307 Debt Service	\$ 182,551.01	\$ 7,526.79	\$ (282.75)	\$ 7,244.04	\$ 189,795.05	\$ 109,668.93	\$ 109,176.36	\$ 189,302.48
308 Cap Imp Sls Tax Rev	\$ 1,232,550.34	\$ 233,299.26	\$ (124,161.20)	\$ 109,138.06	\$ 1,341,688.40	\$ -	\$ -	\$ 1,341,688.40
409 Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414 TIF 1-Hwy 51/61	\$ 337,390.13	\$ 4,131.13	\$ -	\$ 4,131.13	\$ 341,521.26	\$ -	\$ -	\$ 341,521.26
415 Economic Develop	\$ 384,113.51	\$ 511,829.84	\$ (939,048.91)	\$ (427,219.07)	\$ (43,105.56)	\$ -	\$ (230.00)	\$ (43,335.56)
416 TIF 2-Downtown	\$ 183,910.52	\$ 1,955.85	\$ (63,432.82)	\$ (61,476.97)	\$ 122,433.55	\$ -	\$ -	\$ 122,433.55
417 TIF 3-I55/HWY 51	\$ 569,659.38	\$ 4,332.83	\$ (179,622.56)	\$ (175,289.73)	\$ 394,369.65	\$ -	\$ -	\$ 394,369.65
513 Street Imp	\$ 488,207.56	\$ 834,060.60	\$ (762,246.97)	\$ 71,813.63	\$ 560,021.19	\$ -	\$ -	\$ 560,021.19
612 Refuse	\$ 363,306.63	\$ 244,979.75	\$ (171,316.99)	\$ 73,662.76	\$ 436,969.39	\$ 118,103.23	\$ 2,735.71	\$ 321,601.87
614 CWSS Op	\$ 3,512,832.91	\$ 1,505,893.63	\$ (1,112,201.77)	\$ 393,691.86	\$ 3,906,524.77	\$ 472,772.04	\$ 126,259.85	\$ 3,560,012.58
641 WWTP Improvements	\$ 146,967.26	\$ 2,328,974.37	\$ (1,375,395.27)	\$ 953,579.10	\$ 1,100,546.36	\$ -	\$ -	\$ 1,100,546.36
619 Gas Op	\$ 4,242,111.31	\$ 1,460,391.73	\$ (850,094.32)	\$ 610,297.41	\$ 4,852,408.72	\$ 289,738.25	\$ 246,144.24	\$ 4,808,814.71
<b>TOTAL</b>	<b>\$ 15,750,259.67</b>	<b>\$ 10,247,194.41</b>	<b>\$ (9,860,285.49)</b>	<b>\$ 386,908.92</b>	<b>\$ 16,137,168.59</b>	<b>\$ 859,443.27</b>	<b>\$ 378,587.65</b>	<b>\$ 15,656,312.97</b>

6. Set Public Hearing date for 2023 Property Tax Rates – August 1, 2023, at 6:30 p.m.
7. Approve Pay Application 34 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project - \$468,997.54.
8. Approve Pay Application 11 to Zoellner Construction relative to Fire Station Project - \$121,511.06.
9. Approve Invoice 12794 (Final) from Richardet Floor Covering relative to PPC Lower Level Flooring Project - \$17,070.00.
10. Approve Quote Summary from McCoy Construction & Forestry relative to John Deere 333G Track Loader, Virnig Cutter, and Blue Diamond Cold Planer - \$133,700.00.
11. Approve specifications the PPC Exterior Painting Project and authorize staff to advertise for bids.
12. Approve plans and specifications for PPC Exterior Improvements re Dock Ramp Project and authorize staff to advertise for bids.
13. Approve request from Seminary Picnic Committee to set LED displays at Miget Memorial Park and the Downtown Plaza to advertise for Seminary Picnic.
14. Approve Mayor's appointments for:
  - Higher Ed Advisory Council – 3 year term
  - Frank Wideman** - reappointment

**END OF CONSENT AGENDA**

At this time, Mayor Riney asks if anyone wishes to remove anything from the Consent Agenda.

Alderman Buerck makes a motion to approve the consent agenda. Alderman Rice seconds the motion, and on vote the motion carries.

**SECOND AND FINAL READINGS:**

Now, at this time, the Board proceeds to approve Bill No. 6441, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CAMERON L. WEHMEYER** RELATIVE TO **POLICE OFFICER TRAINING EMPLOYMENT AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6441 is read a second time on motion by Alderman Guth, seconded by Alderman Schumer. Thereupon on motion by Alderman Guth, seconded by Alderman Schumer, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6658 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6441

ORDINANCE NO. 6658

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CAMERON L. WEHMEYER** RELATIVE TO **POLICE OFFICER TRAINING EMPLOYMENT AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Cameron L. Wehmeyer**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: July 5, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6442, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **COUNTY OF PERRY, MISSOURI, AND COUNTY COLLECTOR OF THE COUNTY OF PERRY, MISSOURI**, RELATIVE TO **AMENDED AGREEMENT REGARDING COLLECTION OF REAL AND PERSONAL PROPERTY TAXES FOR THE CITY OF PERRYVILLE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6442 is read a second time on motion by Alderman Martin, seconded by Alderman Amschler. Thereupon on motion by Alderman Martin, seconded by Alderman Rice, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6659 of the City of Perryville, and is in words and figures as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **COUNTY OF PERRY, MISSOURI, AND COUNTY COLLECTOR OF THE COUNTY OF PERRY, MISSOURI**, RELATIVE TO **AMENDED AGREEMENT REGARDING COLLECTION OF REAL AND PERSONAL PROPERTY TAXES FOR THE CITY OF PERRYVILLE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **County of Perry, Missouri, and County Collector of the County of Perry, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: July 5, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6443, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CITIZENS ELECTRIC CORPORATION** RELATIVE TO **ELECTRIC FACILITIES RELOCATION AGREEMENT FOR PROGRESS DRIVE EXTENSION**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6443 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt

Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6660 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6443

ORDINANCE NO. 6660

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CITIZENS ELECTRIC CORPORATION** RELATIVE TO **ELECTRIC FACILITIES RELOCATION AGREEMENT FOR PROGRESS DRIVE EXTENSION**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Citizens Electric Corporation**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: July 5, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6444, AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.04 AND CHAPTER 16.20 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SUBDIVISIONS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6444 is read a second time on motion by Alderman Amschler, seconded by Alderman Guth. Thereupon on motion by Alderman Rice, seconded by Alderman Guth, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as

follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6661 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6444

ORDINANCE NO. 6661

AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.04 AND CHAPTER 16.20 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SUBDIVISIONS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. That Title 16, Chapter 16.04, Section 16.04.020 of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by amending the definition of "Cul-de-sac" to read as follows:

**"16.04.020 Definitions.**

\* \* \*

"Cul-de-sac" means a short, local or residential street having one end open to traffic and the other end permanently terminated by a vehicular turnaround."

