

**BILL NO. 05-001**

**ORDINANCE NO. 10-002**

This supersedes Ordinance No: 98-005

The attached "Building Permit", with Notation, "Revised 6/14/10", shall be the Official Building Permit form to be used by the Town of Loma Linda. Said Permit is incorporated as a part of this Ordinance as if fully set out herein and shall be attached to this Ordinance.

# Building Permit

## Issued by the Town of Loma Linda, MO

The Loma Linda Architectural Committee has approved your building plans. **This permit is to be posted at the project site until construction is completed and all inspections have been signed off on by a Loma Linda Inspector.**

If changes are made to the approved construction plans, such modifications are to be submitted to the Loma Linda Architectural Committee for review and approval.

Your attention is directed to specific Loma Linda Ordinances and Property Owners Association covenant restrictions, which are posted on the Loma Linda web site. Adherence to these documents will minimize construction issues, save time and costs.

**This permit authorizes your construction project for six months, from date of issue.**

Permit no. \_\_\_\_ Issue date \_\_\_\_\_ Lot no. \_\_\_\_ BLOCK no. \_\_\_\_\_ Issued by \_\_\_\_\_

Structure type \_\_\_\_\_ Zoned \_\_\_\_\_ Address \_\_\_\_\_

Property owner \_\_\_\_\_ Contractor \_\_\_\_\_

### **Inspection Process**

1. **Site location:** Inspection of survey stakes for setbacks and temporary electrical pole.

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

2. **Footings:** Inspection of footings, with reinforcement rods placed, and **prior to pouring of concrete.**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

2a. **Foundation walls:** Inspection of basement walls, drain tile, and waterproofing, **prior** to back-filling.

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

3. **Framing:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**4. Plumbing rough-in:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**4a. Sewer rough-in:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**5. Electrical rough-in:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**6. Electrical service:** Inspection of electrical service **and** utility company sign-off for permanent service.

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**7. Electrical - final inspection:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**8. Plumbing Finish - final inspection:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**8a. Sewer Finish - final inspection:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**9. Propane Tank (optional) inspection:**

Inspector's signature \_\_\_\_\_ Date \_\_\_\_\_

**ALL** inspections require a 48 hour notice. Call the Loma Linda Town Clerk @ 417-623-2700 between the hours of 7:30 & 12:30 Monday-Thursday. If after hours, leave a message and an inspection will be rolled over to the next Loma Linda business day for scheduling.

**Occupancy:** The Building Inspector(s) will issue a certificate of occupancy when plumbing, sewage, and electrical utilities are in place and the structure is deemed safe and sanitarily livable. Landscape grading, driveways, whistles and drainage control are expected to be completed for occupancy.

Ordinances and Covenants pertaining to construction at Loma Linda are posted on the Town web site, [www.lomalinda-mo.us](http://www.lomalinda-mo.us), under the Residential Construction tab.

Any questions relative to these Ordinances or covenant restrictions are to be directed to a Loma Linda Building Inspector:

