



THE CITY OF
HARRISONVILLE
WHERE TRADITION MEETS INNOVATION

AGENDA
CITY OF HARRISONVILLE
BOARD OF BUILDING AND ENGINEERING APPEALS
REGULAR MEETING
CITY HALL
APRIL 24, 2023
12:00 AM

- 1. Call to Order**
 - 1. Roll Call**
- 2. Approval of Minutes**
 - 1. Board of Building and Engineering Appeals - Regular Meeting - Mar 27, 2023 6:00 PM**
- 3. Agenda Items**
 - 1. International Swimming Pool and Spa Code Section 305**
 - 2. Request for consideration of Interpretation of the International Swimming Pool and Spa Code**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 12th day of April, 2023.

Daniel Barnett, City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF BUILDING AND ENGINEERING APPEALS
REGULAR MEETING
CITY HALL
MARCH 27, 2023
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Chair Mike Cox

Attendee Name	Organization	Title	Status	Arrived
Mike Cox	Harrisonville	Chair	Present	
Tony Meister	Harrisonville		Late	6:04 PM
Jeff Cryderman	Harrisonville		Present	
Vince Farr	Harrisonville		Absent	
Kevin Stucker	Harrisonville		Absent	
John Foster	Harrisonville		Present	
Bryan Wooten	Harrisonville		Present	

Also in attendance were Leslie Reeder, current property owner; Donovan and Janet Jones and son Brantley, future developer; Major Lofton, Austin Parker, Parker and Parker; Steve Mauer, City Attorney; John Morris, Building Official; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

1. Board of Building and Engineering Appeals - Regular Meeting - Oct 18, 2022 6:00 PM

With no additions or corrections, the minutes from the October 18, 2022 meeting were unanimously accepted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Jeff Cryderman
SECONDER:	Bryan Wooten
AYES:	Cox, Meister, Cryderman, Foster, Wooten
ABSENT:	Vince Farr, Kevin Stucker

3. Agenda Items

1. 1800 E. Mechanic St. - Staff Report

Minutes Acceptance: Minutes of Mar 27, 2023 6:00 PM (Approval of Minutes)

John Morris presented the Staff Report for 1800 E. Mechanic Street. He said that this site has been vacant and a nuisance for quite some time. According to the IPMC, it is classified as a Dangerous Building. The City has had problems with vagrants in it. Mr. Morris said that he officially noticed the building for demolition on February 7, 2023.

2. 1800 E. Mechanic St. - Public Hearing

The Public Hearing was opened at 6:05 PM.

Donovan Jones (507 Birchwood Ct., Raymore, MO), spoke to the Board about his development of the property and ideas he had to fence around it to make it harder for vagrants and vandals. He said the Fire Department and Police Department would not allow it in case of emergency situations that would not allow them access. He also said that he understands that the structure needs to be presentable and that it needs to come down.

Austin Parker (Parker and Parker, 8101 College Blvd., Suite 100, Overland Park, KS), explained that the contract for the property is currently in underwriting and the building can't be torn down yet. They have filed for tax credits and only soft costs can be reimbursed. Mr. Parker asked to stay the order of demolition until October, 10, 2023.

Leslie Reeder (8201 E 23rd St, Kansas City, MO) told the Board that she inherited the property from her father. She said that the property had been on the market for over a year. She also said that she believes that Mr. Jones is the most capable and prepared to create value at this property.

Tony Meister asked about the length of demo and boarding up the structure better. Mr. Parker said that all windows and doors would be boarded up to help keep vagrants out of the building.

Mr. Jones said that from demo to build out, the 280 unit complex should take approximately 30 months. He stated that he has not asked the City for tax credits, but he has been working with Jim Clarke on incentives. He also said that it will cost around \$700,000.00 to demolish the property.

Chairman Cox closed the Public Hearing at 6:24 PM.

Steve Mauer spoke to the Board. He said that the structure needs demolished. The difference is that the City would spend the \$700,000 and place a lien on the property. The City is then out the money until it is repaid in full. He said that the applied for tax credits are not a given, but asked the Board if they were willing to let them try. October 10, 2023 is the hard deadline for the notification of the tax credits applied for, that is why they have asked for a stay until that date. Staff is supportive, as it will not been an easy demo and this time can be used to plan demolition if the developer isn't able to accomplish their plan.

