

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1791, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:
3

4 "67.491. 1. A political subdivision that adopts any uniform or model code or standard
5 within such political subdivision's boundaries shall employ or contract with an enforcement
6 inspector who is certified to perform inspections of projects that are subject to such uniform or
7 model code or standard to ensure compliance with such uniform or model code or standard.

8 2. Such enforcement inspector may be certified by any nationally or state-recognized agency or
9 organization that offers certification in inspecting for compliance with the uniform or model
10 code or standard adopted by such political subdivision."; and
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12 Further amend said bill, Page 4, Section 67.492, Line 116, by inserting after all of said line and
13 section the following:
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15 "9. Nothing in this section shall be construed to require any political subdivision to adopt
16 a nationally or internationally recognized building code.

17 321.130. A person, to be qualified to serve as a director, shall be a resident and voter of
18 the district for at least one year before the election or appointment and be over the age of twenty-
19 four years. In the event the person is no longer a resident of the district, the person's office shall
20 be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and
21 declarations of candidacy shall be filed at the headquarters of the fire protection district by
22 ~~[paying a filing fee equal to the amount of a candidate for county office as set forth under section~~
23 ~~115.357, and]~~ filing a statement under oath that such person possesses the required
24 qualifications. Thereafter, such candidate shall have the candidate's name placed on the ballot as
25 a candidate for director.

26 321.210. On the first Tuesday in April after the expiration of at least two full calendar
27 years from the date of the election of the first board of directors, and on the first Tuesday in
28 April every two years thereafter, an election for members of the board of directors shall be held
29 in the district. Nominations shall be filed at the headquarters of the fire protection district in
30 which a majority of the district is located by ~~[paying a filing fee equal to the amount of a~~
31 ~~candidate for county office as set forth under section 115.357 and]~~ filing a statement under oath

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1 that the candidate possesses the required qualifications. The candidate receiving the most votes
2 shall be elected. Any new member of the board shall qualify in the same manner as the members
3 of the first board qualify.

4 321.228. 1. As used in this section, the following terms shall mean:

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

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

15 2. Notwithstanding the provisions of any other law to the contrary, if a city, town,
16 village, or county adopts or has adopted, implements, and enforces a residential construction
17 regulatory system applicable to residential construction within its jurisdiction, any fire protection
18 districts wholly or partly located within such city, town, village, or county shall be without
19 power, authority, or privilege to enforce or implement a residential construction regulatory
20 system purporting to be applicable to any residential construction within such city, town, village,
21 or county. Notwithstanding the provisions of any other law to the contrary, any such residential
22 construction regulatory system adopted by a fire protection district or its board shall be treated as
23 advisory only and shall not be enforced by such fire protection district or its board.

24 3. Notwithstanding the provisions of any other law to the contrary, fire protection
25 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.
28 Nothing in this subdivision shall be construed to require the political subdivision supplying
29 water to incur 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
36 subdivision of land for the purpose of residential construction or to the construction, installation,
37 and erection of any improvements, infrastructure, and utility facilities related to or for the
38 purpose of serving residential construction.

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

6 6. If any city, town, village, or county has not adopted a building code or other
7 residential construction regulatory system and the city, town, village, or county is under the
8 jurisdiction of a fire protection district with a fire code, notwithstanding any fire code provision
9 to the contrary, the fire protection district shall issue only permits related directly to fire
10 protection."; and

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12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.