

# CAMDEN COUNTY LAKE AREA PLANNING & ZONING

## NECESSARY REQUIREMENTS TO OBTAIN A CONSTRUCTION PERMIT

### SUBDIVISION REQUIREMENTS:

Prior to issuance of any construction permit the property shall be fully subdivided in accordance with Unified Land-Use Code **Article 400: Permits & Final Plat Approval, Section 418.5**. No Construction Permit or other permit covered by this Code shall be issued, nor shall any person construct or install any building on land to which these regulations apply unless such land has been first subdivided in accordance with these regulations.

### FLOODPLAIN REQUIREMENTS (FEMA):

- **Floodplain Development Permit/Application:** Applications for permits abutting waterways with a 1% annual chance of flood (100-year floodplain), including all lots with lake frontage, shall first obtain approval of structure location and elevation from the Floodplain Administrator by approval of a Floodplain Development Permit/Application.
- **Floodplain Elevation Certificate:** A Flood Plain Elevation Certificate must be completed by a Missouri Licensed Professional Engineer or Surveyor, and filed with FEMA following substantial completion of the building.

### COMPLETE CONSTRUCTION PERMIT APPLICATION:

- **Parcel ID Number:** This is on your tax receipt which you receive from the Collector's Office. Planning Department staff can also help you obtain your parcel number.
- **Directions:** To the property from the Hwy 5 & Hwy 54 junction.

### WITH APPLICATION BRING:

- **Proof of Ownership:** General Warranty Deed. This can be obtained from the Recorder of Deeds Office. They are located on the 3<sup>rd</sup> floor of the courthouse. If you are not the property owner, along with the Warranty Deed, we will also need a notarized Property Owners Authorization Form.
- **Site plan:** Must show the entire lot/tract property boundary drawn **to scale** with bearings and dimensions of the track or lot. Identify any existing structure(s) and the proposed structure location with dimensions from roof lines and decks at 90 degree angle to the closest property line, the property access (road) with existing pavement section and drainage direction indicated. Also show proposed erosion control facilities proposed to control storm water sediment discharge from the property, and any other important features. Note the minimum setbacks or platted building lines (Ex: 25' front, 15' rear, and 10' on each side for R-1 zoning). Indicate location and type of wastewater facility or sewer, and any proposed or existing easements on the property.

**CONSTRUCTIN PERMIT SIGN-OFF SHEET:**

- **Wastewater/DNR Permit:** With your application we will need a copy of your permit issued by Camden County Wastewater showing your septic system has been approved. If your system is exempt, we will accept a letter/signoff on application from them stating exemption. (They are unable to signoff on your application if you are tying into a DNR system). They are located on the 1<sup>st</sup> floor of the courthouse. (573) 346-4440 Ext.1160.

Note: If you are attaching to a central sewer system or have any other system that requires DNR approval, we will need a copy of the DNR Operating Permit as well as a letter from your septic installer stating grind/lift/pump tank will be installed to code, and also stating the central system they will be connecting to. DNR: (417) 891-4300

- **Road & Bridge Road Impact Fee/Access Permit:** You will need to obtain approval/waiver of a Non-Refundable Road Impact Fee and/or Access Permit from Camden County Road & Bridge. They are located 1 mile south on Hwy 5 behind the VFW. **\*\*\*They may be unavailable on Friday, and it is recommended that you call ahead of time for availability, or with any questions regarding Road Impact Fee requirements.** (573) 346-4471
- **Fire Department:** Mid-County, Osage Beach, Sunrise Beach, and Lake Ozark Fire Departments are currently doing building code inspections (Ex: Electrical/Footing Inspections). Their signature is required on the Sign-Off Sheet if the property is located within their jurisdiction.

Lake Ozark FPD	(573) 365-3380
Mid-County FPD	(573) 346-2049
Osage Beach FPD	(573) 348-1221
Sunrise Beach FPD	(573) 374-4411

**PROPERTY OWNER'S AUTHORIZATION FORM:**

- **Authorization Form:** If anyone other than the owner of the property is completing the Construction Permit Application, a notarized Property Owner's Authorization Form must accompany the application. (The original must be in our file)

**FEES:**

- **Fee:** (See Fee Schedule) **ATTENTION:** If construction of a structure (placement of a footing) begins prior to the issuance of an approved Construction Permit (not submittal of the application), the fee for that permit will be double the amount listed on the fee schedule.

**\*\* YOUR APPLICATION WILL NOT BE ACCEPTED UNTIL COMPLETE. \*\***

# **CAMDEN COUNTY LAKE AREA PLANNING & ZONING**

## **CONSTRUCTION PERMIT INSPECTION PREPARATION**

The Application has been completed / submitted / and accepted by the Camden County Planning & Zoning Department and soon the Inspector will check your development site and issue the requested permit. The following are the required inspections and site requirements necessary to ensure that the permit issuance is not delayed, and compliance is maintained throughout your construction process:

### **#1 – Structure Location Survey Inspection:**

- Please clearly identify or mark the subject property with the E-911 address and or owner's name and lot number. The location must be on the subject property and clearly visible to the road or access to the property.
- Clearly locate the proposed structure location. This must be in accordance with the site plan submitted with the application.
- Locate the existing property corners, or have a survey completed to replace any lost monuments.
- Since our setbacks are measured to the eaves or overhangs of your structure you must make sure that the construction site envelope includes the eaves or overhangs.
- Since it is probable that two (2) or more permits may need to be posted on-site please make sure the posting location has a large enough display area. Potentially there will be permits from the Camden County Wastewater Department and the Fire Protection District displayed at this location.