Mr. Morris said that he is supportive as long as the property is properly boarded up and maintained.

There was discussion about the process and plan from Mr. Jones and the Board about the demolition plan.

John Foster made a motion to concur with the findings of City Staff, but to stay the demolition until October 10, 2023, with the understanding that the prospective developer will maintain the property by mowing and boarding the building up properly. Jeff Cryderman seconded the motion. The motion passed unanimously.

RESULT: APPROVED [UNANIMOUS]
MOVER: John Foster

Minutes Acceptance: Minutes of Mar 27, 2023 6:00 PM (Approval of Minutes)

SECONDER: Jeff Cryderman
AYES: Cox, Meister, Cryderman, Foster, Wooten
ABSENT: Vince Farr, Kevin Stucker

4. Discussion Items

There were no discussion items.

5. Adjourn

With nothing further to come before the Board, Jeff Cryderman made a motion to adjourn. Bryan Wooten seconded. The meeting was adjourned at 6:44 PM.

Jamie Martin, Recording Secretary

STAFF REPORT

TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: April 12, 2023
SUBJECT: International Swimming Pool and Spa Code Section 305

Type of Item: *Public Hearing*

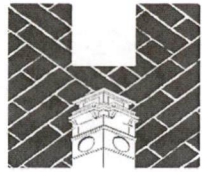
1. Action Item (ID # 4493)

International Swimming Pool and Spa Code Section 305

Attachments:

Doc1108 (PDF)

Doc1110 (PDF)



THE CITY OF
HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Building and Engineering Appeals
From: John Morris, Building Official
Date: April 24, 2023
Re: 3000 E Mechanic Street Harrisonville, MO 64701

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Interpretation of swimming pool barrier requirements per the adopted 2018 International Swimming Pool and Spa Code.

Date of Application: N/A

PROPOSAL

- Acceptance of staff interpretation of code required barrier.

PREVIOUS ACTIONS

- None

KEY ISSUES

- The 2018 International Swimming and Spa Code has specific requirements regarding swimming pool barriers to reduce the possibility of a drowning incident.

STAFF COMMENTS AND SUGGESTIONS

- Code allows the use of a powered safety cover complying with ASTM F1346
- The existing fencing surrounding the large parcel is not compliant with ISPSC requirements.
- Pool permit has been issued.

STAFF RECOMMENDATION

Staff recommends: Code compliant barrier be installed per the 2018 International Swimming Pool and Spa Code.

ATTACHMENTS

1. 2018 International Swimming Pool and Spa Code, Section 305 Barrier Requirements.

STAFF CONTACT:

John Morris, Building Official
jmorris@harrisonville.com

GENERAL COMPLIANCE

303.1.3 Covers. Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-retardant cover or other *approved* vapor-retardant means in accordance with Section 104.11.

Exception: Where more than 70 percent of the energy for heating, computed over an operating season, is from a heat pump or solar energy source, covers or other vapor-retardant means shall not be required.

303.2 Portable spas. The energy consumption of electric-powered portable spas shall be controlled by the requirements of APSP 14.

303.3 Residential pools and permanent residential spas. The energy consumption of *residential* swimming pools and permanent *residential* spas shall be controlled in accordance with the requirements of APSP 15.

SECTION 304 FLOOD HAZARD AREAS

304.1 General. The provisions of Section 304 shall control the design and construction of pools and spas installed in *flood hazard areas*.

[BS] 304.2 Determination of impacts based on location. Pools and spas located in *flood hazard areas* indicated within the *International Building Code* or the *International Residential Code* shall comply with Section 304.2.1 or 304.2.2.

Exception: Pools and spas located in riverine *flood hazard areas* that are outside of designated floodways and pools and spas located in *flood hazard areas* where the source of flooding is tides, storm surges or coastal storms.

[BS] 304.2.1 Pools and spas located in designated floodways. Where pools and spas are located in designated floodways, documentation shall be submitted to the code official that demonstrates that the construction of the pools and spas will not increase the design flood elevation at any point within the jurisdiction.

