

CHAPTER 5

CODES

ARTICLE I.

BUILDING AND FIRE CODES

Section 5-1. Code adoption.

- A. The ICC International Building Code/2006 edition as published by the International Code Council, Inc. is the Building code of the City of Nixa, Missouri: For the control of buildings and structures as herein provided and each and all of the regulations, provisions, penalties, conditions and terms of said ICC International Building Code, are hereby referred to, adopted and made a part hereof as if fully set out in the Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-2 of this ordinance.
- B. The ICC International Residential Code for One and Two Family Dwellings / 2006 edition as published by the International Code Council Inc. is the One and Two family Dwelling Code for the City of Nixa, Missouri regulating the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one and two family dwellings, their appurtenances and accessory structures in the jurisdiction of the City of Nixa, Missouri; and providing for the issuance of permits therefore providing penalties for the violation hereof, and repealing all ordinances and parts of the ordinances in conflict therewith.
- C. The ICC International Plumbing Code / 2006 edition as published by the International Code Council, Inc. is the Plumbing Code of the City of Nixa, Missouri for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of said ICC International Plumbing Code are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, and with the additions insertions, deletions and changes, if any, prescribed in Section 5-2 of this Ordinance.
- D. The ICC International Mechanical Code / 2006 edition as published by the International Code Council, Inc. is the Mechanical Code of the City of Nixa, Missouri for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of said ICC International Mechanical Code are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions,

insertions, deletions and changes, if any, prescribed in Section 5-2 of this Ordinance.

- E. The ICC International Property Maintenance Code / 2006 edition as published by the International Code Council, Inc. is the Property Maintenance Code of the City of Nixa, Missouri for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of said ICC International Property Maintenance Code are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-2 of this Ordinance..
- F. The ICC International Fire Prevention Code / 2006 edition as published by the International Code Council, Inc. is the Fire Prevention Code of the City of Nixa, Missouri for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of said ICC International Fire Prevention Code are hereby referred to; adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes if any, prescribed in Section 5-2 of this Ordinance.
- G. The 2005 Edition of the National Electrical Code / (NFPA-70-2005) as published by the National Fire Protection Association, is the Electrical Code of the City of Nixa, Missouri, for the control of buildings, structures as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said NFPA National Electrical Code are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-2 of this Ordinance. (#1469 1/07)
- H. The ICC International Energy Conservation Code / 2006 edition as published by the International Code Council, Inc. is the Energy Conservation Code of the City of Nixa, Missouri, for the control of buildings and structures as herein provided, and each and all of regulations, provisions, penalties, conditions and terms of said ICC International Energy Conservation Code are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-2 of this Ordinance.

Section 5-2. Amendments.

The 2006 International Residential Code, Sections R502.2.2 is amended to include the City of Nixa Typical Deck Details attached as Exhibit 1.

Section 5-3. Inspection and enforcement.

The City of Nixa Building Department, responsible for inspections, shall have the authority to make inspections and enforce the ICC International Codes and the National Electrical Code as adopted for the City of Nixa on August 14, 2006, and will be in effect as of August 15, 2006.

Any appeals, variances, or interpretations must be in accordance with Article V. of the Land Development Code of the City of Nixa, Missouri.

Nothing in this Ordinance or the Building Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired existing, under any act or ordinance hereby repealed as cited in Section (5) 5-2 of this Ordinance: nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. (#1443 8/06)

Section 5-4 Finished Floor Elevation Verification Policy

To ensure proper placement of a structure, all lots with a minimum finished floor elevations identified on the recorded Final Plat shall require the submittal of a finished floor elevation certificate upon completion of the basement finished floor and/or garage finished floor and prior to framing of the structure.

A surveyor registered in the State of Missouri shall conduct the elevation certification. Results of the survey shall be submitted, stamped and sealed to the Development Department; verifying compliance with the finished floor elevation for the lot on the City's Certification Form. (1543 7/08)

Sections 5-5 through 5-10 reserved.

ARTICLE II

HOUSING OCCUPANCY CODE

INSPECTIONS AND CERTIFICATES

Section 5-11. Purpose.

The general purpose of this Article is to protect the public health, safety, comfort, morals and the general welfare of the people of the City. These general objectives include, among others, the following specific purposes:

1. To protect the character and stability of residential areas within the City.
2. To provide minimum standards for cooking, heating and sanitary equipment necessary to the health and safety of occupants of buildings.
3. To provide facilities for light and ventilation, necessary to health and safety.
4. To prevent additions or alterations to existing dwellings that would be injurious to the life, health, safety or general welfare of the occupants of such dwellings or neighboring properties.
5. To prevent the overcrowding of dwellings by providing minimum space standards per occupant of each dwelling unit.
6. To provide minimum standards for the maintenance of existing residential buildings and to prohibit the spread of slums and blight.
7. To preserve the taxable value of land and buildings through out the City.

Section 5-12. Conflicting provisions.

- A. This article establishes minimum standards for dwelling units and accessory buildings and does not replace or modify standards otherwise established for the construction, replacement or repair of buildings except such as are in conflict with the provisions of this article.
- B. Any inconsistency or conflict between the provisions of this article or any existing ordinance shall not repeal such provision or ordinance; but the provisions of this article shall be cumulative thereto:

Section 5-13. Conformance to article required.

Every building or its premises used in whole or in part as a home or residence or as an accessory structure thereof, of a single family or person, and every building used in whole or in part as a home or residence of two or more persons or families, living in separate apartments, shall conform to the requirements of this article, irrespective of the class to which such buildings may otherwise belong, and irrespective of when such buildings may have been constructed, altered or repaired.

Section 5-14. Inspection authorized: Access.

The City Administrator or his designate is authorized and directed to make inspections to determine whether dwellings, dwelling units, rooming units, accessory structures and premises located within the City conform to the requirements of this Article. For the purpose of making such inspections, the City Administrator or his designate is authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming units, accessory structures and premises. The owner or occupant of every dwelling unit, rooming unit, accessory structure and its premises shall give the City Administrator or his designate free access thereto at all reasonable times for the purpose of such inspection, examination and survey.

Section 5-15. Occupancy permit required: Fees.

- A. It shall be unlawful for any person to occupy or for any owner or agent thereof to permit the occupation of any building, or addition thereto, or part thereof, for any purpose until a certificate of occupancy has been issued by the City Administrator or his designate. Every owner, agent or manager of any building, or addition thereto, shall inform the City Administrator or his designate whenever any portion of such building or any dwelling unit therein becomes vacant and request an inspection thereof under the provisions of this Article. The certificate of occupancy so issued shall state that the occupancy complies with all the provisions of this Article. This section shall not apply to any occupancy in existence on March 1, 1994, until vacancy in rental unit occurs. If a rental unit is occupied before a "Certificate of Occupancy" is issued, a \$50.00 inspection fee will be required. If a landlord allows more than one violation, a summons to appear in Municipal Court will be issued. (963 8/96)
- B. The occupancy permit will be issued for each dwelling unit or building or portion thereof, occupied. It shall be unlawful for any person to knowingly make any false statement in his application for an occupancy permit as to the names, ages, relationship or number of occupants who will occupy the premises.

Section 5-16. Inspections and certificates of compliance.