### **#2 – Foundation Inspection:**

- Following excavation and placement of footing forms, an inspection to verify building location and elevation compliance along with an inspection of sub-grade soil conditions will be conducted.

### **#3 – Structure Inspection:**

- Our inspection of the building is required when the building is substantially complete ( framing and roof ) to verify setbacks and to determine compliance with Flood Plain Elevation Certificate completion.

# CAMDEN COUNTY LAKE AREA PLANNING & ZONING CONSTRUCTION PERMIT APPLICATION

#1 COURT CIRCLE, SUITE 15 - CAMDENTON, MO 65020

E-MAIL: pz@camdenmo.org

PHONE: 573-317-3860 • FAX: 573-317-9114

WEBSITE: www.camdenmo.org

Applicant(s) Name: _____	Property Owner's Name/Address (If Different): _____
Mailing Address: _____	_____
City/State/Zip: _____	_____
Telephone: _____	_____
Fax: _____ Cell: _____	Telephone: _____
E-Mail Address: _____	(Builder, Etc...): _____

Parcel Identification Number (Tax ID): \_\_\_\_\_

Section - \_\_\_\_\_ Township - \_\_\_\_\_ Range - \_\_\_\_\_

911 Address for the Development Site (If available): \_\_\_\_\_

Zoning - \_\_\_\_\_ Total Acres - \_\_\_\_\_ Project Acreage - \_\_\_\_\_

Current Subdivision Name: \_\_\_\_\_ Block and Lot Number (s): \_\_\_\_\_

Printed Directions to Property/Development: \_\_\_\_\_

\_\_\_\_\_

<u>TYPE OF CONSTRUCTION:</u>	<u>SQUARE FT:</u>	<u>COST OF CONSTRUCTION:</u>
<input type="checkbox"/> Land Disturbance	_____	_____
<input type="checkbox"/> One or Two Family Structure or Addition	_____	_____
<input type="checkbox"/> Multi-Family Structure (# Units _____)	_____	_____
<input type="checkbox"/> Residential Accessory Structure (Detached Garage / Pool)	_____	_____
<input type="checkbox"/> Multi-Family Accessory Structure (# Units _____)	_____	_____
<input type="checkbox"/> Commercial or Industrial Structure (Main / Accessory Structure)	_____	_____
<input type="checkbox"/> RV Park	_____	_____

**IMPORTANT – PERMIT APPLICATIONS MUST INCLUDE THE FOLLOWING :**

- Recorded or Recordable Plat/Survey**
- Completed Application & Fee (see General Brochure)**
- A Site Plan or Survey DRAWN TO SCALE**
- Recorded Warranty Deed (Proof of Property Ownership)**
- Property Owner's Authorization Form (If Applicant is not the Property Owner)**
- Floodplain Development Permit/Application (Elevation Certificate or LOMA)**
- Construction Permit Sign-Off Sheet with the appropriate signatures (see below):**
  - County Wastewater Department status and/or MDNR Operating Permit
  - County Highway Department sign-off on Impact Fee and/or Access Permit
  - Fire Protection District Sign-off (as Appropriate)

Applicant's Printed Name _____	Applicant's Signature _____	Date _____
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<p><b>(FOR OFFICE USE ONLY)</b> _____</p> <p>CASE NUMBER: _____</p> <p>APP FEE: _____</p> <p>PAID: YES / NO</p> <p>CK# _____ REC# _____</p>	<p><b>FIELD INSPECTION DATE / NOTES:</b></p>	<p>(RECEIVED DATE)</p>
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# CAMDEN COUNTY LAKE AREA PLANNING & ZONING CONSTRUCTION PERMIT SIGN-OFF SHEET

Site Address: \_\_\_\_\_ or Parcel# \_\_\_\_\_

PRIOR TO SUBMITTAL OF THE P&Z CONSTRUCTION PERMIT:

- 1. Camden County Highway Department:** Road Development Charge and / or Access Permit. (573) 346-4471

Amount	Form of Pymt.	Sign-Off	Date
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- Horseshoe Bend Road District:** Road Development Charge and / or Access Permit. (573) 365-2832

Amount	Form of Pymt.	Sign-Off	Date
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- 2. Camden County Wastewater Department** (APPROVAL / EXEMPT) status or provide a copy of the MDNR Operating Permit for sewer connection.

Sign-Off	Date
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*\* Any Fee Waiver request must be submitted to the County Commission for approval from each department.*

<i>Presiding Commissioner</i>	<i>1<sup>st</sup> District Commissioner</i>	<i>2<sup>nd</sup> District Commissioner</i>
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- 3. Fire Protection District**

	Sign-Off	Date
Lake Ozark FPD	_____ (573) 365-3380	
Mid-County FPD	_____ (573) 346-2049	
Osage Beach FPD	_____ (573) 348-1221	
Sunrise Beach FPD	_____ (573) 374-4411	

Property is **NOT SUBJECT** to Fire Protection District Permits:  
 FPD Area: \_\_\_\_\_ Verified By: \_\_\_\_\_