[BS] 304.2.2 Pools and spas located where floodways have not been designated. Where pools and spas are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool or spa and any associated grading and filling, will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction.

[BS] 304.3 Pools and spas in coastal high-hazard areas. Pools and spas installed in coastal high-hazard areas shall be designed and constructed in accordance with ASCE 24.

[BS] 304.4 Protection of equipment. Equipment shall be elevated to or above the design flood elevation or be anchored to prevent flotation and protected to prevent water from entering or accumulating within the components during conditions of flooding.

304.5 GFCI protection. Electrical equipment installed below the design flood elevation shall be supplied by branch circuits that have ground-fault circuit interrupter protection for personnel.

SECTION 305 BARRIER REQUIREMENTS

305.1 General. The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

305.2 Outdoor swimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7.

305.2.1 Barrier height and clearances. Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

305.2.2 Openings. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

305.2.3 Solid barrier surfaces. Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

305.2.4 Mesh fence as a barrier. Mesh fences, other than chain link fences in accordance with Section 305.2.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit

the fence to be lifted more than 4 inches (102 mm) from grade or decking.

3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall be not greater than 4 inches (102 mm) from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of onground *residential* pools.

305.2.5 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed $1\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.

305.2.6 Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm).

305.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than $1\frac{3}{4}$ inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than $1\frac{3}{4}$ inches (44 mm).

305.2.8 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than $1\frac{3}{4}$ inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

305.2.9 Clear zone. There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the barrier.

305.2.10 Poolside barrier setbacks. The pool or spa side of the required barrier shall be not less than 20 inches (508 mm) from the water's edge.

305.3 Gates. Access gates shall comply with the requirements of Sections 305.3.1 through 305.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and shall have a self-latching device.

305.3.1 Utility or service gates. Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

305.3.2 Double or multiple gates. Double gates or multiple gates shall have not fewer than one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the latch release mechanism. The self-latching device shall comply with the requirements of Section 305.3.3.

305.3.3 Latches. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate and barrier shall not have openings greater than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

305.4 Structure wall as a barrier. Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be *listed* and *labeled* as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A *safety cover* that is *listed* and *labeled* in accordance with ASTM F1346 is installed for the pools and spas.
3. An *approved* means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

305.5 Onground residential pool structure as a barrier. An onground *residential* pool wall structure or a barrier mounted on top of an onground *residential* pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches (1219 mm) above grade for the

GENERAL COMPLIANCE

entire perimeter of the pool, the wall complies with the requirements of Section 305.2 and the pool manufacturer allows the wall to serve as a barrier.

2. Where a barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, and the wall and the barrier on top of the wall comply with the requirements of Section 305.2.
3. Ladders or steps used as means of access to the pool are capable of being secured, locked or removed to prevent access except where the ladder or steps are surrounded by a barrier that meets the requirements of Section 305.
4. Openings created by the securing, locking or removal of ladders and steps do not allow the passage of a 4-inch (102 mm) diameter sphere.
5. Barriers that are mounted on top of onground *residential* pool walls are installed in accordance with the pool manufacturer's instructions.

305.6 Natural barriers. In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge not less than 18 inches (457 mm), a barrier is not required between the natural body of water shoreline and the pool or spa.

305.7 Natural topography. Natural topography that prevents direct access to the pool or spa area shall include but not be limited to mountains and natural rock formations. A natural barrier approved by the governing body shall be acceptable provided that the degree of protection is not less than the protection afforded by the requirements of Sections 305.2 through 305.5.

SECTION 306 DECKS

306.1 General. The structural design and installation of decks around pools and spas shall be in accordance with the *International Residential Code* or the *International Building Code*, as applicable in accordance with Section 102.7 and this section.

306.2 Slip resistant. Decks, ramps, coping, and similar step surfaces shall be slip resistant and cleanable. Special features

in or on decks such as markers, brand insignias, and similar materials shall be slip resistant.