Section 2. That Title 16, Chapter 16.04, Section 16.04.020 of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by amending the definition of "Street" at Paragraphs 3, 4, and 5 to read as follows:

**"16.04.020 Definitions.**

\* \* \*

"Street" means a right-of-way, other than an alley, dedicated or otherwise legally established for public or private use, with a surface, usually affording the principal means of access to abutting property. A street is intended primarily as a means of vehicular travel. The street right-of-way may provide space for public facilities such as sanitary and storm sewers, water, gas, and electric lines, and sidewalks. A street may be designated as a highway, thoroughfare, road, throughway, pike, avenue, boulevard, lane, drive, court or circle. For the purpose of this title, streets shall be classified as follows:

\* \* \*

3. Local. The sole function of a local street is to provide access to immediately adjacent property. A cul-de-sac is classified as a local or residential street.
4. Residential. A lightly-traveled, low-speed street with limited through traffic adjacent to single-family residences, apartment buildings, or other similar residential structures, or is anticipated to develop as such which may be requested through the planning process and requires the review and approval of the board of aldermen. A cul-de-sac is classified as a local or residential street.
5. Marginal Access Street/Service Road. A local street parallel and adjacent to arterials, railroad rights-of-ways, or other barriers, which provides access to abutting properties."

Section 3. That Title 16, Chapter 16.20, Section 16.20.020, Subsection D of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“16.20.020 Streets.**

\* \* \*

- D. Paved streets, with curbs and gutters, shall be surfaced to the following minimum widths, as measured from inside curb lip to inside curb lip: Arterial (four-lane), forty-eight (48) feet; arterial (two-lane), forty-four (44) feet; collector, forty (40) feet; local, thirty-two (32) feet; residential, twenty-five (25) feet; marginal access, twenty-four (24) feet. Alleys, within a business district, shall be surfaced to a minimum of sixteen (16) feet. Cul-de-sac turnarounds shall be paved within ten feet of the right-of-way. In instances where parking will be restricted, the above dimensions can be varied with prior approval of the planning and zoning commission and the board of aldermen.”

Section 4. That Title 16, Chapter 16.20, Section 16.20.030, Subsection B of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“16.20.030 Curbs and gutters.**

\* \* \*

- B. Curb construction for concrete pavements shall be integral. The roll-type curbs are permitted on a residential street and may be permitted on additional streets when approved by the planning commission and board of aldermen.”

Section 5. That Title 16, Chapter 16.20, Section 16.20.040 of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“16.20.040 Sidewalks.**

The construction of sidewalks is not normally required in subdivisions, but may be required if the subdivision includes, or is within three hundred (300) feet of existing or proposed schools, playgrounds, or other features which would attract children.

The extent of sidewalks within subdivisions shall be determined by the commission and approved by the board of aldermen. In all subdivisions, the space as specified in Chapter 16.12 shall be included in the cross-sectional drawings of streets.

When constructed, sidewalks shall be of Portland cement concrete four inches thick, six inches across driveways, with a minimum width of five feet. "Dummy" control joints shall be placed every five feet and expansion joints shall be placed every forty (40) feet. Concrete shall contain five and one-half sacks of cement per cubic yard and shall have three percent to five percent entrained air. Finish shall be by wood float or broom with all edges and joints tooled. The location of sidewalks shall be as shown in Chapter 16.12.

Where sidewalks are not required, the street grade shall be completed so that additional grading shall not be necessary for any future construction of sidewalks.”

Section 6. That Title 16, Chapter 16.20, Section 16.20.080, Subsection B, Paragraph 5 of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“16.20.080 Street lighting.**

\* \* \*

B. Lighting specifications for major streets in commercial and industrial areas:

\* \* \*

5. Lamps or luminaires shall be an LED equivalent to a one hundred (100) watt minimum high pressure sodium type or that recommended by the city engineer or similar official.”

Section 7. That Title 16, Chapter 16.20, Section 16.20.080, Subsection C, Paragraph 4 of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“16.20.080 Street lighting.**

\* \* \*

C. In residential subdivisions:

\* \* \*

4. Fixtures shall be an LED equivalent to a one hundred (100) watt high pressure sodium, mogul base, one hundred twenty (120) volt with photo cell or that recommended by the city engineer or similar official.”

Section 8. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 9. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 10. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: July 5, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6445, AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PGAV PLANNERS, LLC** RELATIVE TO **AMENDMENT TO CITY OF PERRYVILLE COMPREHENSIVE PLAN UPDATE AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6445 is read a second time on motion by Alderman Amschler, seconded by Alderman Guth. Thereupon on motion by Alderman Buerck, seconded by Alderman Guth, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt Buerck, aye;



Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6662 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6445

ORDINANCE NO. 6662

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PGAV PLANNERS, LLC** RELATIVE TO **AMENDMENT TO CITY OF PERRYVILLE COMPREHENSIVE PLAN UPDATE AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **PGAV PLANNERS LLC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: July 5, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

**FIRST AND SECOND READINGS AND FINAL PASSAGE:**

Now, at this time, Bill No. 6446, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CONGREGATION OF THE MISSION WESTERN PROVINCE** RELATIVE TO **REAL ESTATE DONATION**

**AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Schumer. On motion by Alderman Buerck, seconded by Alderman Schumer, and on vote carried, Bill No. 6446 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Schumer, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6663 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6446

ORDINANCE NO. 6663

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CONGREGATION OF THE MISSION WESTERN PROVINCE** RELATIVE TO **REAL ESTATE DONATION AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

1. That the Mayor and Board of Aldermen of the City of Perryville, Missouri, approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, Missouri, a municipal corporation, and **Congregation of the Mission Western Province**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, Missouri, that the City enter into said contract.

2. That the Mayor of the City of Perryville, Missouri, be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville, Missouri, is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason, this ordinance may be acted on in one meeting.