This Ordinance combines Ordinance No's: 03-002 & 09-003

1. The building permit fee for new residences and new business buildings in the Town of Loma Linda, Missouri shall be increased to Four Hundred Twenty Dollars and No Cents (\$420.00) due and payable prior to the commencement of construction and all prior ordinances setting a lower fee or different fee are hereby repealed.
2. The number of inspections for new residences and new business buildings to be made by the Town of Loma Linda Building Inspector(s) shall be a minimum of eight (8) inspections.
3. That the Building Inspector(s) of the Town of Loma Linda, Missouri shall be paid the sum of Forty Dollars and No Cents (\$40.00) per inspection.
4. The building permit fee for remodeling permits and/or for outbuilding permits shall be determined by the Architectural Committee.
5. The Building Inspector(s) for the Town of Loma Linda shall itemize and present a bill showing the construction project inspected, the dates of each inspection, and the type of construction inspected and submit to the Town Clerk, who shall include the Building Inspector(s) bill with the regular monthly bills which shall be submitted for approval by the Board of Trustees of the Town of Loma Linda.
6. The fee for the outdoor plumbing inspection, dependant upon the project, shall be set at a later date when the costs of an inspection and the number of inspections can be better determined.
7. The Town Clerk of Loma Linda shall tally monthly the costs of inspections and shall bill the homeowner for those costs of the building and/or plumbing inspections that exceed Four Hundred Twenty Dollars and No Cents (\$420.00), or, if appropriate, whenever a remodeling permit exceeds the amount of inspections allotted by the Architectural Committee. Failure of the property owner to pay the extra inspection fees shall authorize the Town Clerk of Loma Linda and Building Inspector(s) to withdraw the final certificate of occupancy for the building. A homeowner may appeal to the Board of Trustees of the Town of Loma Linda if the costs of inspections exceed Four Hundred Twenty Dollars and No Cents (\$420.00). The decision of the Board of Trustees of the Town of Loma Linda shall be final as to the reasonable number of inspections made by the Building Inspector(s).
8. The increased fees shall become effective immediately upon passage of this ordinance.

The owner(s) or building contractor(s) and sub-contractor(s), issued a building permit, shall request the necessary inspections of the construction at least forty-eight (48) hours in advance. The owner(s) and the contractor(s) are jointly responsible to request the inspection at least forty-eight (48) hours in advance. No construction requiring inspection shall be covered by other construction work which will make the inspection difficult or impossible.

All construction which will require an inspection and is covered before the Building Inspector(s) may perform his function will result in the Town of Loma Linda, Missouri requiring the uncovering and tearing out of all barriers to the inspection at the costs of the owner(s) - contractor(s).

No further construction may proceed until the covered construction can be inspected and approved by the Building Inspector(s).

The Building Inspector(s) is authorized to suspend the construction building permit at the time of discovering any violation including the covering of construction before inspection which shall be considered a building code violation authorized suspension of the building permit.

The owner(s) - contractor(s) failure to uncover and allow inspection of the work for ten (10) calendared days after suspension of the building permit shall allow the Architectural Control Committee to revoke the building permit. No new permit shall be granted the construction project until all required inspections to date have been completed and the construction approved by the Building Inspector(s). If a building permit is either suspended or revoked, all construction shall cease until the Building Inspector(s) has approved existing construction and if the building permit was revoked, a new permit has been obtained and a new permit fee paid.

If a new building permit is allowed by the Architectural Control Committee, all new fees shall be paid with no credit for fees paid on revoked permits.

No further construction shall proceed if a building permit is suspended until reinstated. No further construction shall proceed if a building permit is revoked until a new building permit is issued and all new fees paid and the new permit is fully executed.

No amount of difficulty shall be a defense or an excuse to uncovering construction for inspection including, but not limited to, the removal of concrete, the removal of sheetrock, removal of exterior stone, brick or masonry work, removal of roofing, insulation, wood or walls, backfill or fill, and similar expensive and time consuming costs to the owner(s) - contractor(s).

It is the duty of the owner(s) - contractor(s) to anticipate and notify the Town Clerk forty-eight (48) hours in advance of a need for the inspection and that no cover-up construction be scheduled until the inspection shall have occurred.

All owner(s) and all contractor(s) shall sign this building permit before construction commences and by their signatures acknowledge the terms of the building permit in compliance with the building ordinances of the Town of Loma Linda, Missouri. If any parties' signing the building permit is a corporation, limited liability company, partnership or similar entity, an officer of said entity shall sign the building permit. All owner(s) shall produce proof that they are in fact the owner(s) of the land upon which the construction of the building permit will occur and a deed or title insurance policy shall be produced at the Town office for photocopying and the permit shall be issued in the name of the owner(s) as they appear on the deed or title insurance policy and all owner(s) must sign before construction commences.

It is the duty of the owner(s), contractor(s) and sub-contractor(s) to review with the Building Inspector(s) the plans and what inspections must be made and at what stages of construction, and failure to do so shall be at the peril of the party proceeding without checking with the Building Inspector(s).