If the inspected premises meet city standards, a certificate of compliance shall be issued. The Certificate of Occupancy shall be valid as long as the unit is occupied by current tenant.

The tenant must bring the Certificate of Occupancy to sign up for utilities. Two (2) copies of the occupancy and the inspection list are left at the site by the inspector. Utilities will not be transferred into tenant's name unless the Certificate of Occupancy accompanies the request. (963 8/96)

Section 5-17. Inspection fees.

- A. A fee of \$20.00 shall be paid to the City and shall accompany each request for inspection of a single-family dwelling. For the purpose of this section, a dwelling unit occupied as a condominium shall be considered a single-family dwelling
- B. Except as otherwise provided, a fee of \$20.00 for each inspection shall be paid to the City and shall accompany each request for inspection of a dwelling unit in a multifamily dwelling. A penalty of \$20.00 will be charged for each rescheduled inspection if an appointment is scheduled and the inspector is unable to get into the unit as scheduled by the applicant. This fee will be charged even if it is the second or third inspection of the year, which doesn't require the payment. (See Section 5-15 (a) for fee if property is occupied before "Certificate of Occupancy" is issued.) (963 3/96)

Section 5-18. Procedures for apartment complexes with more than 30 units.

- A. To facilitate the scheduling and conduct of inspections in compliance with this Article, multiple-family complexes with more than 30 rental units under single administrative control may arrange for individual inspections without having to pay for them at the time they are scheduled. These complexes may be billed monthly for inspections conducted during the preceding 30-day period (month). Inspections remaining unpaid for 60 days following the billing will be determined to be delinquent and will be subject to a 1 ½ percent per month late fee for each month or fraction thereof that the billing remains unpaid. Complexes which are delinquent in their payments for three consecutive billing periods may, at the discretion of the City Administrator or his designate, lose the privilege of monthly billing. (963 8/96)
- B. To aid new residents and to facilitate compliance with this Article, multiple-family complexes with more than 100 rental units may collect the occupancy permit fees on behalf of their new tenants. Such fees will be paid to the City no less often than once per month.

Section 5-19. Notice of violation.

Whenever the City Administrator or his designate determines that there are reasonable grounds to believe that there has been a violation of any provision of this Article, he shall give notice of such alleged violation to the person responsible, therefore which shall:

1. Be in writing.
2. Contain a statement of the reason why it is being issued.
3. Allow a reasonable time for the performance of any act it requires (30 days' maximum).
4. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Article.
5. Be served upon the owner or his agent, or the occupant, as the case may require. Such notice shall be deemed to be properly served upon such owner or agent, or on any such occupant, if a copy thereof is:
 - a. Served upon him personally;
 - b. Sent by certified mail to his last known address; or
 - c. Posted in a conspicuous place in or about the dwelling affected by the notice.

Section 5-20 Designation of dwellings unfit for habitation.

The following may be designated as dwellings or dwelling units unfit for human habitation:

1. One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested that it creates a serious hazard to the health or safety of the occupants or the public;
2. One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public;
3. One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public;
or
4. One which does not substantially conform to this Article.

Section 5-21. Placarding.

Any dwelling or dwelling unit which shall be found to have any of the defects set out in this Article shall be declared unfit for human habitation and shall be so designated and placarded by the City Administrator or his designate when the person responsible has failed to correct the condition set forth in a notice issued.

Section 5-22. Removal of placards.

No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as may be provided.

Section 5-23. Right of appeal.

Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing on the matter before the Board of Adjustment under the procedure set forth in Article V of the Land Development Code.

Section 5-24. Vacation of building.

- A. Any dwelling or dwelling unit condemned as unfit for human habitation, and so designated and placarded by the City Administrator or his designate, shall be vacated within a reasonable time as ordered by the City Administrator or his designate.
- B. No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by the City Administrator or his designate. The City Administrator or his designate shall remove such placard whenever the defects upon which the condemnation and placarding action were based have been eliminated.

Section 5-25. Vacated structures to be made secure.

If a structure or part thereof is vacant or unfit for human habitation, occupancy, or use and is not in danger of structural collapse, the City Administrator or his designate may post a placard of condemnation on the premises and may order the structure closed up with plywood so as to prevent that structure from becoming a public nuisance. Upon failure of the owner to close up the condemned structure within the time specified in the order, the City Administrator or his designate shall cause those premises to be closed up with plywood through any available public agency or by contract or arrangement by private persons, and the cost thereof shall be charged against the real estate upon which the condemned structure is located and shall thereafter become a lien upon that real estate. In addition, any structure, which is ordered to be closed up, shall have at least one no-trespassing sign posted in a prominent place on each of its outside walls. All closing up with plywood shall be done in accordance with regulations for such work kept on file in the office of the City Administrator or his designate.

Section 5-26. Remedy of defects.

- A. The owner of any building shall have 30 days from the issuance of the notice to remedy the condition therein specified; provided, however, that the City Administrator or his designate may, at his discretion, extend the time for compliance with any such notice and provided further, that no owner shall be held responsible for any condition that is not specifically described in such notice.
- B. The failure of any owner to comply with any order of the City Administrator or his designate contained in the notice prescribed by Section 5-19 within the time specified shall make such owner subject to the penalties provided for such offense.

Section 5-27. Transfer of ownership.

- A. It shall be unlawful for the owner of any dwelling or dwelling unit upon whom a notice of violation or compliance order has been served to sell, transfer, mortgage, lease or otherwise dispose of the dwelling to another until the provisions of the notice of violation or compliance order have been complied with, or until such owner shall first furnish to the grantee, lessee or mortgagee a true copy of any notice of violation or compliance order issued by the City Administrator or his designate. A transferee, lessee, or mortgagee who has received actual or constructive notice of the existence of a notice of violation or compliance order shall be bound by such notice as of the date of the transfer without further service or notice upon him.
- B. The owner to whom a dwelling or dwelling unit has been transferred may consent to make repairs which have been required by a notice of violation from the City Administrator or his designate, by signing an agreement with the City agreeing to make the repairs required by the violation notice on or before a date as determined by the City Administrator or his designate. Upon receipt of such agreement, the City Administrator or his designate may issue an occupancy permit to be held by the City until such time as the repairs are completed by the new owner of the dwelling or dwelling unit. The form of this agreement shall contain the following:
 - 1. Identity of the owner.
 - 2. Description and location of the dwelling or dwelling unit.
 - 3. List of all required repairs.
 - 4. The date upon which repairs will be completed.
 - 5. Executed and notarized signatures by both the new owner and the building commissioner.

MINIMUM STANDARD AND REQUIREMENTS

Section 5-28. Compliance with article required.

No person shall let or hold out to another for occupancy any dwelling or family unit for the purpose of living therein, which is not safe, clean, sanitary, and fit for human occupancy and which does not comply with the particular requirements of this Article.

Section 5-29. Yards, Courts, Driveways, Vegetation.

- A. Every yard, court, vent passageway, driveway and other portion of the lot on which a dwelling stands shall be graded and drained so as to prevent the accumulation of stagnant water on any such surface. Driveways and sidewalks shall be maintained in good repair and free of safety hazards.
- B. Yards shall be provided with adequate lawn, ground cover or vegetation, hedges or bushes, equal to a least ten percent of the total lot area. All areas, which are not covered by vegetation, shall be treated to prevent dust or the blowing or scattering of dust particles into the air. All trees, bushes or vegetation, which overhang a public entrance or street corner, shall be properly trimmed to avoid obstruction of the view and movements of vehicles and pedestrians.