6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6447, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED GENERAL WARRANTY DEED, is read with an emergency clause for the first time upon motion by Alderman Martin, seconded by Alderman Rice. On motion by Alderman Martin, seconded by Alderman Amschler, and on vote carried, Bill No. 6447 is read for the second time. Thereupon on motion by Alderman Martin, seconded by Alderman Buerck, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6664 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6447

ORDINANCE NO. 6664

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED GENERAL WARRANTY DEED.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the General Warranty Deed from **CONGREGATION OF THE MISSION WESTERN PROVINCE, a Missouri nonprofit corporation**, which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. The Mayor and City Clerk of the City of Perryville be, and they are, hereby authorized to do all acts and execute all instruments appropriate or necessary to accept the General Warranty Deed.

Section 3. The City Clerk is hereby directed to file a copy of the General Warranty Deed with the Recorder of Deeds of Perry County, Missouri.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason, this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Larry Riney, Mayor

ATTEST:  
Tracy Prost, City Clerk

Now, at this time, Bill No. 6448, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Martin. On motion by Alderman Buerck, seconded by Alderman Amschler, and on vote carried, Bill No. 6448 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6665 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6448

ORDINANCE NO. 6665

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 15.04.070 to read as follows:

**"15.04.070 Existing Building Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Existing Building Code, 2021 Edition*, excluding Appendix Chapters A1, A2, A3, A4, and B, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Perryville in the State of Missouri for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of existing buildings in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Existing Building Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof as if fully set out herein.
- B. The following sections of the 2021 Existing Building Code are hereby revised as follows:
  - 1. Section 101.1: Section 101.1 is hereby revised by adding as 'NAME OF JURISDICTION' the 'City of Perryville, Missouri.'
  - 2. Section 101.2 Scope: Section 101.2 Scope is hereby revised to read as follows:

**'101.2 Scope:** The provisions of the International Existing Building Code shall apply to the repair, alteration, change of occupancy, addition to and relocation of existing

buildings, except detached one- and two-family dwellings (townhouses) not more than three stories in height with separate means of egress.'

3. Section 103.2: Section 103.2 is hereby revised to read as follows:

**'103.2 Appointment.** The "code official" as referred to in this 2021 International Existing Building Code shall be appointed and shall serve as set forth in Chapter 2.44 of the Code of Ordinances of the City of Perryville.'

4. Section 108.2: Section 108.2 is hereby revised to read as follows:

**'108.2 Fee schedule.** The fees for existing building work shall be as indicated in Section 15.08.040 of the Code of Ordinances of the City of Perryville.'

5. Section 108.6: Section 108.6 is hereby deleted in its entirety.

6. Section 113.4: Section 113.4 is hereby revised to read as follows:

**'113.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who repairs or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable under Section 1.16.010 of the Code of Ordinances of the City of Perryville. Each day that a violation continues after due notice has been served shall be deemed a separate offense.'

7. Section 114: Section 114 is hereby revised to read as follows:

**'114 Stop work orders.** Upon notice from the code official that work on any building is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the building after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished under Section 1.16.010 of the Code of Ordinances of the City of Perryville.'

8. Section 112: Section 112 is amended by replacing said section in its entirety and replacing said Section 112 with the following:

**'SECTION 112  
MEANS OF APPEAL**

**112 Appeal.** Any person shall have the right to appeal a decision or interpretation of the building or code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Title 17 of the Code of Ordinances of the City of Perryville, Missouri. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.'

- C. That all references to Board of Appeal set out in the International Existing Building Code shall mean the Zoning Board of Adjustment of the city.
- D. That all references in the International Existing Building Code to the ICC Electrical Code shall mean the National Electrical Code (NEC) 2023."

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6449, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Guth. On motion by Alderman Buerck, seconded by Alderman Rice, and on vote carried, Bill No. 6449 is read for the second time. Thereupon on motion by Alderman Rice, seconded by Alderman Guth, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6666 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6449

ORDINANCE NO. 6666

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.010, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**"15.04.010 Building Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Building Code*, 2021 Edition, excluding Appendix Chapters A, B, D, F, and G, as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Perryville in the State of Missouri for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Building Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof, as if fully set out herein.
- B. The following sections of the 2021 International Building Code are hereby revised as follows:
1. Section 101.1: Section 101.1 is hereby revised to read as follows:  
**'101.1 Title.** These regulations shall be known as the *Building Code* of the City of Perryville, Missouri, hereinafter referred to as "this code."
  2. Section 101.4.4: Section 101.4.4 is hereby deleted in its entirety.
  3. Section 101.4.6: Section 101.4.6 is hereby deleted in its entirety.
  4. Section 103.2: Section 103.2 is hereby revised to read as follows:  
**'103.2 Appointment.** The building official shall be appointed as set forth in Chapter 2.44.010 of the Code of Ordinances of the City of Perryville.'
  5. Section 113: Section 113 is amended by replacing said section in its entirety and replacing said Section 113 with the following:

**'Section 113  
BOARD OF APPEALS**

**113.1.** The Zoning Board of Adjustment of the city shall hear and determine appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code. Any reference in this code to Board of Appeals shall mean Zoning Board of Adjustment.'

6. Section 114.4: Section 114.4 is hereby revised to read as follows:  
**'114.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions

of this code, shall be subject to penalties as set out in Section 1.16.010 of the Code of Ordinances of the City of Perryville.’

7. Section 115.4: Section 115.4 is hereby revised to read as follows:

**‘115.4 Unlawful continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as set out in Section 1.16.010 of the Code of Ordinances of the City of Perryville.’

8. Section 1301: Section 1301 is hereby deleted in its entirety.

9. Section 1612.3: Section 1612.3 is hereby amended to read as follows:

**‘1612.3 Establishment of flood hazard areas.** To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for City of Perryville, Missouri,” dated August 2, 2011, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.’

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6450, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion



by Alderman Martin, seconded by Alderman Schumer. On motion by Alderman Martin, seconded by Alderman Amschler, and on vote carried, Bill No. 6450 is read for the second time. Thereupon on motion by Alderman Martin, seconded by Alderman Buerck, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6667 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6450

ORDINANCE NO. 6667

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.015, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“15.04.015 Residential Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Residential Code, 2021 Edition*, excluding Appendices AF (Radon Control Methods), AI (Private Sewage Disposal), AJ (Existing Buildings and Structures), and AK (Sound Transmission), as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Perryville in the State of Missouri for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Residential Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof, as if fully set out herein.
- B. The following sections of the 2021 International Residential Code are hereby revised as follows:
  1. Section R101.1: Section R101.1 is hereby revised by adding as 'NAME OF JURISDICTION' the 'City of Perryville, Missouri.'
  2. Section R301.2.1: Section R301.2.1 is hereby revised by inserting therein in Table R301.2(1) the following information: 'Ground Snow Load – 15 lbs. per sq. ft.; Ultimate Design Wind Speed (mph) – 115 mph; Topographic effects – No; Seismic Design Category – D-0: Weathering – severe; Frost line depth – 24"; Termite – moderate to heavy; Winter Design Temp. – 9; Ice Barrier Underlayment Required – No; Flood Hazards – 8/2/2011; Air Freezing Index – 750; Mean Annual Temp – 56°.'
  3. Section R302.13: Section R302.13 Fire Protection of Floors is hereby deleted in its entirety.
  4. Section R304.1: Section R304.1 is hereby added to read as follows:

**'R304.4 Minimum area:** Every dwelling unit shall have at least one habitable room that shall have not less than 120 SF (11 m<sup>2</sup>) of gross floor area.'