**E-911 Department:** You will need to contact the E-911 office to acquire an address. Normally an address is not issued until after your foundation has been installed, however you should begin the preliminary paperwork at the same time that the Construction Permit Application is submitted to Planning & Zoning. (573) 346-4440 Ext. 3194

**P&Z Construction Permit Application Approved: (Office Use Only)**

Sign-Off	Date	Permit Number
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# CAMDEN COUNTY LAKE AREA PLANNING & ZONING

## Property Owner's Authorization Form

Parcel Identification Number (Tax ID) \_\_\_\_\_

Property Address \_\_\_\_\_

\_\_\_\_\_

Township

\_\_\_\_\_

Range

\_\_\_\_\_

Section

### Owner(s) of Property

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address of Owner

\_\_\_\_\_  
City / State / Zip Code

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Date

### Owner(s) of Property

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address of Owner

\_\_\_\_\_  
City / State / Zip Code

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Applicant (Print or Type)

**CAMDEN COUNTY LAKE AREA PLANNING & ZONING**  
#1 COURT CIRCLE, SUITE 15 ~ CAMDENTON, MISSOURI 65020

**FLOODPLAIN DEVELOPMENT PERMIT/APPLICATION**

Application No. \_\_\_\_\_

Date: \_\_\_\_\_

**TO THE ADMINISTRATOR:** The undersigned hereby makes application for a permit to develop in a floodplain. The work to be performed, including flood protection works, is as described below and in attachments hereto. The undersigned agrees that all such work shall be in accordance with the requirements of the Floodplain Management Ordinance and with all other applicable county/city ordinances, federal programs, and the laws and regulations of the State of Missouri.

Owner or Agent: \_\_\_\_\_ Date: \_\_\_\_\_ Builder: \_\_\_\_\_ Date: \_\_\_\_\_

Address \_\_\_\_\_ Address \_\_\_\_\_  
City/State \_\_\_\_\_ City/State \_\_\_\_\_

Phone: \_\_\_\_\_ Email \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**SITE DATA:**

1. Location: \_\_\_\_\_ 1/4; \_\_\_\_\_ 1/4; \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Street Address: \_\_\_\_\_

2. Type of Development: Filling: \_\_\_\_\_ Grading: \_\_\_\_\_ Excavation: \_\_\_\_\_ Routine Maintenance: \_\_\_\_\_  
Substantial Improvement: \_\_\_\_\_ New Construction: \_\_\_\_\_ Minimum Improvement: \_\_\_\_\_  
Other: \_\_\_\_\_

3. Description of Development (Copy of plans): \_\_\_\_\_  
\_\_\_\_\_

4. Premises: Structure Size \_\_\_\_\_ ft. By \_\_\_\_\_ ft. Area of Site \_\_\_\_\_ Sq Ft  
Principal Use: \_\_\_\_\_ Accessory Uses (storage, parking, etc.): \_\_\_\_\_

5. Value of Improvement (fair market) \$ \_\_\_\_\_ Pre-Improvement/Assessed Value of Structure \$ \_\_\_\_\_

6. Property Located in a Designated FLOODWAY? Yes \_\_\_\_\_ No \_\_\_\_\_

**IF ANSWERED YES, CERTIFICATION MUST BE PROVIDED PRIOR TO THE ISSUANCE OF A PERMIT TO DEVELOP, THAT THE PROPOSED DEVELOPMENT WILL RESULT IN NO INCREASE IN THE BASE (100- YEAR) FLOOD ELEVATIONS.**

7. Map and panel number \_\_\_\_\_

8. Property Located in a Designated Floodplain FRINGE? Yes \_\_\_\_\_ No \_\_\_\_\_

9. Elevation of the 100-Year F100d (ID source) \_\_\_\_\_ MSLINGVD

10. Elevation of the Proposed Development Site \_\_\_\_\_ MSLINGVD

11. Local Ordinance Elevation/Floodproofing Requirement \_\_\_\_\_ Camden County 60.3 dated 12-28-17 \_\_\_\_\_ MSLINGVD

12. Other Floodplain Elevation Information (ID and describe source) \_\_\_\_\_  
\_\_\_\_\_

13. Other Permits Required? Corps of Engineer 404 Permit: Yes \_\_\_\_\_ No \_\_\_\_\_ Provided \_\_\_\_\_  
State Department of Natural Resources 401 Permit: Yes \_\_\_\_\_ No \_\_\_\_\_ Provided \_\_\_\_\_  
Environmental Protection Agency NPDES Permit: Yes \_\_\_\_\_ No \_\_\_\_\_ Provided \_\_\_\_\_

All Provisions of Ordinance Number 60.3 dated 12-28-17, the "Floodplain Management Ordinance", shall be in Compliance.