Section 5-30. Infestation.

- A. Each dwelling and all exterior appurtenances on the premises shall be adequately protected against rats, mice, termites and other vermin infestation. Building defects, which permit the entrance of rats, mice, termites and other vermin shall be corrected immediately by the owner. Tenants shall be responsible for the elimination of rodents and vermin from the part of the premises under their exclusive control except when more than one unit is infested at the same time and in this instance the owner shall be responsible for elimination of the infestation.
- B. The owner or tenant, as provided for in subsection (a), shall be given ten days notice to abate any rodent, vermin or similar infestation. Such notice to abate an infestation shall be issued by the City Administrator or his designate or health commissioner. Such notice shall be deemed issued when it is posted upon the premises having the infestation.
- C. Upon the expiration of the ten-day notice, and the failure of the owner and/or tenant to abate the infestation, the City or its designee may enter upon such property or premises and abate the infestation. Any costs incurred by the City in abating this infestation shall be placed as a lien against the property.

Section 5-31. Minimum ceiling height.

Habitable rooms shall have a clear ceiling height of not less than seven feet, four inches, except that in attics or top-half stories, the ceiling height shall be not less than seven feet over not less than one-third of the area when used for sleeping, study or similar activity. In calculating the floor area of such rooms, only those portions of the floor area of the room having a clear ceiling height of five feet or more may be included.

Section 5-32. Combined living-dining areas.

Combined living room-dining room spaces will be construed as meeting the requirements of this Article if the total area is equal to that required for separate rooms and if the space is so located that it may function as a combination living room dining room.

Section 5-33. Basement dwelling units.

No room in any basement in an existing building shall be used for habitable purposes unless such room is being used for habitable purposes on or after March 1, 1994, unless the following standards are complied with:

1. The ceiling shall be at least seven feet high.
2. Adequate ventilation must be provided.
3. The floor area shall be waterproof and damp proof.
4. Such room shall be well drained and dry.
5. A basement habitable room or basement dwelling unit shall meet the other requirements of this Article and the building code. No basement room shall be used for a bedroom unless there is provided a separate means adaptable or adapted to provide personnel egress from the basement dwelling unit in addition to the main stairway from the ground or first level of the dwelling.

Section 5-34. Foundations, exterior walls and roofs.

- A. The foundation, exterior walls and exterior roof shall be protected against rodents and shall be kept in sound condition and repair.
- B. The foundation elements shall adequately support the building at all points.
- C. Every exterior wall shall be free of deterioration, holes, breaks, loose or rotting boards or timbers, cracked or peeling paint and any other condition which might admit rain or dampness to the interior portions of the walls or to the exterior spaces of the dwelling.

- D. The foundation, exterior walls and roof shall be tight and have no defects, which admit rain; and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls.
- E. All cornices, rustication's, quoins, moldings, belt courses, lintels, sills, oriole windows, pediments and similar projections shall be kept in good repair and free from cracks and defects which make them hazardous and dangerous.

Section 5-35. Floors, interior walls and ceilings.

- A. Every floor, interior wall and ceiling shall be:
 - 1. Adequately protected against the passage and harborage of vermin and rodents.
 - 2. Kept in sound condition and good repair.
 - 3. Free of holes and cracks.
 - 4. Free of loose, warped, protruding or rotting floorboards.
 - 5. Maintained in a tight weatherproof condition.
- B. Every interior wall and ceiling shall be free of loose plaster or other structural material.
- C. Plaster, paint and all other surface materials shall be of such character as to be easily cleanable, and shall be reasonably smooth, clean and tight.
- D. Every toilet room and bathroom floor surface shall be substantially impervious to water and capable of being maintained easily in a clean and sanitary condition.

Section 5-36. Exterior openings.

- A. Every window, exterior door and basement hatchway shall be substantially tight and shall be kept in sound condition and repair.
- B. Every window shall be fully supplied with windowpanes, which are without cracks, or holes and every window sash shall be in good condition and fit reasonably tight within its frame.
- C. Windows, other than fixed windows, shall be capable of being easily opened and shall be held in position by window hardware.
- D. Every exterior door, door hinge and door latch shall be in good condition; and every exterior door, when closed, shall fit reasonably well within its frame.

- E. Every window, door and frame shall be constructed and maintained in such relation to the adjacent wall construction as to completely exclude rain and substantially exclude wind from entering the dwelling.
- F. Basement hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain and surface drainage water into the building.

Section 5-37. Stairways and porches.

- A. Every stairway inside or outside of the dwelling and every porch shall be kept in safe condition and sound repair, and every flight of stairs and every porch floor shall be free of deterioration.
- B. Every stairwell and every flight of stairs which is more than four risers high shall have rails not less than 2 ½ feet high, measured vertically from the nose of the tread to the top of the rail, and every porch which is more than four risers high shall have rails which are firmly fastened not less than 2 ½ feet above the floor of the porch.
- C. No flight of stairs shall have settled more than one inch out of its intended position or have pulled away from supporting or adjacent structures; nor shall any flight of stairs have rotting, loose or deteriorating supports.
- D. The treads shall be ten inches minimum and shall be strong enough to bear a concentrated load of at least 400 pounds without danger of breaking.
- E. Every porch shall have a sound floor; and no porch shall have rotting, loose or deteriorating supports.

Section 5-38. Basements and cellars.

- A. Every basement and every cellar shall be maintained in a safe and sanitary condition, and water shall not be permitted to accumulate or stand on the floor.
- B. All sewer connections shall be properly trapped.
- C. All cellar and slab drains shall be covered with grating.
- D. Junk, rubbish and waste shall not be permitted to accumulate to such an extent as to create fire hazards or to endanger health or safety.

Section 5-39. Facilities, equipment and chimneys.

Every supplied facility, piece of equipment or utility and every chimney and chimney flue shall be installed, shall function effectively as originally designed and shall be maintained in a safe, sound and sanitary working condition.

Section 5-40. Accessory structures.

- A. Accessory structures shall be functional, be maintained in a state of good repair and not obstruct light and air of doors and windows of any dwelling unit, or obstruct a safe means of access to any dwelling unit or create fire and safety hazards or provide rat or vermin harborage.
- B. All exterior appurtenances or accessory structures, which serve no useful purpose and are in a deteriorated condition, which are not economically repairable, shall be removed. Such structures include porches, terraces, entrance platforms, garages, driveways, carports, walls, fences and miscellaneous sheds.

Section 5-41. Dual egress for dwelling units occupying third or higher story.

All habitable structures of three or more stories with dwelling units occupying the third or higher story shall be provided with two separate usable unobstructed means of egress for each dwelling unit located above the second story. Exit facilities from such dwelling units shall lead to a public thoroughfare, either directly or through a court or yard, and passage to such exits shall not lead through any other dwelling unit or through a space that might reasonable be locked by anyone who is not a member of the household. Dual egress will not be required of structures that are of full fireproof construction as defined in the building code adopted by the City.

Section 5-42. Bathrooms.