5. Section R403.1.3: Section R403.1.3 is hereby revised to read as follows:

**'R403.1.3 Seismic reinforcing.** As set forth in Section 319.203, RSMo, the statutes of the State of Missouri shall control on any issues of seismic design, and any provisions of the code in conflict with the Missouri statutes shall be void.

Concrete footings located in Seismic Design Categories D<sub>1</sub> and D<sub>2</sub>, as established in Table R301.2(1), shall have minimum reinforcement. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing and shall consist of no less than two No. 4 rebar.

In Seismic Design Categories D<sub>1</sub> and D<sub>2</sub> where a construction joint is created between a concrete footing and stem wall, a minimum of one No. 4 rebar shall be provided at not more than 2 feet (24 inches) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook, and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D<sub>1</sub> and D<sub>2</sub> where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 rebar shall be provided at not more than 2 feet (24 inches) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D<sub>1</sub> and D<sub>2</sub> masonry stem walls without solid grout and vertical reinforcing shall not be permitted.

**Exception:** In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are permitted.'

6. Chapter 11 Energy Efficiency is hereby deleted in its entirety.

7. **Table G2413.4(5) (402.4(15)) Corrugated Stainless Steel Tubing (CSST)** is hereby revised to read as follows:

CSST Utilizing Arc Resistant Protective Jackets shall be permitted. Standard CSST (yellow jacket) is prohibited.

8. Section G2414.4.3 (403.4.3): Section G2414.4.3 (403.4.3) is hereby revised to read as follows:

**'G2414.4.3 (403.4.3) Copper and Copper Alloy tubing.** Copper and copper alloy tubing shall comply with standard Type K of ASTM B 88 or ASTM B 280.

Copper and copper alloy tubing shall not be used if the gas contains more than an average of 0.3 grains of hydrogen sulfide per 100 standard cubic feet of gas (0.7 milligrams per 100 liters).'

9. Section G2415.12 (404.12): Section G2415.12 (404.12) is hereby revised to read as follows:

**G2415.12 (404.12) Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 24 inches below grade.'

10. Section G2415.12.1 (404.12.1): Section G2415.12.1 (404.12.1) is hereby revised to read as follows:

**G2415.12.1 (404.12.1) Individual Outside Appliance:** No individual lines to outside lights, grills, or other appliances shall be installed without permission and supervision of the City of Perryville Natural Gas Department.'

11. Section G2417.4.1 (406.4.1): Section G2417.4.1 (406.4.1) is hereby revised to read as follows:

**G2417.4.1 (406.4.1) Test pressure.** The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 20 psig, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.'

12. Section P2603.5: Section P2603.5 is hereby revised to read as follows:

**P2603.5 Freezing.** In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2(1) of this code, a water, soil, or waste pipe shall not be installed outside of a building, in exterior walls, in attics or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 30 inches below grade.'

13. Section P2603.5.1: Section P2603.5.1 is hereby revised to read as follows:

**P2603.5.1 Sewer depth.** Building sewers shall be a minimum of 12 inches below grade.'

14. Section P2904: Section P2904 is hereby deleted in its entirety.

15. Section P3103.1: Section P3103.1,1 is hereby revised to read as follows:

**P3103.1.1 Roof extension.** All open vent pipes which extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.'

- C. That all reference to Board of Appeal set out in the International Residential Code shall mean the Zoning Board of Adjustment of the City of Perryville, and all references to penalties shall mean penalties as provided in Section 1.16.010 of the Code of Ordinances of the City of Perryville, Missouri.

- D. That all references in the International Residential Code to the ICC Electrical Code shall mean the National Electrical Code (NEC) 2023."

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a

separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Larry Riney, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, Bill No. 6451, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Rice, seconded by Alderman Buerck. On motion by Alderman Rice, seconded by Alderman Buerck, and on vote carried, Bill No. 6451 is read for the second time. Thereupon on motion by Alderman Rice, seconded by Alderman Buerck, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6668 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6451

ORDINANCE NO. 6668

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.020, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“15.04.020 Plumbing Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Plumbing Code*, 2021 Edition, excluding Appendix Chapter A, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Perryville in the State of Missouri for regulating and governing the design, construction, quality of materials, erection, installation,

alteration, repair, location, relocation, replacement, addition to, use, or maintenance of plumbing systems in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions, and terms of said Plumbing Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof as if fully set out herein.

B. The following sections of the 2021 International Plumbing Code are hereby revised as follows:

1. Section 101.1: Section 101.1 is hereby revised by adding as 'NAME OF JURISDICTION' the 'City of Perryville, Missouri.'

2. Section 103.2: Section 103.2 is hereby revised to read as follows:

**'103.2 Appointment.** The "code official" as referred to in this 2021 International Plumbing Code shall be appointed and shall serve as set forth in Chapter 2.44 of the Code of Ordinances of the City of Perryville.'

3. Section 109.2: Section 109.2 is hereby revised to read as follows:

**'109.2 Fee schedule.** The fees for all plumbing work shall be as indicated in Section 15.08.040 of the Code of Ordinances of the City of Perryville, Missouri.'

4. Section 109.3: Section 109.3 is hereby deleted in its entirety.

5. Section 115.4: Section 115.4 is hereby revised to read as follows:

**'115.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable under Section 1.16.010 of the Code of Ordinances of the City of Perryville. Each day that a violation continues after due notice has been served shall be deemed a separate offense.'

6. Section 116: Section 116 is hereby revised to read as follows:

**'116 Stop work orders.** Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished under Section 1.16.010 of the Code of Ordinances of the City of Perryville.'

7. Section 113: Section 113 is amended by replacing said section in its entirety and replacing said Section 113 with the following:

### **'SECTION 113 MEANS OF APPEAL**

**113 Appeal.** Any person shall have the right to appeal a decision or interpretation of the building or code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Title 17 of the Code of Ordinances of the City of

Perryville, Missouri. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.'