**PERMIT APPROVAL / DENIAL**

Plans and Specifications Approved/Denied this \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_

Signature of Developer/Owner: \_\_\_\_\_ Authorizing Official: \_\_\_\_\_

Print Name & Title Print: \_\_\_\_\_ Print Name & Title: Tanna R. Wirtz, Floodplain Administrator

**THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT FLOOR) OF ANY NEW OR SUBSTANTIAL Y IMPROVED RESIDENTIAL BUILDING WILL BE ELEVATED ONE FOOT/FEET ABOVE THE BASE FLOOD ELEVATION. IF THE PROPOSED DEVELOPMENT IS A NON-RESIDENTIAL BUILDING, THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF A NEW OR SUBSTANTIAL Y IMPROVED NON-RESIDENTIAL BUILDING WILL BE ELEVATED OR FLOODPROOFED ONE FOOT/FEET ABOVE THE BASE FLOOD ELEVATION.**

**THIS PERMIT IS USED WITH THE CONDITON THAT THE DEVELOPER/OWNER WILL PROVIDE CERTIFICATION BY A REGISTERED ENGINEER, ARCHITECT, OR LAND SURVEYOR OF THE "AS-BUILT" LOWEST FLOOR (INCLUDING BASEMENT) ELEVATION OF ANY NEW OR SUBSTANTIAL Y IMPROVED BUILDING COVERED BY THIS PERMIT.**

## FEE SCHEDULE

### CONSTRUCTION PERMIT FEES

Single Family Residential Structure	\$100.00
Single Family Accessory Structure	\$50.00
Multi-Family Residential Structure	\$50.00/Unit
Multi-Family Accessory Use Structure	\$70.00
Multiple-Unit Accessory Structure	\$25.00/Unit
Commercial / Industrial Structure	\$250.00 + \$1.00 per 100 sf over 10,000 sf
Commercial / Industrial Accessory Structure	\$100.00 + \$1.00 per 100 sf over 10,000 sf

### Land Disturbance Permit

\$100.00 + \$5.00 per acre over one acre

### Zoning Permit

\$75.00

### BOARD OF ADJUSTMENT FEES

Variance \$500.00

Appeal \$500.00

Special Use Permit \$500.00

### PLANNING & ZONING BOARD FEES

Zoning Map Change (Rezoning) \$800.00

Conditional Use Permit (CUP) \$600.00

Planned Unit Development (PUD) \$1000.00

PUD Modification (Public Hearing) \$500.00

### Survey and Plat Fees

Preliminary Plat \$250.00+\$3.00/lot

Replat \$200.00

Final Plat \$100.00

### TELECOMMUNICATION PERMITS

Public Hearing CUP \$1500.00

Administrative CUP \$500.00

### DOCUMENTS AND COPIES

Unified Land-Use Codes \$15.00

Master Plan \$15.00

Archived Files \$10/ hour + \$0.25/ copy



# CAMDEN COUNTY PLANNING & ZONING

## Planning Commission

John Mackey	Russell Township
Steven Haase	Warren Township
Jacob Neusche	Pawhuska Township
Nancy Steward	Adair Township
Ann Coose	Jasper Township
Linda Platter	Osceola Township
Lee Schuman P.E.	Jackson Township
	Kiheka Township
	Niangua Township
	Osage Township
	County Road
	Administrator

## Board of Adjustment

David Schlenfort	Unincorporated
Chris Cisar	Unincorporated
John Beckett	Unincorporated
Jim Halloran	Unincorporated
Fred Broemmer	Unincorporated
<u>Planning Department Staff</u>	
Tanna Wirtz	Planning Administrator
Michelle Mustain	P&Z Staff
Bob Keeth	Zoning Inspector
Jeanette Sprecher	P&Z Staff

# CAMDEN COUNTY PLANNING & ZONING BASIC ZONING PROVISIONS



Serving the Citizens of  
Camden County

#1 Court Circle, Suite 15  
Camdenton, MO 65020  
Phone: 573-317-3860 (Direct)  
573-346-4440 Ext. 1350  
Fax: 573-317-9114  
Email: [pz@camdenmo.org](mailto:pz@camdenmo.org)  
Website: [www.camdenmo.org](http://www.camdenmo.org)