The Town Clerk shall sign the building permit upon payment of the fees and the Building Inspector(s) shall sign the building permit after a review with the contractor(s) and owner(s) at the job site of the ordinance requirements of the Town of Loma Linda, Missouri before the building permit shall be considered as issued.

All decisions of the Building Inspector(s) may be appealed in writing to the Architectural Control Committee which shall hold a hearing on the written request at its next meeting and take testimony and issue its written decisions to all interested parties which shall be the final decision of the Town of Loma Linda, Missouri and a record shall be made at the hearing by tape recorder and transcribed by the Town Clerk or appointee if an Appeal to the Circuit court Clerk of Newton County, Missouri is taken.

Violation of this Ordinance is a misdemeanor and shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) and up to thirty (30) days in jail or any combination thereof plus the Town of Loma Linda, Missouri may seek an injunction against further violations of the building permit or any of the building Ordinances of the Town of Loma Linda, Missouri in the Circuit Court of Newton County, Missouri and may further request the utilities not to provide service to the building and there shall be no occupancy of the building by the owner(s), tenant(s) or other parties until the final inspection has been done and approved by the Building Inspector(s) and a certificate of occupancy has been granted for the building by the Building Inspector(s).

It is the responsibility of the homeowner to return the building permit to the Town Office upon completion of the construction, to receive their certificate of occupancy.

1. Concrete footings for every two (2) story residential house shall be twelve inches (12") in depth and twenty-four inches (24") in width and for single story houses shall be ten inches (10") in depth and twenty inches (20") in width.
2. Only copper wire of a minimum twelve (12) gauge shall be permitted in Loma Linda, Missouri. Empire District Electric shall specify the requirements for service - entrance conductors and all conductors within the structure shall, also, be of copper of the correct size and type specified by Empire District Electric Company. Aluminum or copper-clad aluminum shall not be permitted as service - entrance conductors or conductors within the structure under any circumstances. Empire District Electric Company shall, also, specify the wire type and size to be used to supply the necessary service up to the point of attachment to the structure. Grounding of the electrical service to the structure shall be in accordance with the specifications of Empire District Electric Company. Grounding within the structure shall be in accordance with the Town of Loma Linda, Missouri, building code.
3. Any conflicts in other ordinances of the Town of Loma Linda, Missouri with this ordinance shall be resolved in favor of this ordinance.

For retaining walls over three feet (3') in height and built of cement, the footings shall be ten inches (10") in depth and twenty inches (20") in width and all other specifications for the wall such as rebar shall be as specified for a single story basement concrete wall. Adequate drainage holes shall be installed in each wall to assure the release of water pressure from behind the wall. As an alternative to installation of drainage holes within the wall a foundation drain may be placed around the perimeter of the above foundation on top of crushed rock, and extending a minimum of twelve inches (12") beyond the edge of the footings and two inches (2") below the footing and draining the water to an area lower than the drain itself. All walls over three feet (3') in height that are to retain soil from collapsing shall have a deadman design in the middle of the wall and if the total length of the wall exceeds forty feet (40') an additional deadman shall be centered at least every twenty feet (20') of the wall. The deadman shall be built in such sizes and numbers depending upon the height of the wall to keep the wall from collapsing forward. The building inspector shall have discretion to specify the sizing of each deadman design depending upon the height of the wall and the length of the wall and the height of the soil that is being retained behind the wall so that the wall may retain equilibrium with the forces of nature.



**BILL NO. 05-008**

**ORDINANCE NO. 10-001**

This supersedes Ordinance No: 04-012

That the International Building Code for the year 2009 shall be adopted as the official building code of the Town of Loma Linda, Missouri, replacing the former building code known as BOCA. That an International Building Code year 2009 manual shall be available in the Office of the Town Clerk of the Town of Loma Linda, Missouri, or kept in the possession of the building inspector for quick reference and resolving of any issue which may develop.

No other ordinance relating to construction shall be repealed by this ordinance.

