

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE OSAGE BEACH CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTER 500, ARTICLE III, SECTION 500.080: ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS:

Section 1. That Chapter 500, Article III, SECTION 500.080: Adoption of International Property Maintenance Code is hereby repealed in its entirety.

Section 2. A new Chapter 500, Article III SECTION 500.080: 2018 International Property Maintenance Code is hereby enacted to read as follows:

Chapter 500 Building Codes and Building Regulations - Article III Property Maintenance Code

Section 500.080 Adoption of the International Property Maintenance Code.

The International Property Maintenance Code, 2018 Edition, is hereby adopted as the existing structures code of the City for the control of buildings and structures within the City. Each and all of the regulations, provisions, penalties, conditions and terms of the code are hereby adopted by reference and made a part of this Article as if fully set out in this Article, with the additions, insertions, deletions and changes, if any, prescribed in Section 500.090. One (1) copy of the International Property Maintenance Code, 2018 Edition, is on file in the office of the City Clerk.

Section 3. That Chapter 500, Article III, SECTION 500.090: 2012 International Property Maintenance Code – Amendments is hereby repealed in its entirety.

Section 4. A new Chapter 500, Article III SECTION 500.090: 2018 International Property Maintenance Code - Amendments is hereby enacted to read as follows:

Section 101.1. These regulations shall be known as the Property Maintenance Code of the City of Osage Beach, Missouri, hereinafter referred to as the Property Maintenance Code or this code.

Section 103.5. Delete in its entirety.

Section 302.4. Insert the words twelve (12) inches.

Section 304.14. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum of 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air

curtains or insect repellent fans, are employed.

Section 602.3. Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1st to May 1st to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating systems is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

Section 602.4. Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat during the period from September 1st to May 1st to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage, and operating areas that required cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activity.

Section 5. Severability.

The chapter, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 6. Repeal of ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly

provided.

Section 7. The Mayor of the City of Osage Beach is hereby authorized to take all actions which may be necessary to fully enact this Ordinance.

Section 8. That this Ordinance shall be in full force and effect on July 1, 2021.

READ FIRST TIME: May 6, 2021

READ SECOND TIME: May 20, 2021

I hereby certify that the above Ordinance No. 21.28 was duly passed on May 20, 2021, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6

Nays: 0

Abstain: 0

Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

May 20, 2021  
Date

Tara Berreth  
Tara Berreth City Clerk

Approved as to form:

Edward Rucker  
Edward Rucker, City Attorney

I hereby approve Ordinance No. 21.28.

May 20, 2021  
Date

John Olivarri  
John Olivarri, Mayor

ATTEST:

Tara Berreth  
Tara Berreth, City Clerk