Every dwelling unit shall contain a bathroom which affords privacy to a person within such room and which is equipped with a flush water closet, a tub or shower and a lavatory basin. Every supplied water closet, tub, shower and lavatory basin must be in good repair, free of chips, cracks or other defects which may be a sanitary hazard, and shall be in working condition, properly connected to water and an approved sanitary sewer system. Every dwelling unit with more than seven occupants shall contain additional sanitary facilities at a rate of one water closet and one lavatory for each additional four occupants or fraction thereof.

Section 5-43. Kitchen sinks.

Every dwelling unit shall contain a kitchen sink in good repair, free of chips, cracks or other defects which may be a sanitary hazard, and shall be in working condition, properly connected to a water and sewerage system approved by the City Administrator or his designate.

Section 5-44. Natural lighting.

All habitable rooms, except as otherwise provided in this Article, shall be provided with a means of transmitting natural light from the outside complying with the following requirements:

- A. The required clear glass area shall not be less than one-tenth of the floor area of such room and not less than ten square feet. The effective area shall be computed at not more than 80 percent of the actual area when a required natural light area:
 - a. Faces a wall or other obstruction at a distance of less than ten feet; or
 - b. Is located below a roof or other obstruction projecting more than four feet from the face of the window or other natural light area and the plane from the head to the outside of such projection forms an angle with the horizontal of less than 45 degrees.
- B. Whenever a habitable room has a natural light area opening from the room to an enclosed porch, such area shall not be counted as a light area unless the enclosed porch has a natural light area of not less than three times the required light area opening from the room to the porch.

Section 5-45. Illumination.

A minimum of five foot-candles of daylight or artificial illumination shall be required at all times in all public halls. All habitable rooms, passageways and stairways shall be provided with electric fixtures so that they can be adequately lighted at night.

Section 5-46. Ventilation-generally.

Every habitable room shall have a ventilation system adequate for the purpose for which the room is used. Natural ventilation shall be deemed to be adequate for habitable rooms when the total are operable to the outside air (by means of windows, louvers, monitors or other direct openings excluding doors) is five percent of the floor area of the habitable room, except that when:

- 1. Any portion of the room is more than 16 feet from a required opening; the aggregate clear area of the opening shall be not less than six percent.
- 2. A room has openable areas on two or more sides thereof; the total openable area shall be at least four percent of the total floor area of such room.
- 3. The openable area faces a wall or other obstruction at a distance of less than ten feet, the effective are shall be computed at not more than 80 percent of the actual openable area.

4. The openable area opens onto an enclosed porch, the enclosed porch shall have an openable area of at least three times the total required area of the openings onto such porch.

Section 5-47. Same-Kitchen with floor area of less than 70 square feet.

A kitchen with a floor area of less than 70 square feet may be without either mechanical or natural ventilation if there is an opening of not less than 32 square feet between the kitchen and another room in the same family unit and if the room into which the kitchen opens has the ventilation requirements.

Section 5-48. Same-Bathrooms.

Every toilet room and bathroom shall have adequate ventilation which may be either an operable window with an openable area of five percent of the floor area, mechanical ventilation in compliance with the requirements of Sections 5-46 and 5-47, or a gravity vent flue constructed with incombustible material leading to the roof of the building or a combination of any of these. The gravity vent shall be computed at an aggregate clear area of not less than five percent of the floor area of the room with a minimum area of at least 120 square inches. Gravity vents shall be provided with a weather cap, directional vane or rotary-type ventilation on the roof.

Section 5-49. Screens.

Screens shall be supplied to the following extent: From April 15 to November 15 of each year, every door opening directly from any family unit to the outdoors, and every window or other outside opening used for ventilation purposes, shall be supplied with a screen of not less than 16 mesh per inch and every screen door shall have a self closing device in good working condition. No such screen shall be required for a family unit on a floor above the fourth floor, unless required by the City Administrator or his designate when unusual circumstances of insect prevalence exist.

Section 5-50. Water and sewerage facilities.

All fixtures shall be in good repair and in working condition, properly connected to the public water system and to a public or private sewerage system; provided, however, that until such sewer connections are available, septic tanks constructed according to the standards required by the health department, and properly functioning, shall not be construed as in violation of this section.

Section 5-50A. Required Backwater Valve.

All one and two family dwellings shall have a backwater valve installed to prevent the possibility of sewage backup into the residence. Backwater valves shall be installed with access. (#1537 6/08)

Section 5-51. Required water connections.

Every kitchen sink, lavatory basin, and bathtub or shower, required under the provisions of this Article shall be properly connected with both hot and cold water lines.

Section 5-52. Water-heating facilities.

- A. Every dwelling unit shall have supplied water-heating facilities which are properly installed, are maintained in safe and good working condition, are properly connected with the hot water lines required under the provisions of this Article and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120 degrees Fahrenheit. Such supplied water-heating facilities shall be capable of meeting the requirements of this subsection when the dwelling or dwelling unit heating facilities required under the provisions of this Article are not in operation.
- B. Every owner, agent and manager of any apartment house, hotel, rooming house, flat or other building whatsoever who leases, rents or lets one or more dwelling units on terms, either expressed or implied, to furnish hot water to the tenants or occupants thereof, shall, and is hereby directed to, provide an adequate amount of water at all times at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120 degrees Fahrenheit.

Section 5-53. Electrical service.

- A. It shall be unlawful for any person to occupy or permit another to occupy any dwelling unit for the purpose of living therein, which is not adequately and safely provided with an electrical system in compliance with the requirements of this section.
- B. The following shall be considered as absolute minimum requirements. Conditions such as size of the dwelling unit and usage of appliances and equipment within the unit shall be used as the basis for requiring additional electrical work.
 - 1. Every dwelling unit in a single family or two-family building shall be served by a main service not smaller than 60 ampere, three wire.
 - 2. Every habitable room shall contain not less than two walls or approved floor convenience outlets.
 - 3. Every laundry area shall contain at least one grounded type of convenience outlet.
 - 4. Every bathroom laundry room, furnace room and public hall shall contain not less than one ceiling or wall lighting fixture.

5. Every outlet and fixture shall be properly installed, shall be maintained in good and safe working condition and shall be connected to the source of electric power in a safe manner.
- C. Wherever it is found, in the judgment of the City Administrator or his designate, that the electrical system in the building constitutes a hazard to the occupants or the building by reason of inadequate service, improper fusing, improper or inadequate grounding of the system, insufficient outlets, improper wiring or installation, deterioration or damage or for similar reasons, the defects shall be corrected to eliminate the hazard. The City Administrator or his designate shall base his findings of hazard on accepted engineering practice standards as listed in the building code of the City.
 - D. In addition to the hazards established by the City Administrator or his designate, the following installations are prohibited and their presence shall be deemed a hazard:
 1. Flush or semi flush mounted floor convenience outlets, unless provided with an approved waterproof cover.
 2. Extension cords for other than short term, temporary use.
 3. Conductor supported pendant switches or conductor supported pendant light fixtures.
 4. Loose or hanging wires.
 5. Frayed or bare wires.
 6. Inadequately grounded, grounded type convenience outlets.

Section 5-54. Refuse, garbage and rubbish storage.

Every dwelling unit shall have adequate refuse, garbage or rubbish storage facilities as required by the City.

Section 5-55. Heating facilities.