This combines Ordinance No: 06-003 (Bill No. 05-009)

- a. In Loma Linda North Plat, the square footage requirement on the main level of a single family dwelling shall be not less than 2,000 square feet of living space, all above ground and as measured by square footage by this ordinance and one (1) family dwellings on one and a half (1 ½) or two (2) stories, the main level shall remain 2,000 square feet of living space, all above ground and on one level and regardless of such additional space as may be in a basement or story and half (1 ½) or two (2) stories.
- b. In Loma Linda South Plat, the minimum square footage for a single family dwelling of new residences shall be increased to 1,800 square feet of living space, all above ground, and as measured for square footage by this ordinance; said main level shall have 1,800 square feet on the main level of living space regardless of how many square feet are in a basement, in a story and a half (1 ½) or two (2) story structure. As previously amended, the former requirement of a minimum forty-five feet (45') frontage is deleted from the Loma Linda South Plat new residences.
- c. All accessory, detached or out-buildings in all plats of Loma Linda, Missouri and all structures must conform to the roof pitch, roof composition, exterior surfaces of the main building and all exteriors must match the main building and have at least 25% of the total exterior in brick, stone or stucco and must be placed on a permanent or fixed foundation made out of concrete and properly attached to said foundation as required in the building code to avoid movement of the structure by winds, tornadoes, or other occurrences.

**SUBCHAPTER B, XX90**

- 1b. In Loma Linda North Plat and Loma Linda South Plat, the square footage requirement on the main level of a two-family dwelling (2) shall be not less than 1,800 square feet of living space per unit, all above ground. For measuring of each unit of square footage, there shall be counted only the heated living space, exclusive of garages, porches and patios, on the main level.

Each family unit shall have twenty feet by twenty feet (20' x 20') garage or larger attached to the main structure.

All accessory, detached or out-buildings or structures of any kind must conform to the roof pitch, roof composition, exterior surfaces of the main building and all exteriors must match the main building and have at least 25% of the total exterior in brick, stone or stucco and must be placed on a permanent or fixed foundation made out of concrete and properly attached to said foundation as required in the building code to avoid movement of the structure by winds, tornadoes, or other occurrences.

1. This ordinance shall be in addition to Section R401.3 of the 2000 residential building code and all later adopted building codes shall provide at a minimum for the following drainage provisions.
2. All building plans for residential property shall have at least one page relating to the construction site and all plans relating to the handling of surface water drainage showing in details what excavation will occur on the lot from the beginning of construction to its final finish, the slope and degree of the final lot and the location of the house on the lot from the front, back and all sides with measurements showing the distance between the abutting dirt and the residential structure and the length and width of all drainage paths for surface water.
3. All building lots shall be excavated so that surface drainage shall be diverted to a storm drain, road ditch, pond or constructed retention pond, or storm sewer conveyance or other approved point of collection so as not to create, damage, cause dampness or erosion to adjoin lots. All lots shall be so graded to drain surface water away from footings and foundation walls. The grade away from the foundation of footing walls shall be a minimum of six inches (6") within the first ten feet (10') and continue on a slope to a public drain, road ditch, pond or retention pond so as surface water does not flow to adjoining lots. Where lot lines, walls, slopes or other physical barriers prohibit six inches (6") of fall within ten feet (10'), drains or swales shall provide to insure drainage away from the structure and to a public drain, road ditch, pond or retention pond without crossing adjoining property.
4. All footings and basement walls shall provide for drainage with a French drain or a sump pump or other engineering design which insures that water will be properly transported to a public drain, pond, retention pond, or other proper disposition so that adjoining neighbors property is not disturbed.
5. No excavation of a lot shall commence before a building permit is approved. Excavation shall mean any form of digging whatsoever. This shall not prevent the clearing of brush or trees or the proper maintenance of the lot or for surveying pre-building engineering such as soil samples and measurements.
6. All excavated dirt for basements, footings, water wells, and septic tanks shall be properly stored so as not to cause water to run to adjoining lots or erosion of soil to be placed on adjoining lots.
7. Should the building inspector of the Town of Loma Linda, Missouri, determine that an excessive water flow will cause damage to the public drains, streets, sewer lines, buried electrical lines and other similar damage, then the property owner shall construct a retention pond of sufficient size and construction material to hold back excessive runs of surface water. The building inspector for the Town of Loma Linda, Missouri shall determine the size of the outlet pipe to slow the flow of surface water to prevent damage. If the elevation is such, a sump pump shall be placed in the retention pond to dispose of the water. Retention ponds may be constructed so as the homeowner may decorate or shrub the appearance of the pond but the construction shall allow for an opening to clean or replace the sump pump. The retention pond shall be kept in good working order so that leaks, cracks or other defects in the walls of the retention pond do