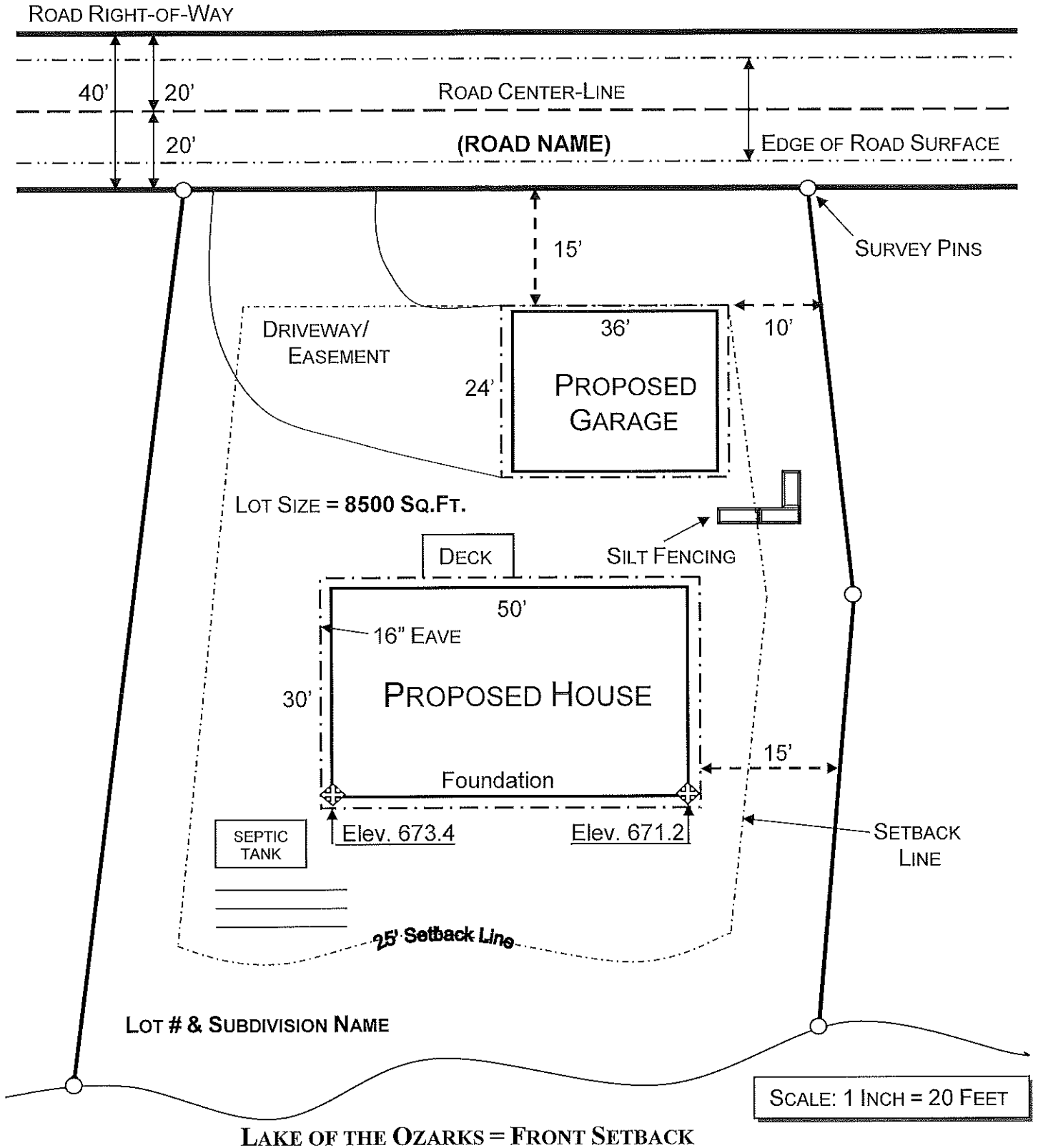
## ZONING HEIGHT – DENSITY – YARD REQUIREMENTS SUMMARY

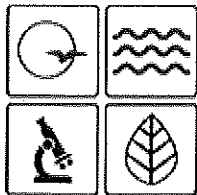
OUS	FRONT	SIDE	SIDE	REAR	MAXIMUM	MINIMUM	MINIMUM	MPERVI-
Zoning	Setback	Corner	Setback	Setback	Height	Width/Frontage	Size	Cover
A-1	50 / 40	30	20	40	50	200 / NA	5 Acres / Lot	
A-R	40 / 30	20	20	20	50	150 / NA	3 Acres / Lot	
P-1	50	30	20	50	50	---	3 Acres / Lot	97% Open
P-2	40	20	20	40	50	---	5 Acres / Lot	94% Open
R-1	25	15	10	15	50	70 / 50	2 Acres / 8,500 SF	5 units/acre
R-2	25	15	10	20	50	70 / 50	5,000 D.U. / 10,000 SF	8 units/acre
R-3	30	15	10	25	55	70 / 50	10,000 SF	17 unit/acre
R-4	40	20	20	20	50	80 / NA	22,000 SF	
B-1	25	20	20	20	50	80 / NA	1 Acre	50% Cover
B-2	30	20	20	20	120	70 / NA	22,000 SF	65% Cover
B-3	40	20	20	30	120	60 / NA	12,000 SF	75% Cover
I-1	50	25	20	40	120	100 / NA	No Minimum	85% Cover

- All properties adjacent to the lakeshore have the "FRONT" designated as the lakeside and is measured from the 662' elevation or the property line.
- All properties that are not adjacent to the lakeshore have the "FRONT" designated as the roadside and is measured from the edge of the right-of-way line.
- The Front of a lot that is located at the juncture of two roads is normally designated as the narrowest roadside property line. The perpendicular roadside property line would be the Side Corner.
- **Set back:** The required minimum horizontal distance between the property line, road easement, road right-of-way, or 662-foot contour line of the Lake of the Ozarks (whichever is more restrictive) and the nearest side of any structure. For the purpose of determining setbacks, the measurement shall be from the property line, road easement, road right-of-way, or 662 foot contour line of the Lake of the Ozarks (whichever is most restrictive) to the structure or any attached appurtenance with any overhangs to be included as defined by a vertical line to the ground from the outer edge of the structure. (Setbacks are measured to the eaves or overhangs not the foundation or walls)
- The 120-foot building height for structures in the B-2 & B-3 zoning districts is for commercial land-uses only. Any residential land-use that may become permitted must meet the height limit from the appropriate zoning district. (R-1 = single-family = 50 feet) (R-3 = multi-family = 55 feet)

# SAMPLE LAKEFRONT RESIDENTIAL LOT SITE PLAN

(Non-Lakefront Lot Reverse Front & Rear Setbacks)





# Missouri Department of Natural Resources

## MANAGING CONSTRUCTION AND DEMOLITION WASTE

Solid Waste Management Program fact sheet

02/2017

Division of Environmental Quality Acting Director: Steve Feeler

PUB2045

This guidance is provided primarily for construction and demolition contractors, waste haulers, roofing contractors, remodeling businesses, homebuilders and homeowners. Cities and counties that issue building permits may also find the information helpful. The guidance covers only wastes commonly produced during building construction, renovation and demolition.