- A. Every dwelling unit shall have heating facilities, which are capable of safely, and adequately heating all habitable rooms, bathrooms and water closet compartments within its wall to a temperature of at least 70 degrees Fahrenheit when the outside temperature is zero degrees Fahrenheit. Gas appliances designed primarily for cooking or water heating purposes shall not be considered as heating facilities within the meaning of this section. Portable heating equipment employing flame and the use of liquid fuels does not meet the requirements of this section and is prohibited. The owner must provide the required heating facilities.
- B. Every owner, agent and manager of any apartment house, hotel, rooming house, flat or other building whatsoever who leases, rents or lets one or more dwelling units on terms, either express or implied, to furnish heat to the tenants or

occupants thereof, shall, and is hereby directed to maintain during the months of October, November, December, January, February, March, April and the first 15 days of May of each year sufficient heat in the rooms so occupied as living quarters to produce a temperature of not less than 70 degrees Fahrenheit during the hours between 6:30 a.m. and 10:30 p.m. of each day, and shall maintain a temperature of not less than 60 degrees Fahrenheit during the other hours of the day. However, when the outside temperature drops below zero degrees Fahrenheit and the heating plant is operating at its full capacity, a minimum inside temperature of 60 degrees Fahrenheit shall be maintained at all times. It shall be the duty of every janitor, fireman or other employee who shall assume or engage in employment to operate the furnace or heating plat of any such apartment house, hotel rooming house, flat or other such building to maintain such heat as set out in this section.

Section 5-56. Garages.

- A. Garages located beneath a single-family or multiple-family dwelling shall have walls, partitions, floors and ceilings separating the garage space from the dwelling or dwellings, which shall have at least a one-hour fire resistance rating.
- B. Garages attached to a single-family or multiple-family dwelling shall be completely separated from the dwelling area by means of half-inch gypsum board or the equivalent applied to the garage side adjacent the dwelling area.
- C. Door opening protectives between the garage and any dwelling area shall be 1-³/₄ inch solid core wood doors or their equivalent.
- D. Junk, rubbish, waste and refuse shall not be permitted to accumulate to such an extent as to create fire hazards or to endanger health or safety.
- E. Flammable liquids shall not be stored in a garage except in amounts of five gallons or less in a container acceptable for the purpose of safely storing such flammable liquids.

Section 5-57. Additions or alterations of existing dwellings.

All additions or alterations of existing dwellings must be constructed in a workmanlike manner in conformity with applicable codes of the City.

Section 5-58. Mixed use prohibited in multiple dwelling units located in commercial/industrial districts.

No occupancy permit shall be issued for buildings containing two or more dwelling units located in the commercial/industrial district where the building is used for any purpose other than as a dwelling unit.

Section 5-59. Buildings and structures to be numbered.

All buildings and structures having post office addresses shall list the street number of such post office address in a font type of sufficient size as to be clearly visible from any street adjacent to the property. In the case of buildings or structures adjacent to more than one street, the number shall be visible from the street to which the post office address corresponds.

Section 5-60. Commercial buildings and structures to be numbered front and rear.

All buildings or structures used for business, commercial, industrial, manufacturing or public purposes having post office addresses shall list the street number of such post office address in a font type of sufficient size (minimum three inches, maximum 12 inches) as to be clearly visible from a street adjacent to the property, and on the rear of the building on the right edge of the building when facing the rear of the building and not less than six feet nor more than eight feet above the ground level.

Section 5-61. Smoke detectors required.

- A. The owner of a structure, building, area, room or combination of rooms occupied by persons for sleeping or living purposes shall install, test, and maintain smoke detector devices, which detect visible or invisible particles of combustion and shall be either the ionization or photoelectric type, in accordance with the instructions of the manufacturer or seller of the smoke detector. Smoke detectors shall bear the label of a national recognized standards testing laboratory that indicates that the device meets or exceeds applicable standard of Underwriters Laboratories, Inc. or the National Fire Protection Association.

- B. Every newly constructed dwelling place and all existing dwellings in the City shall have smoke detecting devices installed by their owner on or before January 1, 1994, and thereafter install or replace as necessary. If the dwelling is leased or rented by the owner to another, the owner shall install the necessary smoke detector or detectors and shall provide to each tenant written instructions regarding maintenance and testing of the smoke detector.

(#831 effective 3/1/94)

Sections 5-62 through 5-99 reserved.

ARTICLE III

MANUFACTURED HOUSING USED AS DWELLINGS

Section 5-100. Scope.

These provisions shall be applicable only to a manufactured home used as a single dwelling unit installed on privately owned (nonrental) and rental lots and shall apply to the following:

1. Construction, alteration and repair of any foundation system which is necessary to provide for the installation of a manufactured home unit.
2. Construction, installation, addition, alteration, repair or maintenance of the building service equipment which is necessary for connecting manufactured homes to water, fuel, or power supplies and sewage systems.
3. Alterations, additions or repairs to existing manufactured homes. The construction, alteration, moving, demolition, repair and use of accessory buildings and structures and their building service equipment shall comply with the requirements of the codes adopted by the City of Nixa.

These provisions shall not be applicable to the design and construction of manufactured homes and shall not be deemed to authorize either modifications or additions to manufactured homes where otherwise prohibited.

EXCEPTION: In addition to these provisions, new and replacement manufactured homes to be located in flood hazard areas as established in Table R301.2 of the *International Residential Code* shall meet the applicable requirements of Sections R327 of the *International Residential Code*.

Section 5-101. Application to existing manufactured homes and building service equipment.

Manufactured homes and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of these provisions for new facilities, except as specifically provided in this section.

A. Additions, alterations or repairs.

Additions made to a manufactured home shall conform to one of the following:

1. Be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.).

2. Be designed and constructed to conform with the applicable provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.).
3. Be designed and constructed in conformance with the code adopted by the City of Nixa.

Additions shall be structurally separated from the manufactured home.

EXCEPTION: A structural separation need not be provided when structural calculations are provided to justify the omission of such separation.

Alterations or repairs may be made to any manufactured home or to its building service equipment without requiring the existing manufactured home or its building service equipment to comply with all the requirements of these provisions, provided the alteration or repair conforms to that required for new construction, and provided further that no hazard to life, health or safety will be created by such additions, alterations, or repairs.

Alterations or repairs to an existing manufactured home which are nonstructural and do not adversely affect any structural member or any part of the building or structure having required fire protection may be made with materials equivalent to those of which the manufactured home structure is constructed, subject to approval by the building official.

EXCEPTION: The installation or replacement of glass shall be required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the codes in effect at the time the original installation was made subject to approval of the building official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, insanitary or overloaded.

B. Existing installations.

Building service equipment lawfully in existence at the time of the adoption of the applicable codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property has been created by such building service equipment.

C. Existing occupancy.

Manufactured homes which are in existence at the time of the adoption of these provisions may have their existing use or occupancy continued if such use or occupancy

was legal at the time of the adoption of these provisions, provided such continued use is not dangerous to life, health and safety.

The use or occupancy of any existing manufactured home shall not be changed unless evidence satisfactory to the building official is provided to show compliance with all applicable provisions of the codes adopted by the City of Nixa. Upon any change in use or occupancy, the manufactured home shall cease to be classified as such within the intent of these provisions.