not evade the purpose of the retention pond. Failure of the homeowner to keep the retention pond in proper working order shall be a violation of this ordinance.

8. In all construction or construction work commenced on the building lot, only a temporary blockage of the drainage ditches or other drainage systems shall be allowed and only for a period of time for heavy equipment to move across the ditch or surface system without damage. When the equipment is to be removed from the lot, then the drainage ditch or sewer conveyance may again be temporarily blocked for the purpose of moving the equipment onto its means of transportation. Temporary blockage shall not exceed two (2) hours on either the unloading of excavation equipment or reloading of excavation equipment so that soil, rock, sand and similar material does not flow down the ditch. Blockage of the drainage ditches and sewer conveyances shall only be allowed when there is no other method of loading or unloading of excavation machinery without damage to the streets, drains, sewage conveyances, or other property.
9. In all construction, the Loma Linda Building Inspector(s) shall have authority to require the lot owner to approve the payment of an agency performing soil tests to determine if the soil characteristics at any particular location are likely to have expansive, compressible, shifting or other unknown soil characteristics which may be detrimental to a building. All tests shall be made by an approved agency using approved scientific methods. The load-bearing values of various soil and rock shall be those values expressed in a table of the current building code for the Town of Loma Linda.

Violation of this ordinance is a misdemeanor and may result in a fine up to Five Hundred Dollars and No Cents (\$500.00) and up to thirty (30) days in jail or any combination thereof. Each day constitutes a new violation.

**BILL NO. 05-013**

**ORDINANCE NO. 10-004**

This supersedes Ordinance No. 07-003

Violation of the following bills: 05-001, 05-004, 05-006, 05-007, 05-008, 05-010, 05-011, 05-012, 24-003, & 24-005, all as amended or may be amended by the Board of Trustees of the Town of Loma Linda, shall have the following punishment:

A fine from Two Hundred Fifty Dollars and No Cents (\$250.00) to Five Hundred Dollars and No Cents (\$500.00) for each violation of the above ordinances may be assessed for each violation per day plus up to One Hundred (100) days in jail for each violation per day plus court costs for each case. Additionally, the court may use probation of up to One (1) year and as a condition of probation require defendant(s) to pay court costs, attorney fees and restitution for damages of injured parties.

In addition to filing a complaint for ordinance violations the Town of Loma Linda, Missouri may seek a temporary and permanent injunction against the property owners, contractors and sub-contractors, to prevent repeated violations of the above ordinances together with requiring defendant(s) to post a bond against future violations and require defendant(s) to remove, restore or alter violations of the above ordinance by certain dates or be held in contempt of court.

It shall be unlawful for any person to damage the Town of Loma Linda, Missouri's property.

All owners who acquire a building permit for a construction project on private property in the Town of Loma Linda, Missouri shall post a Five Thousand Dollar and No Cents (\$5,000.00) indemnification bond in favor of the Town of Loma Linda, Missouri for all damage to city property caused either directly or indirectly by the construction for all damage to public property including, but not limited to, street surfaces and street base, loading and unloading of construction equipment and building materials, excessive weight of trucks such as concrete delivery trucks, lumber trucks with building material for the construction project, surface water damage to ditches, wastewater sewer line damage, street signs and culvert drainage pipe damages, bridges and all other damages of any kind of public improvements.

