

SECOND REGULAR SESSION

HOUSE BILL NO. 1791

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURPHY.

4520H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to building permit applications.

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

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.492, to read as follows:

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

(1) "Level 1 building permit", a permit to perform construction, maintenance, repairs, or replacements related to the following categories on a building structure with less than seven thousand five hundred square feet that is a residential unit, whether a single-family residential unit or a single-family residential dwelling:

(a) An accessory structure;

(b) Alarms;

(c) Electrical;

(d) Irrigation;

(e) Landscaping;

(f) Mechanical;

(g) Plumbing; or

(h) Roofing;

(2) "Level 2 building permit", a permit to perform construction, maintenance, repairs, or replacements related to the following categories on a building structure with at least seven thousand five hundred square feet that is a residential unit, whether a single-family residential unit or a single-family residential dwelling:

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 (a) An accessory structure;
19 (b) Alarms;
20 (c) Electrical;
21 (d) Irrigation;
22 (e) Landscaping;
23 (f) Mechanical;
24 (g) Plumbing; or
25 (h) Roofing;
- 26 (3) "Level 3 building permit", a permit to perform construction, maintenance,
27 repairs, or replacements related to signs or nonresidential buildings with less than
28 twenty-five thousand square feet;
- 29 (4) "Level 4 building permit", a permit to perform construction, maintenance,
30 repairs, or replacements related to the following categories:
31 (a) Multifamily residential property not exceeding fifty units;
32 (b) Site-plan approvals and subdivision plats not requiring a public hearing or
33 public notice; or
34 (c) Lot grading and site alteration;
- 35 (5) "Level 5 building permit", a site-specific building permit obtained under a
36 building permit intended for use by builders who expect to construct identical single-
37 family or two-family dwellings or townhomes on a repetitive basis;
- 38 (6) "Level 6 building permit", a single-family residential dwelling permit
39 applied for by a contractor licensed in this state on behalf of a property owner who
40 participates in a federal Community Development Block Grant disaster recovery
41 (CDBG-DR) appropriation within this state.
- 42 2. (1) A political subdivision with authority to grant a building permit under
43 state law or local orders or ordinances shall approve, approve with conditions, or deny a
44 building permit application within the following deadlines after receipt of a completed
45 and sufficient application:
46 (a) For a level 1 building permit, thirty business days;
47 (b) For a level 2, level 3, or level 4 building permit, sixty business days;
48 (c) For a level 5 building permit, twelve business days; and
49 (d) For a level 6 building permit, ten business days, unless the permit application
50 fails to satisfy state law or local orders or ordinances relating to single-family residential
51 dwelling construction, maintenance, repairs, or replacements.
- 52 (2) A deadline listed in subdivision (1) of this subsection shall not apply if the
53 building permit applicant waives the deadline in writing.

54 (3) No political subdivision shall require the waiver of the deadlines in this
55 subsection as a condition precedent to reviewing an applicant's building permit
56 application.

57 3. A political subdivision shall meet the deadlines described in this section for
58 reviewing building permit applications unless the deadlines set by local orders or
59 ordinances are more stringent than the deadlines required in this section.

60 4. (1) After a building permit applicant submits an application to a political
61 subdivision, the political subdivision shall provide written notice to the applicant within
62 five business days after receipt of the application advising the applicant what
63 information, if any, is needed to deem or determine that the application is properly
64 completed in compliance with the filing requirements published by the political
65 subdivision.

66 (2) If the political subdivision does not provide timely written notice that the
67 applicant has not submitted the properly completed application, the application shall be
68 automatically deemed or determined to be properly completed and accepted.

69 5. A political subdivision shall maintain on the political subdivision's website a
70 policy containing procedures and expectations for expedited processing of building
71 permits and development orders required by law to be expedited.

72 6. (1) If a political subdivision fails to meet a deadline established under this
73 section, the political subdivision shall reduce the building permit fee by ten percent for
74 each business day that the political subdivision fails to meet the deadline.

75 (2) Each ten-percent reduction shall be based on the original amount of the
76 building permit fee.

77 (3) No reduction of the fee shall occur under subdivision (1) of this subsection if:

78 (a) The political subdivision and the building permit applicant agree, in writing,
79 to a reasonable extension of time; or

80 (b) The delay is caused by the applicant.

81 (4) (a) No political subdivision shall be required to reduce the building permit
82 fee if the political subdivision provides written notice to the applicant by email or United
83 States Postal Service within the respective deadlines established under this section that
84 specifically states the reasons the permit application fails to satisfy state law or local
85 orders or ordinances.

86 (b) The written notice shall state that the applicant has ten business days after
87 receiving the written notice to submit revisions to correct the permit application and
88 that failure to correct the application within ten business days will result in a denial of
89 the application.

90 (c) If the applicant submits revisions within ten business days after receiving the
91 written notice, the political subdivision shall have ten business days after receiving the
92 revisions to approve or deny the building permit unless the applicant agrees, in writing,
93 to a longer period.

94 (d) If the political subdivision fails to issue or deny the building permit within
95 ten business days after receiving the revisions, the political subdivision shall reduce the
96 building permit fee by twenty percent for each business day that the political
97 subdivision fails to meet the deadline unless the applicant agrees, in writing, to a longer
98 period.

99 7. If a political subdivision refunds a building permit fee under this section, the
100 political subdivision shall recalculate any surcharge related to the permit and fee
101 collected by the political subdivision. The recalculation shall be based on the amount of
102 the building permit fees after the refund.

103 8. (1) As used in this subsection, "rebuilding area" means an area that has been
104 destroyed by a natural disaster that results in the governor proclaiming a state of
105 emergency for such area as provided in chapter 44.

106 (2) If a contractor is performing construction, maintenance, repairs, or
107 replacements in a rebuilding area and such construction, maintenance, repairs, or
108 replacements would require any level of building permit defined in subsection 1 of this
109 section, the contractor may begin such construction, maintenance, repairs, or
110 replacements in such rebuilding area without a permit as required under this section.

111 (3) This subsection shall not be construed to exempt such construction,
112 maintenance, repairs, or replacements in a rebuilding area from any other existing state
113 law or rule or a local order or ordinance related to safety requirements for such
114 construction, maintenance, repairs, or replacements.

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