Information about managing other wastes is available by contacting the sources listed on the last page of this fact sheet.

This fact sheet is not intended for guidance on the management of surface coatings removed from bridges, water towers or other similar outdoor structures.

### Waste Types

During construction, renovation and demolition activities you may produce one or more of the following types of residuals:

- Clean fill.
- Recovered materials.
- Regulated construction and demolition waste.
- Hazardous materials and hazardous wastes.
- Asbestos-containing materials.

Management requirements differ for each of these.

### Clean Fill

Clean fill is “uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinder blocks, brick, minimal amounts of wood and metal and inert (non-reactive) solids...for fill, reclamation or other beneficial use” (§260.200.1.(6), RSMo). Minimal means the smallest amount possible. For example, concrete containing wire mesh or rebar may be used as clean fill. However, exposed rebar must be removed before use. Under no circumstances are roofing shingles, sheet rock, wood waste or other construction and demolition wastes defined as clean fill.

Concrete, cinder blocks, bricks or other clean fill materials that are painted with non-heavy metal-based paints are also considered clean fill. It is the generator’s responsibility to determine if the painted materials are hazardous wastes. The most typical contaminants are lead and other heavy metals. This determination can be made by representative sampling or by applying historical knowledge of the materials in question.

If asphaltic concrete is to be used as clean fill it is recommended that it not be crushed or ground any smaller than necessary. This will help to minimize the leaching of chemicals found within the asphaltic material.

Although not regulated as waste, placement of clean fill materials may be subject to requirements of the Missouri Department of Natural Resources’ Water Protection Branch if it is placed in contact with surface or subsurface waters of the state, or would otherwise violate water quality standards. Contact the Water Protection Program at

573-751-1300 if you have any questions. Local requirements concerning the use of clean fill may apply as well. Contact the Hazardous Waste Program at 573-751-3176 for questions about determining whether materials may be hazardous and for disposal options.

### **Recovered Materials**

Recovered Materials are those removed for reuse (lumber, doors, windows, ceramic tile and glass) and those removed to be recycled into new products. Potentially recyclable construction and demolition wastes may include scrap metals, asphalt shingles, sheet rock, lumber, glass and electrical wire. However, it is important to remember that recovered waste must be used in some way.

Separating out certain wastes to be recycled into new products without having a market for them is expensive and pointless. Storing recovered materials indoors is expensive. Storing them outdoors may lower their value, since most will degrade or deteriorate when exposed to the weather. Depending on how they are stored, they may harbor rodents, provide breeding grounds for insects or be a potential fire hazard. Recyclables may not be collected and dumped on the ground while waiting for markets to develop. Therefore, before you deliver recyclable materials to a processing or recovery facility be sure the facility is legitimate.

The department's Solid Waste Management Program has information about many recycling facilities in Missouri. You may contact the program at 573-751-5401 or available on the Web at [www.dnr.mo.gov/env/swmp/rrr/rrr.htm](http://www.dnr.mo.gov/env/swmp/rrr/rrr.htm). If you plan to remove reusable or recyclable materials from construction and demolition waste, the sorting must take place at the construction or demolition site. The wastes cannot be hauled from the site and dumped for later sorting, except at a permitted processing facility or at a facility that has received a permit exemption from Solid Waste Management Program. Although the department strongly encourages the recovery or recycling of potential waste materials whenever possible, these activities must be done legally.

### **Regulated Construction and Demolition Wastes**

Regulated construction and demolition wastes are those not classified as clean fill and not being reused or recycled. Regulated non-hazardous construction and demolition wastes must be disposed of at a permitted landfill or transfer station.

To avoid violating air and solid waste laws regulated non-hazardous construction and demolition wastes:

- Cannot be burned. An open burning permit may be applied for to burn untreated wood waste. Contact your nearest regional office for permit information and conditions.
- Cannot be buried (except in a permitted landfill).
- Cannot be hauled to private or public property and dumped, burned or buried, even with the landowner's permission.

If this happens, everyone involved, including the contractor(s), subcontractor(s), the hauler(s) and the landowner(s) can and will be held liable for the illegal disposal (§§260.210, 260.211 and 260.212, RSMo).

If you are a building contractor, you need to know that burying construction waste from a building anywhere on the property is illegal (§260.210.1, RSMo). See page four of this fact sheet for a description of penalties for illegal disposal of construction and demolition waste.

### **Hazardous Materials and Hazardous Wastes**

Although you may find a variety of hazardous materials in old buildings, lead-based paint and asbestos are the most common items dealt with by demolition contractors.

Studies conducted by the U.S. Agency for Toxic Substances and Disease Registry, and by independent researchers, show that the health effects of lead exposure are greater than previously thought. Children are especially vulnerable to the effects of lead poisoning. Because lead and other toxic heavy metals may be contained in the wastes noted above, they require careful management and disposal. For many years, lead-based paint was used in residences and businesses for its stable coating properties. Although lead-based paint was virtually banned by the Consumer Product Safety Commission in 1978 for residential application, it is often encountered when buildings are

renovated or demolished. Also, lead-based paint is still manufactured and sold for corrosion or rust inhibition on steel structures and for other industrial purposes. In older buildings, lead was also used for roofs, cornices, tank linings and electrical conduits. In plumbing soft solder, an alloy of lead and tin was used for soldering tinplate and copper pipe joints.

