

FIRST REGULAR SESSION

HOUSE BILL NO. 580

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOUX.

1451H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 67.280, RSMo, and to enact in lieu thereof one new section relating to building codes.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 67.280, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.280, to read as follows:

67.280. 1. As used in this section, the following terms mean:

(1) "Code", any published compilation of rules prepared by various technical trade associations, federal agencies, this state or any agency thereof, but shall be limited to: regulations concerning the construction of buildings and continued occupancy thereof; mechanical, plumbing, and electrical construction; and fire prevention;

(2) "Community", any county, fire protection district, or municipality;

(3) "County", any county in the state;

(4) **"Dwelling", any single-family dwelling, two-family dwelling, or building consisting of three or more townhouse units;**

(5) "Fire protection district", any fire protection district in the state; **and**

~~(5)~~ (6) "Municipality", any incorporated city, town or village.

2. Any community, if the community otherwise has the power under the law to adopt such an ordinance, may adopt or repeal an ordinance which incorporates by reference the provisions of any code or portions of any code, or any amendment thereof, properly identified as to date and source, without setting forth the provisions of such code in full. At least one copy of such code, portion or amendment which is incorporated or adopted by reference, shall be filed in the office of the clerk of the community and there kept available for public use,

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 inspection, and examination. The filing requirements herein prescribed shall not be deemed
19 to be complied with unless the required copies of such codes, portion, or amendment or public
20 record are filed with the clerk of such community for a period of ninety days prior to the
21 adoption of the ordinance which incorporates such code, portion, or amendment by reference.

22 3. Any ordinance adopting a code, portion, or amendment by reference shall state the
23 penalty for violating such code, portion, or amendment, or any provisions thereof separately,
24 and no part of any such penalty shall be incorporated by reference.

25 **4. (1) Notwithstanding any other law to the contrary, no community shall adopt**
26 **any ordinance, resolution, regulation, code, or policy that:**

27 **(a) Prohibits, or has the effect of prohibiting, framed cavities in new dwellings**
28 **from being used as ducts or plenums; or**

29 **(b) Requires, or has the effect of requiring:**

30 **a. New dwellings to have a wood frame wall cavity insulation R-value greater**
31 **than thirteen;**

32 **b. New dwellings to utilize exterior continuous insulation;**

33 **c. New dwellings to have a ceiling insulation R-value greater than thirty-eight; or**

34 **d. New dwellings to have a maximum air leakage rate less than five air changes**
35 **per hour.**

36 **(2) Nothing in this subsection shall be construed to prohibit the owner or**
37 **purchaser of a dwelling from choosing to install, at such owner or purchaser's expense,**
38 **any of the features described under subdivision (1) of this subsection if feasible with the**
39 **design of the dwelling. Any ordinance, resolution, regulation, code, or policy adopted in**
40 **violation of this subsection shall be null and void.**

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