306.3 Step risers and treads. Step risers for decks of public pools and spas shall be uniform and have a height not less than $3\frac{3}{4}$ inches (95 mm) and not greater than $7\frac{1}{2}$ inches (191 mm). The tread distance from front to back shall be not less than 11 inches (279 mm). Step risers for decks of *residential* pools and spas shall be uniform and shall have a height not exceeding $7\frac{1}{2}$ inches (191 mm). The tread distance from front to back shall be not less than 10 inches (254 mm).

306.4 Deck steps handrail required. Public pool and spa deck steps having three or more risers shall be provided with a handrail.

306.5 Slope. The minimum slope of decks shall be in accordance with Table 306.5 except where an alternative drainage method is provided that prevents the accumulation or pooling of water. The slope for decks, other than wood decks, shall be not greater than $\frac{1}{2}$ inch per foot (1 mm per 24 mm) except for ramps. The slope for wood and wood/plastic composite decks shall be not greater than $\frac{1}{4}$ inch per 1 foot (1 mm per 48 mm). Decks shall be sloped so that standing water will not be deeper than $\frac{1}{8}$ inch (3.2 mm), 20 minutes after the cessation of the addition of water to the deck.

306.6 Gaps. Gaps shall be provided between deck boards in wood and wood/plastic composite decks. Gaps shall be consistent with *approved* engineering methods with respect to the type of wood used and shall not cause a tripping hazard.

306.6.1 Maximum gap. The open gap between pool decks and adjoining decks or walkways, including joint material, shall be not greater than $\frac{3}{4}$ inch (19.1 mm). The difference in vertical elevation between the pool deck and the adjoining sidewalk shall be not greater than $\frac{1}{4}$ inch (6.4 mm).

306.7 Concrete joints. Isolation joints that occur where the pool coping meets the concrete deck shall be water tight.

306.7.1 Joints at coping. Joints that occur where the pool coping meets the concrete deck shall be installed to protect the coping and its mortar bed from damage as a result of the anticipated movement of adjoining deck.

306.7.2 Crack control. Joints in a deck shall be provided to minimize visible cracks outside of the control joints caused by imposed stresses or movement of the slab.

TABLE 306.5
MINIMUM DRAINAGE SLOPES FOR DECK SURFACES

SURFACE	MINIMUM DRAINAGE SLOPE (INCH PER FOOT)
Carpet	$\frac{1}{2}$
Exposed aggregate	$\frac{1}{4}$
Textured, hand-finished concrete	$\frac{1}{8}$
Travertine/brick-set pavers, public pools or spas	$\frac{3}{8}$
Travertine/brick-set pavers, residential pools or spas	$\frac{1}{8}$
Wood	$\frac{1}{8}$
Wood/plastic composite	$\frac{1}{8}$

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

STAFF REPORT

TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: April 12, 2023
SUBJECT: Request for consideration of Interpretation of the International Swimming Pool and Spa Code

Type of Item: *Approval*

2. Action Item (ID # 4494)

Request for consideration of Interpretation of the International Swimming Pool and Spa Code Section 305

Attachments:

Doc1111 (PDF)

3000 E Mechanic (PDF)

3000 E Mechanic 2 (PDF)

April 6, 2023

Robert and Mandy Harris

3000 E Mechanic St.

Harrisonville, Mo 64701

I would like to ask for your consideration about the interpretation of the code regarding fencing around a pool. We are constructing a pool at our house and our property is unique from other city homes/lots. Our home is located on 60 acres and is zoned residential/agriculture. The property is fully fenced for agricultural purposes; however that fencing does not meet the requirements of a "pool fence". While I understand the importance of a fence around a pool for the safety of the public, the other way that our property is unique is that we already have 3 bodies of water (ponds/lake) on our property that also pose a drowning risk. Because of the already present danger of drowning, we have opening alarms on our doors and are always on high alert when we have visitors. Placing a fence around the pool does not eliminate the drowning risk that already is present. Placing a fence around the pool would be an unnecessary expense and does not serve the spirit of the code, only checks a box without serving any real purpose. Thanks for your consideration.

Mandy Harris



Attachment: 3000 E Mechanic (Request for consideration of Interpretation of the International Swimming Pool and Spa Code)



Attachment: 3000 E Mechanic 2 (Request for consideration of Interpretation of the International Swimming Pool and Spa Code)