Additional guidance for handling demolition waste containing lead-based paint or other heavy metals, such as cadmium or chromium, is available by calling the department's Hazardous Waste Program at 573-751-3176.

Hazardous waste requirements for demolition wastes - Demolition-related waste categories typically include:

- Paint Residue - Paint chips, paint scrapings and contaminated blast residue from building renovations or demolition projects.
- Demolition Debris - Masonry, metal and boards that have been painted with lead-based or other heavy metal-based paint.
- Scrap Metal - Metal objects that contain lead or other heavy metals.

For households, the following management options apply, whether or not a contractor is doing the work for you:

- Paint Residue - Paint residue may be placed in the household trash. Before disposal, wrap it tightly in a plastic bag or other container. It will be picked up by your trash hauler and taken to a sanitary landfill for disposal.
- Demolition Debris - May be placed in your household trash. It may be picked up by your trash hauler and taken to a sanitary or demolition landfill for disposal.
- Scrap Metal - Scrap metal should be taken to a salvage yard for recycling. If this is not possible, the metal may be placed in your household trash and picked up by your waste hauler for disposal at a sanitary or demolition landfill.

For generators other than households - This category includes commercial and business enterprises, institutions and industrial buildings, and other structures not specifically identified.

Paint Residue must be laboratory tested before disposal. The appropriate test method is the Toxicity Characteristic Leaching Procedure, EPA Method 1311, which is described in Appendix 11 of the Code of Federal Regulations, Title 40, Part 261(40 CFR Part 261). The test must include the eight metals noted in 40 CFR Part 261.24 (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver). Environmental laboratories capable of conducting a Toxicity Characteristic Leaching Procedure may be found in the telephone directory's Yellow Pages. If one or more of analytical limits meets or exceeds the regulatory limit, the waste is hazardous.

Hazardous wastes must be managed, transported and disposed of according to the Missouri Hazardous Waste Management Law and Regulations. This may require the generator to send paint residue to a permitted hazardous waste disposal facility. In some cases, a lead smelter may accept lead-based paints for use in its lead production processes. If laboratory analysis shows that the paint residue is non-hazardous, it must be disposed of at a sanitary landfill as "special waste." Paint residue may not be disposed of in a demolition landfill.

Procedures for managing special wastes are included in the fact sheet titled Special Waste (PUB2050) available on the department's Web site at [www.dnr.mo.gov/pubs/pub2050.htm](http://www.dnr.mo.gov/pubs/pub2050.htm). The landfill may require you to complete a special waste disposal request form, and provide the results of testing on the paint waste to show that it is not hazardous before accepting the waste.

Demolition debris need not be tested before disposal, so long as it is not chipped, shredded, milled, ground, mulched or similarly processed. Processed demolition waste should be evaluated as described for paint residue.

Scrap metal painted with heavy metals may be sent to a salvage yard for recycling. If this is not possible, the metal may be disposed of at a sanitary or demolition landfill.

### **Asbestos**

All public, institutional or commercial buildings, and in some instances, residential structures, must be inspected for asbestos before renovation or demolition activities. Before planning a demolition project, bidding a project,

letting a bid or beginning the demolition, it is important to know if the building has any asbestos-containing materials and who is responsible for removing them. Buildings may contain asbestos in materials such as ceiling or floor tile, as insulation or soundproofing on ceilings, pipes, ductwork or boilers, or on the outside as transite siding or in shingles. The presence of asbestos-containing materials cannot be confirmed just by looking.

A thorough inspection of any regulated building must be conducted by a Missouri certified asbestos inspector to determine the presence and condition of asbestos-containing materials.

Depending upon the results of the inspection, a registered asbestos abatement contractor may be required. Contact the department's Air Pollution Control Program's Asbestos Unit at 573-751-4817 for more specific information about managing asbestos-containing materials. Visit <http://www.dnr.mo.gov/env/apcp/asbestos/index.htm> for more information about asbestos requirements. If the asbestos-containing materials is to go to a landfill or transfer station, contact the facility in advance to see if they will accept materials and if they have any special handling or packaging requirements.

Penalties for illegal disposal of construction and demolition wastes The Missouri Solid Waste Management Law provides for civil penalties for persons who dispose of or allow the disposal of regulated construction and demolition wastes in un-permitted areas.

The law also contains criminal provisions for some types of illegal construction and demolition waste disposal. There may be additional penalties for violations of air, water pollution and hazardous waste laws depending on the situation and means of disposal.

#### Solid Waste Management Law Violations:

- **Civil Penalties** - any person who disposes of construction and demolition waste or allows the disposal of construction and demolition waste in an area not permitted for such disposal may be assessed a civil penalty of up to \$5,000 per day per violation (§260.240, RSMo).
- **Criminal Penalties** - any person who purposely or knowingly disposes of or causes the disposal of regulated quantities of construction and demolition waste or other solid waste may be prosecuted for violating the criminal provisions of §§260.211 and 260.212, RSMo.

Convictions may include fines of \$20,000 or more, community service, and/or clean-up of the illegally dumped waste. Conviction under §§ 260.211 and 260.212 is a class D Felony for the illegal disposal of residential or commercial waste and for accepting construction and demolition wastes for payment, whether in cash or trade, without a permit. In some cases, persons convicted of illegal dumping have served time in jail.