Violation of this ordinance is a misdemeanor and may result in a fine from Two Hundred Fifty Dollars and No Cents (\$250.00) up to Five Hundred Dollars and No Cents (\$500.00) for each violation per day, plus up to One Hundred (100) days in jail for each violation per day, plus court costs for each case. Additionally, the court may impose probation of up to One (1) year and as a condition of probation, require the defendant(s) to pay court costs, attorney fees and restitution for damages of injured parties.

In addition to filing a complaint for an ordinance violation, the Town of Loma Linda, Missouri may seek a temporary and permanent injunction against the property owners, contractors and sub-contractors, workers, agents of the owners, all servants and employees on the construction project premises, and all related entities to prevent repeated violations of the above ordinances and all other building code ordinances and further require defendant(s) to post a bond against future violations and require defendant(s) to remove, restore or alter violations of the above ordinance by certain dates or be held in contempt of court.

AN ORDINANCE TO ESTABLISH AMOUNT OF INSPECTIONS, PENALTIES, REQUIREMENTS FOR IN-GROUND SWIMMING POOLS AND POOL FENCES TO BE COMPLIED WITH BY HOMEOWNERS, LANDLORDS, CONTRACTORS, SUBCONTRACTORS, TOWN CLERK AND BUILDING INSPECTORS, BEFORE AND DURING CONSTRUCTION IN THE TOWN OF LOMA LINDA, MISSOURI.

NOW, THEREFORE, AGREED AS FOLLOWS:

1. The swimming pool permit fee for new in-ground pools shall be determined by the Architectural Committee and paid, in full, prior to beginning project.
2. The number of inspections for new in-ground pools, made by the Town of Loma Linda Building Inspectors, Missouri, shall be a minimum of six inspections, up to a maximum of nine inspections. There will be additional charges if inspections fail. The Town Clerk of Loma Linda, Missouri shall tally monthly the costs of inspections and shall bill the homeowner for those costs of the inspections that exceed the amount of inspections allotted by the Architectural Committee.
3. Violation of this Ordinance is a misdemeanor and shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) and up to thirty (30) days in jail or any combination thereof plus the Town of Loma Linda, Missouri may seek an injunction against further violations of the building permit or any of the building Ordinances of the Town of Loma Linda, Missouri in the Circuit Court of Newton County, Missouri and may further request the utilities not to provide service to the pool and there shall be no use of the pool by the owner(s), tenant(s) or other parties until the final inspection has been done and approved by the Building Inspector(s) and a certificate of occupancy has been granted for the pool by the Building Inspector(s).
4. Please see Bill No. 05-004, Ordinance No. 01-004 for the Building Inspector(s) notification requirements and compliance powers.
5. All in-ground pools shall comply with the current Loma Linda, Missouri National Electric Code and International Residential Code.
6. Above ground pools that come equipped with a pump and/or filter are not permitted in Loma Linda, Missouri. A children's play pool, whether it is a hard shell or is inflatable are exempt from this Ordinance.
7. The Building Officials and Code Administrators (B.O.C.A.), outline strong safety standards for swimming pool barriers (fences):
  - a. The barrier must be a minimum of 48" tall (or taller, depending on distance between horizontal rails).
  - b. The middle horizontal rail must be at least 45" above the bottom horizontal rail (to prevent using the horizontal rails as a kind of ladder for climbing).



- c. The spacing between pickets must be less than 4".
- d. If space between pickets is less than  $1\frac{3}{4}$ , *rule #2 does not apply and barrier does not have to be taller than 48* (because the tighter picket spacing has made climbing much more difficult).
- e. The space between the bottom horizontal rail and the ground must be less than 2".
- f. The gate(s) must be self-closing and self-latching.
- g. The gate(s) need to open out (away from the pool area).
- h. The operating mechanism of the latch must be at least 54" from the bottom of the gate or it shall be on the pool side of the gate at least 3 inches below the top AND shall not have any opening greater than 1/2 inch within 18 inches of the release mechanism.

Swimming pool barrier (fence) cannot be constructed of chain link. Chain link is only permitted in Loma Linda, Missouri for dog runs. All dog runs must be approved by the Architectural Committee.