

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 724, Page 33, Section 233.095, Line 9, by inserting after all of said section and line
3 the following:
4

5 "321.228. 1. As used in this section, the following terms shall mean:

6 (1) "Residential construction", new construction and erection of detached single-family or
7 two-family dwellings or the development of land to be used for detached single-family or two-
8 family dwellings;

9 (2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or
10 regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to
11 residential construction, to any permitting system, or program relating to residential construction,
12 including but not limited to the use or occupancy by the initial occupant thereof, or to any system or
13 program for the inspection of residential construction. Residential construction regulatory system
14 also includes the whole or any part of a nationally recognized model code, with or without
15 amendments specific to such city, town, village, or county.

16 2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or
17 county adopts or has adopted, implements, and enforces a residential construction regulatory system
18 applicable to residential construction within its jurisdiction, any fire protection districts wholly or
19 partly located within such city, town, village, or county shall be without power, authority, or
20 privilege to enforce or implement a residential construction regulatory system purporting to be
21 applicable to any residential construction within such city, town, village, or county.

22 Notwithstanding the provisions of any other law to the contrary, any such residential construction
23 regulatory system adopted by a fire protection district or its board shall be treated as advisory only
24 and shall not be enforced by such fire protection district or its board.

25 3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

26 (1) Shall have final regulatory authority regarding the location and specifications of fire
27 hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing
28 in this subdivision shall be construed to require the political subdivision supplying water to incur
29 any costs to modify its water supply infrastructure; and

30 (2) May inspect the alteration, enlargement, replacement or repair of a detached single-
31 family or two-family dwelling; and

32 (3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this
33 subsection.

34 4. In no event shall a fire protection district or its board enact, adopt, or implement any
35 bylaws, ordinances, orders, rules, or regulations that pertain, in any manner, to either the subdivision
36 of land for the purpose of residential construction or to the construction, installation, and erection of

Action Taken _____ Date _____

1 any improvements, infrastructure, and utility facilities related to or for the purpose of serving
2 residential construction.

3 5. Notwithstanding any provision in this section to the contrary, a fire protection district
4 may enter into a contract with a county, city, town, or village to assist in the implementation of the
5 residential construction regulatory system of such county, city, town, or village as it relates to fire
6 protection issues as long as the county, city, town, or village retains jurisdiction over the
7 implementation and enforcement of such system.

8 6. (1) Any fire protection district funded in whole or in part through a designated voter-
9 approved tax shall not charge any additional fees or permit charge for additional services without
10 voter approval from the voters of the entire county in which the fire protection district is located.

11 (2) Any inspection fees charged by a fire protection district shall be billed at a flat rate of
12 one hundred dollars per hour of actual time spent on site doing solely inspections. No charges shall
13 be charged prior to the inspection based on estimated cost of the inspection."; and

14
15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.