- **The Missouri Air Conservation Law** and regulations provide for civil penalties of up to \$10,000 per day per violation for persons who violate the requirements for handling, packaging, transporting or disposing of asbestos-containing materials. The federal Clean Air Act also contains civil and criminal penalties for violations. The same penalties apply for persons who illegally dispose of construction and demolition waste by burning.

#### Other Requirements

Other legal requirements related to managing construction and demolition wastes include:

- Anyone engaged in building construction, modification or demolition must maintain a record of all sites used for construction and demolition waste disposal for one year. The records must be made available to department staff upon request (§260.210.7, RSMo).
- Cities and counties that issue building permits are required to notify each permittee in writing of the legal requirements for construction and demolition waste disposal (§260.210.8, RSMo).
- A person shall be guilty of conspiracy if he knows or should have known that his agent or employee has violated the civil or criminal provisions of the law related to illegal disposal of construction and demolition waste or other solid waste (§260.212.9, RSMo).
- Anyone selling, conveying or transferring property that contains construction and demolition waste or other solid waste (whether buried or not), must disclose the existence and location of the waste disposal site to a

potential buyer early in the negotiation process (§260.213, RSMo).

- Anyone hauling materials that could fall or blow off a vehicle, including construction and demolition waste, must cover the load or secure it so that none of it can become dislodged and fall from the vehicle (§307.010, RSMo). In addition, many landfills and transfer stations in Missouri require all incoming loads to be covered. Some facilities accept open loads, but may charge you extra for them.
- A person commits the crime of littering if they throw or place, or cause to be thrown or placed, any garbage, trash, refuse or rubbish of any kind on the right-of-way of any public road or highway, in or on any waters of the state or the stream banks, and on any public or private property (owned by another without their consent) (§577.070, RSMo).

### **Additional Information**

You may obtain additional information about properly managing construction and demolition wastes from the sources listed below.

Missouri Department of Natural Resources

- Air Pollution Control Program 573-751-4817
- Hazardous Waste Program 573-751-3176
- Solid Waste Management Program 573-751-5401
- Water Protection Program 573-751-1300
- Regional Offices
- Kansas City Regional Office 816-622-7000
- Northeast Regional Office (Macon) 660-385-8000
- St. Louis Regional Office 314-416-2960
- Southeast Regional Office (Poplar Bluff) 573-840-9750
- Southwest Regional Office (Springfield) 417-891-4300

### **On the Web**

Construction and demolition information [www.dnr.mo.gov/env/swmp/index.html](http://www.dnr.mo.gov/env/swmp/index.html)

Environmental publications <http://dnr.mo.gov/pubs/>

### **Additional Considerations and Sources**

Hazardous waste requirements are found in the Missouri Hazardous Waste Management Laws, Sections 260.345 through 260.575 of the Revised Statutes of Missouri (RSMo). The Missouri Hazardous Waste Regulations are found in Title 10, Division 25 of the Code of State Regulations. Most of the federal environmental requirements in Title 40 of the Code of Federal Regulations is adopted by reference into the Missouri regulations.

Solid waste requirements are found in the Solid Waste Management Law in Sections 260.200 through 260.345 RSMo, and the regulations in Title 10, Division 80 in the Code of State Regulations. Copies of the Revised Statutes of Missouri are available through the Revisor of Statutes at 573-526-1288, or are available online at <http://www.moga.mo.gov/mostatutes/ChaptersIndex/chaptIndex260.html>.

Copies of the Missouri Code of State Regulations are available through the Missouri Secretary of State at 573-751-4015, or are available online at <http://www.sos.mo.gov/adrules/csr/csr.asp>.

Federal regulations are available at federal depository libraries or may be purchased from a U.S. Government Bookstore, the U.S. Government Printing Office, or from a commercial information service such as the Bureau of National Affairs. Federal Regulations are also available online at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>.

### **Other Guidance**

The Missouri Department of Health and Senior Services - Office of Lead Licensing and Accreditation may be contacted for information regarding training, licensure and work practice standards for lead abatement activities. Disposal is an abatement activity. See Missouri Revised Statutes 701.300 and 701.338.

Please note that many municipalities have their own additional requirements that might be stricter than those discussed above.

**For more information**

Missouri Department of Natural Resources  
Air Pollution Control Program  
P.O. Box 176  
Jefferson City, MO 65102-0176  
800-361-4827 or 573-751-4817 office  
573-751-2706 fax  
[www.dnr.mo.gov/env/apcp/index.html](http://www.dnr.mo.gov/env/apcp/index.html)

Missouri Department of Natural Resources  
Hazardous Waste Program  
P.O. Box 176  
Jefferson City, MO 65102-0176  
800-361-4827 or 573-751-7560 office  
573-751-7869 fax  
[www.dnr.mo.gov/env/hwp/index.html](http://www.dnr.mo.gov/env/hwp/index.html)

Missouri Department of Health and Senior Services  
Office of Lead Licensing and Accreditation  
P.O. Box 570  
Jefferson City, MO 65102-0570  
888-837-0927 or 573-526-5873  
573-526-0441 fax  
[www.dhss.mo.gov/Lead/](http://www.dhss.mo.gov/Lead/)

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**Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.**

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**For more information**

Missouri Department of Natural Resources  
Solid Waste Management Program  
P.O. Box 176  
Jefferson City, MO 65102-0176  
800-361-4827 or 573-751-5401  
<http://dnr.mo.gov/env/swmp>

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