D. Maintenance.

All manufactured homes and their building service equipment, existing and new, and all parts thereof shall be maintained in a safe and sanitary condition. All device or safeguards which are required by applicable codes or by the Manufactured Home Standards shall be maintained in conformance with the code or standard under which it was installed. The owner or the owner's designated agent shall be responsible for the maintenance of manufactured homes, accessory buildings, structures and their building service equipment. To determine compliance with this subsection, the building official may cause any manufactured home, accessory building or structure to be reinspected.

E. Relocation.

Manufactured homes which are to be relocated within the City of Nixa shall comply with these provisions.

Section 5-102. Definitions.

For the purpose of these provisions, certain abbreviations, terms, phrases, words and their derivatives shall be construed as defined or specified herein.

Accessory building. Any building or structure, or portion thereto, located on the same property as a manufactured home which does not qualify as a manufactured home as defined herein.

Building service equipment. Refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating ventilation, cooling, fire protection and facilities essential for the habitable occupancy of a manufactured home or accessory building or structure for its designated use and occupancy.

Manufactured home. A structure transportable in one or more sections which, in the traveling mode, is 8 body feet (2438 body mm) or more in width or 40 body feet (12 192 body mm) or more in length or, when erected on site, is 320 or more square feet (30 m²). and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and

electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary (HUD) and complies with the standards established under this title.

For mobile homes built prior to June 15 1976, a label certifying compliance to the Standard for Mobile Homes, NFPA 501, ANSI 119.1, in effect at the time of manufacture is required. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

Manufactured home installation. Construction which is required for the installation of a manufactured home, including the construction of the foundation system, required structural connections thereto and the installation of on-site water, gas, electrical and sewer systems and connections thereto which are necessary for the normal operation of the manufactured home.

Manufactured home standards. The Manufactured Home Construction and Safety Standards as promulgated by the United States Department of Housing and Urban Development.

Privately owned (nonrental) lot. A parcel of real estate outside of a manufactured home rental community (park) where the land and the manufactured home to be installed thereon are held in common ownership.

Section 5-103. Permits.

A manufactured home shall not be installed on a foundation system reinstalled or altered without first obtaining a permit from the building official. A separate permit shall be required for each manufactured home installation. When approved by the building official, such permit may include accessory buildings and structures and their building service equipment when the accessory buildings or structures will be constructed in conjunction with the manufactured home installation.

A. Additions, alterations and repairs to a manufactured home.

A permit shall be obtained to alter, remodel, repair or add accessory buildings or structures to a manufactured home subsequent to its initial installation. Permit issuance and fees therefore shall be in conformance with the codes applicable to the type of work involved.

An addition made to a manufactured home as defined in these provisions shall comply with these provisions.

B. Accessory buildings.

Except as provided in Section 5-103, permits shall be required for all accessory buildings and structures and their building service equipment. Permit issuance and fees therefore shall be in conformance with the codes applicable to the types of work involved.

C. Exempted work.

A permit shall not be required for the types of work specifically exempted by the applicable codes. Exemption from the permit requirements of any of said codes shall not be deemed to grant authorization for any work to be done in violation of the provisions of said codes or any other laws or ordinances of the City of Nixa.

Section 5-104. Application for permit.

To obtain a manufactured home installation permit, the applicant shall first file an application in writing on a form furnished by the building official for that purpose. At the option of the building official, every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 5-104 A.
5. Be accompanied by a soil investigation when required by Section 5-112A.
6. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
7. Be signed by permittee, or permittee's authorized agent, who may be required to submit evidence to indicate such authority.
8. Give such other data and information as may be required by the building official.

A. Plans and specifications.

Plans, engineering calculations, diagrams and other data as required by the building official shall be submitted in not less than two sets with each application for a permit. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

Where no unusual site conditions exist, the building official may accept approved standard foundation plans and details in conjunction with the manufacturer's approved installation instructions without requiring the submittal of engineering calculation.

Plans and specifications shall be drawn to scale on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and shown in detail that it will conform to the provisions of these provisions and all relevant laws, ordinances, rules and regulations. The building official shall determine what information is required on plans and specifications to ensure compliance.

Section 5-105. Permits issuance.

The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of the City of Nixa to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of these provisions and other data filed therewith conform to the requirement of these provisions and other pertinent codes, laws and ordinance, and that the fees specified in Section 5-106 have been paid, the building official shall issue a permit therefore to the applicant.

When the building official issues the permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

A. Retention of plans.

One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. One set of approved plans, specifications and computations shall be retained by the building official until final approval of the work.

B. Validity of permit.

The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of these provisions or other pertinent codes of any other ordinance of the City of Nixa. No permit presuming to give authority to violate or cancel these provisions shall be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on there under when in violation of these provisions or of any other ordinances of the City of Nixa.

C. Expiration.

Every permit issued by the building official under these provisions shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by a permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

C. Suspension or revocation.

The building official may, in writing, suspend or revoke a permit issued under these provisions whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of any of these provisions.

Section 5-106. Fees.

A. Permit fees.

The fees for each manufactured home installation permit shall comply with those regulating single-family residential new construction.

When permit fees are to be based on the value or valuation of the work to be performed, the determination of value or valuation under these provisions shall be made by the building official. The value to be used shall be the total value of all work required for the manufactured home installation plus the total value of all work required for the construction of accessory buildings and structures for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and any other permanent equipment which is a part of the accessory building or structure. The value of the manufactured home itself shall not be included.

B. Plan review fees

When a plan or other data are required to be submitted by Section 5-104A, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be \$50.00 as established for single-family residence plan reviews.

C. Other provisions.

1. Expiration of plan review.

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Section 5-107. Inspections.

All construction work for which a manufactured home installation permit is required shall be subject to inspection by the building official, and certain types of construction shall have continuous inspection by special inspectors as specified in Section 5-107- A.6. A survey of the lot may be required by the building official to

verify that the structure is located in accordance with the approved plans. It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the building official nor the City of Nixa shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the person doing the work authorized by a manufactured home installation permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official. It shall be the duty of the person requesting any inspections required either by these provisions or other applicable codes to provide access to and means for proper inspection of such work.

Work requiring a manufactured home installation permit shall not be commenced until the permit holder or the permit holder's agent shall have posted an inspection record card in a conspicuous place on the premises and in such position as to allow the building official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained in such position by the permit holder until final approval has been issued by the building official.

Work shall not be done on any part of the manufactured home installation beyond the point indicated in each successive inspection without first obtaining the approval of the building official. Such approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in Section 5-107 A. There shall be a final inspection and approval of the manufactured home installation, including connections to its building service equipment when completed and ready for occupancy or use.'

A. Required inspections.

1. Structural inspections for the manufactured home installation.

Reinforcing steel or structural framework of any part of any manufactured home foundation system shall not be covered or concealed without first obtaining the approval of the building official. The building official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or the permit holder's agent wherein the same fails to comply with these provisions or other applicable codes:

- a. Foundation inspection: to be made after excavations for footings are completed and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete from a central mixing plant

(commonly termed “transit mixed”) is to be used, the concrete materials need not be on the job. Where the foundation is to be constructed of approved treated wood, additional framing inspections as required by the building official may be required.