8. Section 305.4.1: Section 305.4.1 is hereby revised to read as follows:

**'305.4.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of twelve inches (12") below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve inches (12") below grade.'

9. Section 306.3: Section 306.3 is hereby revised to read as follows:

**'306.3 Backfilling.** Backfilling shall be done as required and specified in Section 13.16.250 of the Code of Ordinances of the City of Perryville.'

10. Section 312.1: Section 312.1 is hereby revised to read as follows:

**'312.1 Required tests.** The code official may, at his discretion, require the tests set forth herein. In the event testing is required by the code official, then the permit holder shall give reasonable advance notice to the code official when the plumbing work is ready for tests. The equipment, material, power, and labor necessary for the inspection and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. All plumbing system piping shall be tested with either water or, for piping systems other than plastic, by air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The code official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.'

11. Section 710.3: Section 710.3 is hereby added to read as follows:

**'710.3 Minimum sewer pipe size.** Notwithstanding any other provisions of this code, no building shall have a building sewer pipe of less than four inches (4") in diameter nor shall any portion of the drainage system installed underground or below a basement or cellar be less than two inches (2") in diameter.'

12. Section 903.1.1: Section 903.1.1 is hereby revised to read as follows:

**'903.1.1 Roof extension unprotected.** All open vent pipes that extend through a roof shall be terminated at least twelve inches (12") above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.'

C. That all reference to Board of Appeal set out in the International Plumbing Code shall mean the Zoning Board of Adjustment of the city.

D. That all references in the International Plumbing Code to the ICC Electrical Code shall mean the National Electrical Code (NEC) 2023."

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6452, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Schumer, seconded by Alderman Guth. On motion by Alderman Schumer, seconded by Alderman Guth, and on vote carried, Bill No. 6452 is read for the second time. Thereupon on motion by Alderman Schumer, seconded by Alderman Guth, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6669 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6452

ORDINANCE NO. 6669

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.030, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**"15.04.030 Mechanical Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Mechanical Code*, 2021 Edition, excluding Appendix Chapter B, as published by the International Code Council, be and is

hereby adopted as the Mechanical Code of the City of Perryville in the State of Missouri for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of mechanical systems in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Mechanical Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof as if fully set out herein.

B. The following sections of the 2021 International Mechanical Code are hereby revised as follows:

1. Section 101.1: Section 101.1 is hereby revised by adding as 'NAME OF JURISDICTION' the 'City of Perryville, Missouri.'

2. Section 103.2: Section 103.2 is hereby revised to read as follows:

**'103.2 Appointment.** The "code official" as referred to in this 2021 International Mechanical Code shall be appointed and shall serve as set forth in Chapter 2.44 of the Code of Ordinances of the City of Perryville.'

3. Section 109.2: Section 109.2 is hereby revised to read as follows:

**'109.2 Schedule of permit fees.** The fees for mechanical work shall be as indicated in Section 15.08.040 of the Code of Ordinances of the City of Perryville.'

4. Section 106.5.3: Section 106.5.3 is hereby deleted in its entirety.

5. Section 115.4: Section 115.4 is hereby revised to read as follows:

**'115.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable under Section 1.16.010 of the Code of Ordinances of the City of Perryville. Each day that a violation continues after due notice has been served shall be deemed a separate offense.'

6. Section 116: Section 116 is hereby revised to read as follows:

**'116 Stop work orders.** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished under Section 1.16.010 of the Code of Ordinances of the City of Perryville.'

7. Section 113: Section 113 is amended by replacing said section in its entirety and replacing said Section 113 with the following:

**'SECTION 113  
MEANS OF APPEAL**



**113 Appeal.** Any person shall have the right to appeal a decision or interpretation of the building or code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Title 17 of the Code of Ordinances of the City of Perryville, Missouri. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.'

- C. That all references to Board of Appeal set out in the International Mechanical Code shall mean the Zoning Board of Adjustment of the city.
- D. That all references in the International Mechanical Code to the ICC Electrical Code shall mean the National Electrical Code (NEC) 2023."

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6453, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Amschler, seconded by Alderman Guth. On motion by Alderman Guth, seconded by Alderman Amschler, and on vote carried, Bill No. 6453 is read for the second time. Thereupon on motion by Alderman Guth, seconded by Alderman Buerck, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6670 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6453

ORDINANCE NO. 6670

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.025, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**"15.04.025 Fuel Gas Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Fuel Gas Code, 2021 Edition*, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Perryville in the State of Missouri for regulating and governing fuel gas systems and gas-fired appliances in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Fuel Gas Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof as if fully set out herein.
- B. The following sections of the 2021 International Fuel Gas Code are hereby revised as follows:
1. Section 101.1: Section 101.1 is hereby revised by adding as 'NAME OF JURISDICTION' the 'City of Perryville, Missouri.'
  2. Section 103.2: Section 103.2 is hereby revised to read as follows:  
**'103.2 Appointment.** The "code official" as referred to in this 2021 International Fuel Gas Code shall be appointed and shall serve as set forth in Chapter 2.44 of the Code of Ordinances of the City of Perryville.'
  3. Section 109.2: Section 109.2 is hereby revised to read as follows:  
**'109.2 Fee schedule.** The fees for work under this code shall be as indicated in Section 15.08.040 of the Code of Ordinances of the City of Perryville.'
  4. Section 109.6: Section 109.6 is hereby deleted in its entirety.
  5. Section 115.4: Section 115.4 is hereby revised to read as follows:  
**'115.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable under Section 1.16.010 of the Code of Ordinances of the City of Perryville. Each day that a violation continues after due notice has been served shall be deemed a separate offense.'
  6. Section 116: Section 116 is hereby revised to read as follows:  
**'116 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work

shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished under Section 1.16.010 of the Code of Ordinances of the City of Perryville.'

7. Section 113: Section 113 is amended by replacing said section in its entirety and replacing said Section 113 with the following:

**'SECTION 113  
MEANS OF APPEAL**

**113.1 Appeal.** Any person shall have the right to appeal a decision or interpretation of the building or code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Title 17 of the Code of Ordinances of the City of Perryville, Missouri. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.'

8. Section 202 is deleted in its entirety.
9. **Table G2413.4(5) (402.4(15)) Corrugated Stainless Steel Tubing (CSST)** is hereby revised to read as follows:

CSST Utilizing Arc Resistant Protective Jackets shall be permitted. Standard CSST (yellow jacket) is prohibited.

