

SECOND REGULAR SESSION

# SENATE BILL NO. 830

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR SCHAEFER.

Read 1st time January 26, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4709S.011

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## AN ACT

To repeal section 64.170, RSMo, and to enact in lieu thereof one new section relating to county ordinances establishing minimum standards for residential occupancy.

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

Section A. Section 64.170, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 64.170, to read as follows:

64.170. 1. For the purpose of promoting the public safety, health and  
2 general welfare, to protect life and property and to prevent the construction of fire  
3 hazardous buildings, the county commission in all counties of the first and second  
4 classification, as provided by law, is for this purpose empowered, subject to the  
5 provisions of subsections 2 and 3 of this section, to adopt by order or ordinance  
6 regulations to control the construction, reconstruction, alteration or repair of any  
7 building or structure and any electrical wiring or electrical installation, plumbing  
8 or drain laying therein, and provide for the issuance of building permits and  
9 adopt regulations licensing persons, firms or corporations other than federal,  
10 state or local governments, public utilities and their contractors engaged in the  
11 business of electrical wiring or installations and provide for the inspection thereof  
12 and establish a schedule of permit, license and inspection fees and appoint a  
13 building commission to prepare the regulations, as herein provided.

14 2. Any county which has not adopted a building code prior to August 28,  
15 2001, pursuant to sections 64.170 to 64.200, shall not have the authority to adopt  
16 a building code pursuant to such sections unless the authority is approved by  
17 voters, subject to the provisions of subsection 3 of this section. The ballot of  
18 submission for authority pursuant to this subsection shall be in substantially the  
19 following form:

20 "Shall ..... (insert name of county) have  
21 authority to create, adopt and impose a county building code?"

22  YES  NO

23 3. The proposal of the authority to adopt a building code shall be voted on  
24 only by voters in the area affected by the proposed code, such that a code  
25 affecting a county shall not be voted upon by citizens of any incorporated  
26 territory.

27 4. **For the purpose of promoting the public safety, health, and**  
28 **general welfare, to protect life and property, and to prevent the**  
29 **occupancy of fire hazardous buildings, the county commission of any**  
30 **county of the first classification with more than one hundred thirty-five**  
31 **thousand four hundred but fewer than one hundred thirty-five**  
32 **thousand five hundred inhabitants, as provided by law, is for this**  
33 **purpose empowered to adopt, by order or ordinance, regulations to**  
34 **control the minimum standards for occupancy of any residential unit**  
35 **intended for rent or lease, and to develop a program for licensing and**  
36 **inspecting the units for which the county may recover costs to**  
37 **administer such a program by establishing reasonable fees.**

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