- b. Concrete slab or under-floor inspection: To be made after all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or the manufactured home is installed.
- c. Anchorage inspection: To be made after the manufactured home has been installed and permanently anchored.

2. Structural inspections for accessory building and structures.

Inspections for accessory buildings and structures shall be made as set forth in this code.

3. Building service equipment inspections.

All building service equipment which is required as a part of a manufactured home installation, including accessory buildings and structures authorized by the same permit, shall be inspected by the building official. Building service equipment shall be inspected and tested as required by the applicable codes. Such inspections and testing shall be limited to site construction and shall not include building service equipment which is a part of the manufactured home itself. No portion of any building service equipment intended to be concealed by any permanent portion of the construction shall be concealed until inspected and approved. Building service equipment shall not be connected to the water, fuel or power supply or sewer system until authorized by the building official.

4. Final inspection.

When finish grading and the manufactured home installation, including the installation of all required building service equipment, is completed and the manufactured home is ready for occupancy, a final inspection shall be made.

5. Other inspection.

In addition to the called inspections specified above, the building official may make or require other inspections of any construction

work to ascertain compliance with these provisions or other codes and laws which are enforced by the code enforcement agency.

6. Special inspections.

In addition to the inspections required above, the building official may require the owner to employ a special inspector during construction of specific types of work as described in this code.

Section 5-108. Utility service.

Utility service shall not be provided to any building service equipment which is regulated by these provisions or other applicable codes and for which a manufactured home installation permit is required by these provisions until approved by the building official.

Section 5-109. Occupancy classification.

A manufactured home shall be limited in use to use as a single dwelling unit.

Accessory buildings shall be classified as to occupancy by the building official as set forth in this code.

Section 5-110. Location on property.

Manufactured homes and accessory buildings shall be located on the property in accordance with applicable codes and ordinances of the City of Nixa.

Section 5-111. Design.

A manufactured home shall be installed on a foundation system which is designed and constructed to sustain within the stress limitations specified in this code and all loads specified in this code.

EXCEPTION: When specifically authorized by the building official, foundation and anchorage systems which are constructed in accordance with the methods specified in Section 5-118 of these provisions, or in the United States Department of Housing and Urban Development Handbook, *Permanent Foundations for Manufactured Housing*, 1984 Edition, Draft, shall be deemed to meet the requirements of this Article.

The installation instructions as provided by the manufacturer of the manufactured home shall be used to determine permissible points of support for vertical loads and points of attachment for anchorage systems used to resist horizontal and uplift forces.

Any system or method of construction to be used shall admit to a rational analysis in accordance with well-established principles of mechanics.

Section 5-112. Foundation systems.

Foundation systems designed and constructed in accordance with this section may be considered as a permanent installation.

A. Soil Classification.

The classification of the soil at each manufactured home site shall be determined when required by the building official. The building official may require that the determination be made by an engineer or architect licensed by the state to conduct soil investigations.

The classification shall be based on observation and any necessary tests of the materials disclosed by borings or excavations made in appropriate locations. Additional studies may be necessary to evaluate soil strength, the effect of moisture variation on soil-bearing capacity, compressibility and expansiveness.

When required by the building official, the soil classification design bearing capacity and lateral pressure shall be shown on the plans.

B. Footings and foundations.

Footings and foundations, unless otherwise specifically provided, shall be constructed of materials specified by this code for the intended use and in all cases shall extend below the frost line. Footings of concrete and masonry shall be of solid material. Foundations supporting untreated wood shall extend at least 8 inches (203 mm) above the adjacent finish grade. Footings shall have a minimum depth below finished grade of 12 inches (305 mm) unless a greater depth is recommended by a foundation investigation.

Piers and bearing walls shall be supported on masonry or concrete foundations or piles, or other approved foundation systems which shall be of sufficient capacity to support all loads.

C. Foundation design.

When a design is provided, the foundation system shall be designed in accordance with the applicable structural provisions of this code and shall be designed to minimize differential settlement. Where a design is not provided, the minimum foundation requirements shall be as set forth in this code.

D. Drainage.

Provisions shall be made for the control and drainage of surface water away from the manufactured home.

E. Under-floor clearances-ventilation and access.

A minimum clearance of 12 inches (305mm) shall be maintained beneath the lowest member of the floor support framing system. Clearances from the bottom of wood floor joists or perimeter joists shall be as specified in this code.

Under-floor spaces shall be ventilated with openings as specified in this code. If combustion air for one or more heat-producing appliances is taken from within the under-floor spaces, ventilation shall be adequate for proper appliance operation.

Under-floor access openings shall be provided. Such openings shall be not less than 18 inches (457 mm) in any dimension and not less than 3 square feet (0.279m²) in area and shall be located so that any water supply and sewer drain connections located under the manufactured home are accessible.

Section 5-113. Skirting and perimeter enclosures.

Skirting and permanent perimeter enclosures shall be installed only where specifically required by other laws or ordinances. Skirting, when installed, shall be of material suitable for exterior exposure and contact with the ground. Permanent perimeter enclosures shall be constructed of materials as required by this code for regular foundation construction.

Skirting shall be installed in accordance with the skirting manufacturer's installation instructions. Skirting shall be adequately secured to assure stability, to minimize vibration and susceptibility to wind damage, and to compensate for possible frost heave.

Where retaining walls are used as a permanent perimeter enclosure, they shall resist the lateral displacements of soil or other materials and shall conform to this code as specified for foundation walls. Retaining walls and foundation walls shall be constructed of approved treated wood, concrete, masonry or other approved materials or combination of materials as for foundations as specified in this code. Siding materials shall extend below the top of the exterior of the retaining or foundation wall or the joint between siding and enclosure wall shall be flashed in accordance with this code.

Section 5-114. Structural additions.

Accessory buildings shall not be structurally supported by or attached to a manufactured home unless engineering calculations are submitted to substantiate any proposed structural connection.

EXCEPTION: The building official may waive the submission of engineering calculations if it is found that the nature of the work

applied for is such that engineering calculations are not necessary to show conformance to these provisions.

Section 5-115. Building service equipment.

The installation, alteration, repair, replacement, addition to or maintenance of the building service equipment within the manufactured home shall conform to regulations set forth in the Manufactured Home Standards. Such work which is located outside the manufactured home shall comply with the applicable codes adopted by the City of Nixa.

Section 5-116. Exits.

Exterior stairways, landings, decks and ramps which provide egress to the public way shall comply with applicable provisions of the 2000 International Residential Code.

Every accessory building or portion thereof shall be provided with exits as required by this code.

Section 5-117. Occupancy, fire safety and energy conservation standards.

Alterations made to a manufactured home subsequent to its initial installation shall conform to the occupancy, fire-safety and energy conservation requirements set forth in the Manufactured Home Standards.

Section 5-118. Special requirements for foundation systems.

This section is applicable only when specifically authorized by the building official.

Section 5-119. Footings and foundations.

The capacity of individual load-bearing piers and their footings shall be sufficient to sustain all loads specified in this code within the stress limitations specified in this code. Footings, unless otherwise approved by the building official, shall be placed level on firm, undisturbed soil or in an engineered fill which is free of organic material, such as weeds and grasses. Where used, an engineered fill shall provide a minimum load-bearing capacity of not less than 1,000 psf (48 kN/m²). Continuous footings shall conform to the requirements of this code. Section 5-112 of these provisions shall apply to footings and foundations constructed under the provisions of this section.