10. Section 403.4.3: Section 403.4.3 is hereby revised to read as follows:  
**'403.4.3 Copper and Copper Alloy tubing.** Copper and copper alloy tubing shall comply with Standard Type K of ASTM B 88.

Copper and copper alloy tubing shall not be used if the gas contains more than an average of 0.3 grains of hydrogen sulfide per 100 standard cubic feet of gas (0.7 milligrams per 100 liters).'

11. Section 404.12: Section 404.12 is hereby revised to read as follows:  
**'404.12 Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 24 inches below grade, except as provided for in Section 404.12.1.'

12. Section 404.12.1: Section 404.12.1 is hereby revised to read as follows:  
**'404.12.1 Individual outside appliances.** No individual lines to outside lights, grills, or other appliances shall be installed without the permission and supervision of the city.'

13. Section 406.4.1: Section 406.4.1 is hereby revised to read as follows:  
**'406.4.1 Test pressure and duration.** The test pressure shall be 20 psi sustained for 10 minutes.'

14. Section 406.4.2: Section 406.4.2 is hereby deleted in its entirety.
- C. That all reference to Board of Appeal set out in the International Fuel Gas Code shall mean the Zoning Board of Adjustment of the city.
- D. That all references in the International Fuel Gas Code to the ICC Electrical Code shall mean the National Electrical Code (NEC) 2023."

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6454, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Martin, seconded by Alderman Buerck. On motion by Alderman Martin, seconded by Alderman Buerck, and on vote carried, Bill No. 6454 is read for the second time. Thereupon on motion by Alderman Martin, seconded by Alderman Amschler, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6671 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6454

ORDINANCE NO. 6671

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE; ESTABLISHING THE EFFECTIVE DATE; AND

REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.060, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**"15.04.060 Swimming Pool and Spa Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Swimming Pool and Spa Code*, 2021 Edition, as published by the International Code Council, be and is hereby adopted as the Swimming Pool and Spa Code of the City of Perryville in the State of Missouri for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of swimming pools and spas in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Swimming Pool and Spa Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof as if fully set out herein.
- B. The following sections of the 2021 International Swimming Pool and Spa Code are hereby revised as follows:
1. Section 101.1: Section 101.1 is hereby revised by adding as 'NAME OF JURISDICTION' the 'City of Perryville, Missouri.'
  2. Section 103.2: Section 103.2 is hereby revised to read as follows:  
**'103.2 Appointment.** The "code official" as referred to in this 2021 International Swimming Pool and Spa Code shall be appointed and shall serve as set forth in Chapter 2.44 of the Code of Ordinances of the City of Perryville.'
  3. Section 108.2: Section 108.2 is hereby revised to read as follows:  
**'108.2 Fee schedule.** The fees for swimming pool or spa work shall be as indicated in Section 15.08.040 of the Code of Ordinances of the City of Perryville.'
  4. Section 108.6: Section 108.6 is hereby deleted in its entirety.
  5. Section 113.4: Section 113.4 is hereby revised to read as follows:  
**'113.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair a pool or spa in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable under Section 1.16.010 of the Code of Ordinances of the City of Perryville. Each day that a violation continues after due notice has been served shall be deemed a separate offense.'
  6. Section 114: Section 114 is hereby revised to read as follows:  
**'114 Stop work orders.** Upon notice from the code official that work on any swimming pool or spa is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall

be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the swimming pool or spa after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished under Section 1.16.010 of the Code of Ordinances of the City of Perryville.'

7. Section 111: Section 111 is amended by replacing said section in its entirety and replacing said Section 111 with the following:

**'SECTION 111  
MEANS OF APPEAL**

**111 Appeal.** Any person shall have the right to appeal a decision or interpretation of the building or code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Title 17 of the Code of Ordinances of the City of Perryville, Missouri. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.'

8. Section 305.2.10: Section 305.2.10, Horizontal Balusters, is hereby added to read as follows:

**'305.2.10 Horizontal Balusters.** Horizontal balusters shall be prohibited in locations where guards or barriers are required.'

- C. That all references to Board of Appeal set out in the International Swimming Pool and Spa Code shall mean the Zoning Board of Adjustment of the city.
- D. That all references in the International Swimming Pool and Spa Code to the ICC Electrical Code shall mean the National Electrical Code (NEC) 2023."

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6455, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Martin. On motion by Alderman Buerck, seconded by Alderman Rice, and on vote carried, Bill No. 6455 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Rice, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6672 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6455

ORDINANCE NO. 6672

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.050, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**"15.04.050 Fire code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *International Fire Code*, 2021 Edition, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Perryville in the State of Missouri for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Fire Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof as if fully set out herein.
- B. The following sections of the 2021 International Fire Code are hereby revised as follows:
  1. Section 101.1: Section 101.1 is hereby revised by adding as 'NAME OF JURISDICTION' the 'City of Perryville, Missouri.'
  2. Section 103.2: Section 103.2 is hereby revised to read as follows:

**'103.2 Enforcement officer.** The city administrator shall designate an enforcement officer to enforce the provisions of the fire code as herein set forth. References in this

code to the “code official” shall be and mean the enforcement officer designated by the city administrator.’

3. Section 111: Section 111 is amended by replacing said section in its entirety and replacing said Section 111 with the following:

**‘SECTION 111  
BOARD OF APPEALS**

**111.1** Any person shall have the right to appeal a decision or interpretation of the building or code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Title 17 of the Code of Ordinances of the City of Perryville.’

4. Section 112: Section 112.4 is hereby revised to read as follows:

**‘112.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under provisions of this code, shall be guilty of a misdemeanor, punishable under Section 1.16.010 of the Code of Ordinances of the City of Perryville. Each day that a violation continues after due notice has been served shall be deemed a separate offense.’

5. Section 113.4: Section 113.4 is hereby revised to read as follows:

**‘113.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished under Section 1.16.010 of the Code of Ordinances of the City of Perryville.’

6. Section 505.1: Section 505.1 is hereby revised to read as follows:

**‘505.1 Address identification.** Address numbers shall be as required in Section 15.12.050 of the Code of Ordinances of the City of Perryville.’

7. Section 5503: Section 5503.1 is hereby revised to read as follows:

**‘5503.1 Location.** Storage of flammable cryogenic fluids in stationary containers outside buildings is prohibited, except that storage of flammable cryogenic fluids shall be allowed for hospital use or in areas zoned for industrial use.’

