

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 483**  
**100TH GENERAL ASSEMBLY**

0735H.04C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To amend chapter 67, RSMo, by adding thereto one new section relating to building permits.

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

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.279, to read as follows:

**67.279. 1. This section shall be known and may be cited as the "Fairness to Homeowners Act".**

**2. For purposes of this section, the following terms mean:**

**(1) "Building code", the building code adopted by the political subdivision that governs the construction of residential structures, which may include, but is not limited to, the International Residential Code and any updates or supplements thereto or a similar building code. Such residential structures are limited to any new construction residential dwelling of two units or less;**

**(2) "Political subdivision", the same meaning as that term is defined under section 70.120, except limited to a municipality located in a county of the first class and including any board, contractor, commission, department, employee acting in an official capacity, or governing body thereof.**

**3. For residential building plans not signed and sealed by an engineer or architect licensed in this state:**

**(1) A political subdivision shall evaluate and either approve or deny building plans within seven business days of the submission of such building plans. A denial of any building plan shall state the reasons for denial, either written on the building plan itself or in an attached document, with specific citations to the building code;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

21           **(2) Any resubmission of denied building plans shall be evaluated within seven**  
22 **business days of the resubmission of such building plans. If the denied building plan**  
23 **includes changes that remedy all reasons for denial, such resubmission shall be approved**  
24 **and a permit made available. A resubmission of a denied building plan shall not be denied**  
25 **for any requirement other than those stated in the initial denial; except that, such**  
26 **resubmission may be denied for life or safety requirements or where the revised plan**  
27 **includes changes not previously reviewed; and**

28           **(3) If the political subdivision fails to evaluate and either approve or deny any**  
29 **building plan within the time required under this subsection, the political subdivision shall**  
30 **make a permit available for the work described in the building plan within seven business**  
31 **days of the initial submission or the resubmission.**

32           **4. When a set of residential building plans addressing the entirety of the project is**  
33 **signed and sealed by an engineer or architect licensed in this state:**

34           **(1) A political subdivision shall approve or deny such sealed building plans for the**  
35 **work described in such building plans within five business days of the submission of such**  
36 **building plans. If approved, the permit shall be made available;**

37           **(2) Any resubmission of denied building plans shall be evaluated within five**  
38 **business days of the resubmission of such building plans. If the denied building plan**  
39 **includes changes that remedy all reasons for denial, such resubmission shall be approved**  
40 **and permit made available. A resubmission of a denied building plan shall not be denied**  
41 **for any requirement other than those stated in the initial denial; except that, such**  
42 **resubmission may be denied for life or safety requirements or where the revised plan**  
43 **includes changes not previously reviewed; and**

44           **(3) If the political subdivision fails to evaluate and either approve or deny any**  
45 **building plan within the time required under this subsection, the political subdivision shall**  
46 **make a permit available for work described in the building plan within five business days**  
47 **of the initial submission or the resubmission of such building plans.**

48           **5. In lieu of the political subdivision conducting building permit inspections, the**  
49 **licensed engineer that sealed the ultimate submission of plans for the permit shall be**  
50 **allowed to conduct the footing, foundation, wall, and framing inspections in accordance**  
51 **with the procedures for such inspections established by the political subdivision. Such**  
52 **licensed engineer or architect shall report on such work by using the uniform inspection**  
53 **forms used by the political subdivision and shall submit such forms to the political**  
54 **subdivision.**

55           **6. If an application for a certificate of occupancy inspection is deemed to be**  
56 **approved by the political subdivision, that certificate of occupancy shall be made available**  
57 **to the applicant within two business days by electronic mail, a website, or via facsimile.**

58           **7. If an application or inspection for a residential certificate of occupancy is to be**  
59 **denied but the remaining requirements needed for approval are not necessary for safe**  
60 **habitability of the residence, the political subdivision shall issue a temporary certificate of**  
61 **occupancy within one business day of the submission of the application or inspection. A**  
62 **list of the requirements that need to be remedied to receive a final certificate of occupancy**  
63 **shall be attached to the temporary certificate of occupancy. A final certificate of**  
64 **occupancy shall not be denied for any requirement other than those stated on the attached**  
65 **list, unless there were field changes that affect the life or safety or that were not previously**  
66 **reviewed that require a reinspection.**

67           **8. A violation of this section by any member of a political subdivision shall result**  
68 **in a refund of the building permit fee paid by the builder for the specific property.**

69           **9. Nothing within this section shall prohibit the development and formal adoption**  
70 **of a memorandum of understanding and the terms therein negotiated by the local chapter**  
71 **of the International Code Council and the local chapters of builder trade associations**  
72 **representing residential structures. If a memorandum of understanding is agreed upon**  
73 **by the political subdivisions, the local chapter of the International Code Council, and other**  
74 **pertinent parties, the signatories of the memorandum of understanding shall be released**  
75 **from the requirements of this section. The expiration, cancellation, breach, or other**  
76 **deterioration of the memorandum of understanding shall result in the resumption of the**  
77 **requirements of this section within thirty days.**

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