Section 5-120. Pier construction.

Piers shall be designed and constructed to distribute loads evenly. Multiple section homes may have concentrated roof loads which will require special consideration. Load-bearing piers may be constructed utilizing one of the methods listed below. Such

piers shall be considered to resist only vertical forces acting in a downward direction. They shall not be considered as providing any resistance to horizontal loads induced by wind or earthquake forces.

1. A prefabricated load-bearing device that is listed and labeled for the intended use.
2. Mortar shall comply with ASTM C 270 Type M, S or N; this may consist of one part Portland cement, one-half part hydrated lime and four parts sand by volume. Lime shall not be used with plastic or waterproof cement.
3. A cast-in-place concrete pier with concrete having specified compressive strength at 28 days of 2,500 psi(17 225 kPa).

Alternate materials and methods of construction may be used for piers which have been designed by an engineer or architect licensed by the state to practice as such.

Caps and leveling spacers may be used for leveling of the manufactured home. Spacing of piers shall be as specified in the manufacturer's installation instructions, if available, or by an approved designer.

Section 5-121. Height of piers.

Piers constructed as indicated in Section 5-120 may have heights as follows:

1. Except for corner piers, piers 36 inches (914mm) or less in height may be constructed of masonry units, placed with cores or cells vertically. Piers shall be installed with their long dimension at right angles to the main frame members they support and shall have a minimum cross-sectional area of 128 square inches (82 560 mm²). Piers shall be capped with minimum 4-inch (102 mm) solid masonry units or equivalent.
2. Piers between 36 and 80 inches (914 mm and 2032 mm) in height and all corner piers over 24 inches (610 mm) in height shall be at least 16 inches by 16 inches (406 mm by 406mm) consisting of interlocking masonry units and shall be fully capped with minimum 4-inch (102 mm) solid masonry units or equivalent.
3. Piers over 80 inches (2032 mm) in height may be constructed in accordance with the provisions of Item 2 above, provided the piers shall be filled solid with grout and reinforced with four continuous No. 5 bars. One bar shall be placed in each corner cell of hollow masonry unit piers or in each corner of the grouted space of piers constructed of solid masonry units.

4. Cast-in-place concrete piers meeting the same size and height limitations of Items 1, 2 and 3 above may be substituted for piers constructed of masonry units.

Section 5-122. Anchorage installations.

Ground anchors shall be designed and installed to transfer the anchoring loads to the ground. The load-carrying portion of the ground anchors shall be installed to the full depth called for by the manufacturer's installation directions and shall extend below the established frost line into undisturbed soil.

Manufactured ground anchors shall be listed and installed in accordance with the terms of their listing and the anchor manufacturer's instructions and shall include means of attachment of ties meeting the requirements of Section 5-123. Ground anchor manufacturer's installation instructions shall include the amount of preload required and load capacity in various types of soil. These instructions shall include tensioning adjustments which may be needed to prevent damage to the manufactured home, particularly damage that can be caused by frost heave. Each ground anchor shall be marked with the manufacturer's identification and listed model identification number which shall be visible after installation. Instructions shall accompany each listed ground anchor specifying the types of soil for which the anchor is suitable under the requirements of this section.

Each approved ground anchor, when installed, shall be capable of resisting an allowable working load at least equal to 3, 150 pounds (14 kN) in the direction of the tie plus a 50 percent overload [4,725 pounds (21 kN) total} without failure. Failure shall be considered to have occurred when the anchor moves more than 2 inches (51 mm) at a load of 4,725 pounds (21 kN) in the direction of the tie installation. Those ground anchors which are designed to be installed so that loads on the anchor are other than direct withdrawal shall be designed and installed to resist an applied design load of 3,150 pounds (14 kN) at 40 to 50 degrees from vertical or within the angle limitations specified by the home manufacturer without displacing the tie end of the anchor more than 4 inches (102 mm) horizontally. Anchors designed for connection of multiple ties shall be capable of resisting the combined working load and overload consistent with the intent expressed herein.

When it is proposed to use ground anchors and the building official has reason to believe that the soil characteristics at a given site are such as to render the use of ground anchors is advisable, or when there is doubt regarding the ability of the ground anchors to obtain their listed capacity, the building official may require that a representative field installation be made at the site in question and tested to demonstrate ground anchor capacity. The building official shall approve the test procedures.

A. Anchoring equipment:

Anchoring equipment, when installed as a permanent installation, shall be capable of resisting all loads as specified within these provisions. When the stabilizing system is designed by an engineer or architect licensed by the state to practice as such, alternative designs may be used, providing the anchoring equipment to be used is capable of withstanding a load equal to 1.5 times the calculated load. All anchoring equipment shall be listed and labeled as being capable of meeting the requirements of these provisions. Anchors as specified in this code may be attached to the main frame of the manufactured home by an approved 3/16-inch-thick (4.76 mm) slotted steel plate anchoring device. Other anchoring devices or methods meeting the requirements of these provisions may be permitted when approved by the building official.

Anchoring systems shall be so installed as to be permanent. Anchoring equipment shall be so designed to prevent self-disconnection with no hook ends used.

All anchoring equipment, tension devices and ties shall have a resistance to deterioration as required by this code.

Tensioning devices, such as turnbuckles or yoke-type fasteners, shall be ended with clevis or welded eyes.

Section 5-123. Ties, materials and installation.

Steel strapping, cable, chain or other approved materials shall be used for ties. All ties shall be fastened to ground anchors and drawn tight with turnbuckles or other adjustable tensioning devices or devices supplied with the ground anchor. Tie materials shall be capable of resisting an allowable working load of 3,150 pounds (14 kN) with no more than 2 percent elongation and shall withstand a 50 percent overload [4,750 pounds (21 kN)]. Ties shall comply with the weathering requirements of Section 5-122 A. Ties shall connect the ground anchor and the main structural frame. Ties shall not connect to steel outrigger beams which fasten to and intersect the main structural frame unless specifically stated in the manufacturer's installation instruction. Connection of cable ties to main frame members shall be 5/8-inch (15.9mm) closed-eye bolts affixed to the frame members in an approved manner. Cable ends shall be secured with at least two U-bolt cable clamps with the "U" portion of the clamp installed on the short (dead) end of the cable to assure strength equal to that required by this section.

Wood floor support systems shall be fixed to perimeter foundation walls in accordance with provisions of this code. The minimum number of ties required per side shall be sufficient to resist the wind load stated in this code. Ties shall be evenly spaced as practicable along the length of the manufactured home with the distance from each end of the home and the tie nearest that end not exceeding 8 feet (2438mm). When continuous straps are provided as vertical ties, such ties shall be positioned at rafters and studs. Where a vertical tie and diagonal tie are located at the same place, both ties may be connected to a single anchor, provided the anchor used is capable of carrying both loadings. Multisection manufactured homes require diagonal ties only. Diagonal ties shall be installed on the exterior main frame and slope to the exterior at an angle of 40 to

50 degrees from the vertical or within the angle limitations specified by the home manufacturer. Vertical ties which are not continuous over the top of the manufactured home shall be attached to the main frame.

Article III adopted 4/03 #1225).

Sections 5-124 through 5-300 reserved.