8. Section 5704.2: Section 5704.2 is hereby revised to read as follows:

**‘5704.2 Locations where above-ground tanks are prohibited.** Storage of Class I and Class II liquids in above-ground tanks is prohibited, except (a) in flood plains or areas zoned for industrial use or (b) in C-1 Local Commercial or C-2 General Commercial Districts where it is shown to be impractical to install underground tanks and where a special use permit for said storage has been granted.’

9. Section 6104: Section 6104.2 is hereby revised to read as follows:

**‘6104.2 Maximum capacity within established limits.** Within the limits established herein restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2000 gallons except that in areas zoned for commercial or industrial use a special use permit for greater



storage capacity may be granted if it is shown that said storage is sufficiently designed and separated from adjacent property so as to not endanger adjacent property.'

- C. That all references to Board of Appeal set out in the International Fire Code shall mean the Zoning Board of Adjustment as established by Title 17 of the Code of Ordinances.
- D. That all references in the International Fire Code to the ICC Electrical Code shall mean the National Electrical Code (NEC) 2023.
- E. That nothing in the International Fire Code shall change the status of any employee as an 'employee at will' under Missouri laws and all employment matters shall be governed and controlled exclusively by Chapter 2.88 of this code and such other rules and regulations as the city may adopt.
- F. That the International Fire Code is amended as set forth in Section 8.04.080 of the Code of Ordinances of the City of Perryville, Missouri."

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6456, AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE NATIONAL ELECTRICAL CODE (NEC) 2023; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Guth, seconded by Alderman Buerck. On motion by Alderman Amschler, seconded by Alderman Guth, and on vote carried, Bill No. 6456 is read for the second time. Thereupon on motion by Alderman Amschler, seconded by Alderman Guth, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon

declared the bill passed and approved and the bill thereupon became Ordinance No. 6673 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6456

ORDINANCE NO. 6673

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO BUILDINGS AND CONSTRUCTION; ADOPTING THE NATIONAL ELECTRICAL CODE (NEC) 2023; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 15, Chapter 15.04, Section 15.04.040, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**"15.04.040 National Electrical Code.**

- A. That a certain document, a copy of which is on file in the office of the City Clerk of the City of Perryville, being marked and designated as the *National Electrical Code (NEC) 2023*, as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the City of Perryville in the State of Missouri for regulating and governing the inspection of electrical installations, investigation of electrical fires, review of plans, drawings, and specifications for electrical systems, and all other related matters concerning the design, alteration, and modification of electrical systems and equipment in the City of Perryville; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Electrical Code on file in the office of the City of Perryville are hereby referred to, adopted, and made a part hereof as if fully set out herein.
- B. The following sections of the National Electrical Code (NEC) 2023 are hereby revised as follows:
  1. Informative Annex H, Section 80.15(G): Informative Annex H, Section 80.15(G) of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.15(G) Appeal.** Any person shall have the right to appeal a decision or interpretation of the code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Title 17 of the Code of Ordinances of the City of Perryville, Missouri.'
  2. Informative Annex H, Section 80.23(B)(3): Informative Annex H, Section 80.23(B)(3) of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.23(B)(3)** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof shall be guilty of a misdemeanor, punishable under Section 1.16.010 of the Code of Ordinances of the City of Perryville. Each day that a violation continues after due notice has been served shall be deemed a separate offense.'
  3. Informative Annex H, Section 80.25(C): Informative Annex H, Section 80.25(C) of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.25(C) Notification.** If, within three business days after the Electrical Inspector is notified of the completion of an installation of electric equipment, other than a temporary approval installation, the Electrical Inspector has neither authorized connection nor disapproved the installation, the supplier of electricity is authorized to make connections and supply electricity to such installation.'

4. Informative Annex H, Section 80.27(A). Informative Annex H, Section 80.27(A) of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.27(A) Certificate.** All electrical inspectors shall be certified by a nationally recognized inspector certification program accepted by the Board. The certification program shall specifically qualify the inspector in electrical inspections. No person shall be employed as an Electrical Inspector unless that person is the holder of an Electrical Inspector's certificate of qualification issued by the Board, except that any person who on the date on which this law went into effect was serving as a legally appointed Electrical Inspector of the City of Perryville, Missouri, shall, upon application and payment of the prescribed fee and without examination, be issued a special certificate permitting him or her to continue to serve as an Electrical Inspector in the same territory.'

5. Informative Annex H, Section 80.27(B)(3): Informative Annex H, Section 80.27(B)(3) of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.27(B)(3)** Be well versed in the Code of Ordinances of the City of Perryville relating to electrical work and the *National Electrical Code*, as approved by the American National Standards Institute.'

6. Informative Annex H, Section 80.27(B)(4): Informative Annex H, Section 80.27(B)(4) of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.27(B)(4)** Have had at least three years' experience as an Electrical Inspector or ten years in the installation of electrical equipment. In lieu of such experience, the applicant shall be a graduate in electrical engineering or of a similar curriculum of a college or university considered by the Board as having suitable requirements for graduation and shall have had two years' practical electrical experience.'

7. Informative Annex, H Section 80.29: Informative Annex, H Section 80.29 of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.29 Liability for Damages.** Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling, or installing any electric equipment for damages to persons or property caused by a defect therein, nor shall the City of Perryville or any of its employees be held as assuming any such liability by reason of the inspection, reinspection, or other examination authorized.'

8. Informative Annex H, Section 80.35: Informative Annex H, Section 80.35 of the National Electrical Code (NEC) 2023 is hereby revised to read as follows:

**'80.35 Effective Date.** The National Electrical Code (NEC) 2023 shall be in full force and effect from and after July 18, 2023.'

- C. That all reference to Board of Appeal set out in the National Electrical Code (NEC) 2023 shall mean the Zoning Board of Adjustment of the city.

D. That all reference to the jurisdiction set out in the National Electrical Code (NEC) 2023 shall mean the City of Perryville, Missouri.”

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6457, AN ORDINANCE OF THE CITY OF PERRYVILLE, MISSOURI, PROVIDING FOR THE AMENDMENT OF CERTAIN SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO THE ADOPTION OR APPLICATION OF CERTAIN INTERNATIONAL CODES; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Schumer. On motion by Alderman Buerck, seconded by Alderman Amschler, and on vote carried, Bill No. 6457 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Amschler, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6674 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6457

ORDINANCE NO. 6674

AN ORDINANCE OF THE CITY OF PERRYVILLE, MISSOURI, PROVIDING FOR THE AMENDMENT OF CERTAIN SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO THE ADOPTION OR APPLICATION OF CERTAIN INTERNATIONAL CODES; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. Title 13, Chapter 13.24, Article 4, Section 13.24.470, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“13.24.470 Adoption of certain codes.**

There is adopted by the city for the purpose of establishing minimum standards for gas installations certain codes, the first one being the ‘International Fuel Gas Code’ published by the International Code Council, being particularly the 2021 Edition; the second one being the ‘International Plumbing Code’ published by the International Code Council, being particularly the 2021 Edition; the third one being the ‘International Mechanical Code’ published by the International Code Council, being particularly the 2021 Edition; and the fourth one being the State Minimum Standards ‘Transportation of Natural and Other Gas by Pipeline, parts 191 and 192’; save and except such portions as are hereinafter deleted, modified, or amended. One copy of each of the aforesaid codes are now on file in the office of the city clerk for public use, inspection, and examination, and the same are adopted and incorporated as fully as if set out at length herein and the provisions thereof shall be controlling within the corporation limits of the city.”

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. That all other ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason this ordinance may be acted on in one meeting.

Section 6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 18, 2023.

SECOND READING: July 18, 2023.

PASSED AND APPROVED this 18<sup>th</sup> day of July, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

**FIRST READINGS:**

Alderman Rice presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6458, amending Title 9, Chapter 9.04, Section 9.04.170 of the Code of Ordinances relative to fortunetellers, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 9, CHAPTER 9.04 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, BY DELETING SECTION 9.04.170 ENTITLED “FORTUNETELLERS.”

Alderman Schumer presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6459, amending Title 10, Chapter 10.36, Sections 10.36.010 through 10.36.050 of the Code of Ordinances relative to bicycles, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.36, SECTIONS 10.36.010 THROUGH 10.36.050 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI ENTITLED "BICYCLES", AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Amschler presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6460, accepting sinkhole easement deed from Timothy and Cassidy Schumer, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED.

Mayor Riney asks for Committee Reports.

Alderman Guth, as Chairman of the Public Works Committee, asks Public Works Director Layton about an inlet grate on Oak Street. Director Layton tells the Board that a new grate is on backorder. Alderman Guth, as Chairman of the Public Works Committee, asks Public Works Director Layton about a tree that was cut down on Mecker. Director Layton tells the Board that the tree was leaning over a shed. He notes that the tree is on city property. City Engineer Baer notes that the city owns a strip of property that widens for maintenance of a sinkhole. City Administrator Buerck notes that our goal is to obtain easements for property rather than purchase property.

Alderman Martin, as Chairman of the Economic Development Committee, asks EDA Director Jones to update the Board on economic development matters.

EDA Director Report:

- **Ranken Advisory Board** - The first meeting of the Ranken Advisory Board that was created per the agreement between Ranken and the City will be held Thursday, August 10<sup>th</sup> at 8 am at the Ranken Southeast facility.
- **Rail Terminal Project** - We are still moving forward on this project. The engineers have created conceptual drawings and a couple of options on the layout of a potential facility that I will share with the EDA board at our next meeting. The next step is for the engineering firm to create a technical memo with details about the terminal, then create their final report. Once that report is complete, the analysis will essentially be complete. We can then use the analysis to seek funding for construction.
- **Youth Entrepreneurship Program (CEO)** - The steering committee is still in the process of raising the funds needed to move forward with the agreement with Midland Institute. We have some of the funding committed from Wabash Valley Power Alliance.

City Administrator Report:

- **MoDot Public Hearing re Chester Bridge – July 19 at Catalyst Center 2-4pm** - Just as an FYI, there is a public meeting on the status and construction updates for the MoDOT Chester Bridge project. It is more of an open house than a public hearing and everyone is invited to attend.
- **School Street Lift Station – Mo CWC Grants Variance** - We finally got our official confirmation for the variance we sought. With this in hand, we will work towards installing the main lines first and the lift station the following year.

- **Building Code Updates** – Typically we are contacted regarding our ISO rating before the rate is changed; however, this year we were not contacted. This is why we have read these ordinances as emergency ordinances and will submit them immediately.

City Engineer Report:

- **Shared-Use Path** – The retaining wall is complete. A handrail will be added and the embankment will be shaved back.

- **Soccer Parking Lot** – This project is nearly complete. Plans are underway to restripe the parking lots before soccer practice begins for the season.

- **Sunset Drive** – This project is half-way completed. They plan to pour the last lane in one day. This is the first time Putz Construction has been contracted to perform street construction for the City of Perryville. They are doing a good job.

- **Progress Drive** – The necessary easements, deeds, and agreements have been executed for this project except for the Congregation of the Mission's easement to Wabash, which we expect to be completed soon. The final plans have been submitted to MoDot and all of their comments have been answered and approved. We should be able to bid out this project soon.

City Administrator Buerck asks if the civil inspection on the Ranken parking lot has been completed. City Engineer Baer notes that it has not yet been completed. City Administrator Buerck will check with Robinson Construction and Ranken regarding this matter.

City Attorney Report: City Attorney Pistorio tells the Board that it appears that the City's fine schedule needs to be updated. He also tells the Board that he attended the Missouri Municipal Attorney Association's conference held at the Lake of the Ozarks. He tells the Board that he plans to present updates on certain ordinances based on what he learned at the conference.

Chief of Police Report: No Report.

Parks & Recreation Director Report: PHS athletes will be providing community service in the parks on July 28; the Comic Con event was very successful; the last baseball and softball games of the season were rained out; Parks & Rec League Director Casasola had her baby last week, all are well; Earth Works should be starting the dirt work on the pickleball courts in a couple of weeks.

Alderman Martin notes that it appears that someone is living at the storage sheds on the corner of North West Street and Grand Avenue.

Alderman Amschler notes that the crosswalk on the corner of State and Rolla does not connect to a sidewalk. Public Works Director Layton tells the Board that they will review the area and determine what would be the best way to correct this situation.

Alderman Amschler also asks for an update regarding rocks left in the yards of Dean Elder, Brian L'Hote, and Mike Sutterer from the recent construction project. City Engineer Baer tells the Board that plans are underway to clean out the rock and replace it with grass. City Administrator Buerck notes that the grass planted needs to match the grass that was disturbed.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Buerck, it is ordered that the Board now convene into closed session to discuss personnel matters in accordance with Section 610.021(3) RSMo. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Martin, seconded by Alderman Amschler, that the Board now reconvenes into regular session for any business that might come forth. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Schumer, second by Alderman Amschler, and on vote carried, ordered that the Board now adjourn until Tuesday, August 1, 2023, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK