

1 **ORDINANCE NO. 70798**

2 **BOARD BILL NO. 57CS INTRODUCED BY ALDERMAN TERRY KENNEDY**

3 **ALDERWOMAN CHRISTINE INGRASSIA**

4

5 An Ordinance adopting the 2018 International Property Maintenance Code with  
6 amendments; repealing Ordinance 68791; and containing a penalty clause, severability  
7 clause, savings clause, and emergency clause.

8

9 **BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:**

10

11 **SECTION ONE. REPEAL.** Ordinance 68791, approved November 8, 2010,  
12 which adopted the 2009 International Property Maintenance Code, is hereby repealed.

13

14 **SECTION TWO. ADOPTION.** The 2018 International Property Maintenance Code  
15 as published by the International Code Council, Inc., one copy of which is on file in the  
16 Office of the Register of the City of Saint Louis, being marked and designated as the  
17 International Property Maintenance Code, is hereby adopted as the Property Maintenance  
18 Code of the City of Saint Louis, in the State of Missouri, pursuant to this Ordinance and in  
19 conformity with Section 71.943 RSMo for the control of buildings and structures as herein  
20 provided; and that each and all of the regulations, provisions, penalties, conditions, and terms  
21 of said Property Maintenance Code are hereby referred to, adopted, and made a part hereto as  
22 if fully set out in this Ordinance with the amendments prescribed in Section Three of this

1 Ordinance. If differences occur between a provision modified by this Ordinance and a  
2 provision adopted without modifications, then the modified provision shall control.

3 **SECTION THREE. AMENDMENTS.** The 2018 International Property  
4 Maintenance Code is amended and changed in the following respects:

5 **CHAPTER 1 IS AMENDED AS FOLLOWS:**

6 Delete Chapter 1 as published in its entirety.

7 Add a new Chapter 1 to read as follows:

8 **CHAPTER 1**  
9 **SCOPE AND ADMINISTRATION**

10 **SECTION 101**

11 **GENERAL**

12 **101.1 Title.** These regulations shall be known as the Property Maintenance Code of the City  
13 of Saint Louis, Missouri, hereinafter referred to as "this code."

14 **101.2 Scope.** The provisions of this code shall apply to all existing residential and non-  
15 residential structures and all existing premises and shall constitute minimum requirements  
16 and standards for premises, structures, equipment, and facilities for light, ventilation, space,  
17 heating, sanitation, protection from the elements, life safety, safety from fire and other  
18 hazards, and for safe and sanitary maintenance; the responsibility of owners, operators, and  
19 occupants; the occupancy of existing structures and premises, and for administration,

1 enforcement, and penalties.

2 **101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure  
3 public health, safety, and general welfare insofar as they are affected by the continued  
4 occupancy and maintenance of structures and premises. Existing structures and premises that  
5 do not comply with these provisions shall be altered or repaired to provide a minimum level  
6 of health and safety as required herein.

7 **101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for  
8 any reason, held to be unconstitutional, such decision shall not affect the validity of the  
9 remaining portion of this code.

10

## SECTION 102

11

### APPLICABILITY

12 **102.1 General.** Where in any specific case, different sections of this code specify different  
13 materials, methods of construction, or other requirements, the most restrictive shall govern.

14 Where there is a conflict between a general requirement and a specific requirement, the  
15 specific requirement shall be applicable.

16 **102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions  
17 of local, state, or federal law.

18 **102.3 Application of references.** References to chapter or section numbers or to provisions  
19 not specifically identified by number shall be construed to refer to such chapter, section, or

1 provision of this code.

2 **102.4 Referenced codes and standards.** The codes and standards referenced in this code  
3 shall be considered part of the requirements of this code to the prescribed extent of each such  
4 reference. Where differences occur between provisions of this code and referenced  
5 standards, the provisions of this code shall apply. Referenced standards shall be permitted to  
6 be updated by rule making authority of the building official.

7 **102.5 Partial invalidity.** In the event any part or provision of this code is held to be illegal  
8 or void, this shall not have the effect of making void or illegal any of the other parts or  
9 provisions.

10 **102.6 Maintenance.** Equipment, systems, devices, and safeguards required by this code or a  
11 previous regulation or code under which the structure or premises was constructed, altered,  
12 or repaired shall be maintained in good working order. The requirements of this code are not  
13 intended to provide the basis for removal or abrogation of fire protection and safety systems  
14 and devices in existing structures. Except as otherwise specified herein, the owner or the  
15 owner's designated agent shall be responsible for the maintenance of buildings, structures,  
16 and premises.

17 **102.7 Application of other codes.** Repairs, additions, or alterations to a structure or changes  
18 of occupancy shall be done in accordance with the procedures and provisions of the Building  
19 Code, Existing Building Code, Residential Code for One-and Two-family Dwellings,  
20 Plumbing Code, Mechanical Code, Fuel Gas Code, and Electrical Code. Nothing in this  
21 code shall be construed to cancel, modify, or set aside any provision of the zoning code.

1 **102.8 Existing remedies.** The provisions in this code shall not be construed to abolish or  
2 impair existing remedies of the City of Saint Louis or its officers or agencies relating to the  
3 removal or demolition of any structure which is dangerous, unsafe, and unsanitary.

4 **102.9 Other regulations.** When the provisions specified herein for public safety, health, and  
5 welfare are in conflict with other regulations, the most rigid requirements of either the  
6 building code or other regulations shall apply whenever they conflict. However, the building  
7 official shall not be the enforcement officer for such other ordinances or regulations unless  
8 specified in said ordinances or regulations.

9 **102.10 Requirements not covered by code.** Requirements necessary for the strength,  
10 stability or proper operation of an existing structure or equipment, or for the public safety,  
11 health, and general welfare not specifically covered by this code shall be determined by the  
12 building official.

13 **102.11 Historic buildings.** The provisions of this code shall not be mandatory for existing  
14 buildings or structures designated by the state or local jurisdiction as historic buildings when  
15 such buildings or structures are judged by the building official to be safe and in the public  
16 interest of health, safety, and welfare.

17 **SECTION 103**

18 **DIVISION OF BUILDING AND INSPECTION**

19 **103.1 Enforcement agency.** The enforcement agency shall be the Division of Building and  
20 Inspection. The Division shall consist of the following sections to include but not be limited

1 to: Administration Section, Building Inspection Section, Central File Section, Court Section.  
2 Electrical Inspection Section, Mechanical Inspection Section, Permit Section, Plan Exam  
3 Section, Plumbing Inspection Section, and Zoning Section.

4 **103.2 Building Commissioner.** The head of the Division of Building and Inspection shall  
5 be known as the Building Commissioner, in accordance with Section 15, Article 13 of the  
6 Charter of the City of Saint Louis.

7 **103.2.1 Appointment; qualifications.** The Building Commissioner, also herein referred  
8 to as the building official, shall be a Missouri licensed professional architect or a  
9 Missouri licensed professional engineer, or shall have a bachelors degree in an  
10 appropriately related field with Certified Building Code Official status, or shall have a  
11 masters degree in an appropriately related field and five years experience in building  
12 code enforcement at a senior management level. The Building Commissioner shall be  
13 appointed by the Director of Public Safety and shall possess any one of the above  
14 necessary qualifications.

15 **103.3 Organization.** The building official shall appoint such numbers of architects,  
16 engineers, technical assistants, inspectors, and other employees such as clerks, typists, and  
17 cashiers as shall be necessary for the administration of the codes governed by this ordinance  
18 and as authorized by the building official in conformance with Civil Service qualifications  
19 and regulations. The building official shall be permitted to delegate appropriate subordinates  
20 to act in the exercise of the duties of this code and they also shall be designated as building  
21 officials. The building official is authorized to designate employees as needed who shall

1 exercise all the powers of the building official during the temporary absence or disability of  
2 the building official.

3 **103.4 Restriction of employees.** An official or employee connected with the Division of  
4 Building and Inspection, except one whose only connection is that of a member of the Board  
5 of Building Appeals established under the provisions of Section 112, shall not be engaged in  
6 directly or indirectly connected with the furnishing of labor, materials, or appliances for the  
7 construction, alteration, or maintenance of a building or the preparation of construction  
8 documents thereof unless that person is the owner of the building or a first degree relative of  
9 the owner of the building; nor shall such officer or employee engage in any work which  
10 conflicts with official duties or with the interests of the Division of Building and Inspection.

11 Further, no Building Division employee shall be employed by or serve as an employee of  
12 any other division within the city service unless a formal request is made by the Building  
13 Commissioner to and approved by the appointing authority of that division.

14 **103.5 Relief from personal responsibility.** The building official or employee charged with  
15 the enforcement of this code while acting for the jurisdiction shall not thereby be rendered  
16 liable personally and is hereby relieved from all personal liability for any damage accruing to  
17 persons or property as a result of any act required or permitted in the discharge of official  
18 duties. Any suit instituted against any employee because of an act performed by that person  
19 in the lawful discharge of duties and under the provisions of this code shall be defended by  
20 the City of Saint Louis City Counselor's Office until the final termination of the proceedings.

21 The building official or any subordinates shall not be liable for costs or judgment in any  
22 action, suit, or proceeding that is instituted in pursuance of the provisions of this code; and

1 any employee of the Division of Building and Inspection acting in good faith and without  
2 malice shall be free from liability for acts performed under any of its provisions or by reason  
3 of any act or omission in the performance of official duties in connection therewith.

4 The above protection shall also extend to former employees for work performed during  
5 their period of employment with the City of Saint Louis.

6 **103.6 Official records.** An official record shall be kept of all business and activities of the  
7 department specified in the provisions of this code and all such records shall be open to  
8 public inspection at all appropriate times.

9 A reasonable charge shall be established for making copies of documents. If staff time is  
10 required to assemble requested data, an estimate shall be made of personnel charges  
11 including fringe benefits and a signed agreement made prior to undertaking such projects.  
12 The Division of Building and Inspection is not obligated to assemble data into formats that it  
13 does not use or need in the ordinary prosecution of its work.

14 Further, whenever any person, firm, or corporation requests a comprehensive historical  
15 investigation of the Division of Building and Inspection records relating to building or  
16 occupancy permits, an application fee of \$25 shall be charged as specified in the Building  
17 Code.

18 **SECTION 104**

19 **DUTIES AND POWERS OF THE BUILDING OFFICIAL**

20 **104.1 General.** The building official is hereby authorized and directed to enforce the  
21 provisions of this code. The building official shall have the authority to render



1 interpretations of this code and adopt policies and procedures in order to clarify the  
2 application of its provisions. Such interpretations, policies, and procedures shall be in  
3 conformance with the intent and purpose of this code. Such policies and procedures shall not  
4 have the effect of waiving requirements specifically provided for in this code.

5 **104.1.1 Rule making authority.** The Building Commissioner shall have authority as  
6 necessary in the interest of public health, safety, and general welfare to adopt and  
7 promulgate rules and regulations to interpret and implement the provisions of this code,  
8 to secure the intent thereof, and to designate requirements applicable because of local  
9 climatic or other conditions. Such rules shall not have the effect of waiving structural or  
10 fire performance requirements specifically provided for in this code or violating accepted  
11 engineering practice involving public safety.

12 **104.2 Inspections.** The building official shall make all of the required inspections, or the  
13 building official shall have the authority to accept reports of inspection by approved agencies  
14 or individuals. Reports of such inspections shall be in writing and certified by a responsible  
15 officer of such approved agency or by the responsible individual. The building official is  
16 authorized to engage such expert opinion as deemed necessary to report upon unusual  
17 technical issues that arise, subject to the approval of the appointing authority. The owner  
18 shall provide such special inspections as are required by the building official.

19 **104.3 Right of entry.** Where it is necessary to make an inspection to enforce the provisions  
20 of this code or where the building official has reasonable cause to believe that there exists in  
21 a structure or upon a premises a condition which is contrary to or in violation of this code

1 which makes the structure or premises unsafe, dangerous, or hazardous, the building official  
2 is authorized to enter the structure or premises at reasonable times to inspect or perform the  
3 duties imposed by this code, provided that if such structure be occupied that credentials be  
4 presented to the occupant and entry requested. If such structure or premises be unoccupied,  
5 the building official shall first make a reasonable effort to locate the owner or other person  
6 having charge or control of the structure or premises and request entry. If entry is refused,  
7 the building official shall recourse to the remedies provided by law to secure entry.

8 **104.4 Identification.** The building official shall carry proper identification when inspecting  
9 buildings, structures, or premises in the performance of duties under this code.

10 **104.5 Notices and orders.** The building official shall issue all necessary notices or orders to  
11 ensure compliance with the code.

12 **104.6 Nuisance.** The building official is authorized to enter and inspect every room,  
13 building, structure, or portion thereof which constitutes a nuisance as defined herein within  
14 forty-eight hours of being notified by the police department that such condition exists. The  
15 police department shall notify the building official of a nuisance property within twenty-four  
16 hours of identifying such property. If the owner or occupant of said building or structure  
17 refuses to permit an inspection, the building official shall be permitted to immediately  
18 condemn for occupancy the building, structure, or portion thereof, and issue an order to  
19 vacate if, under the totality of the circumstances, the building official has reasonable cause to  
20 believe a nuisance as defined herein exists. ~~[In the event that any person refuses to leave,~~  
21 ~~interferes with the evacuation of other.]~~ In the event that any person refuses to leave,

1 interferes with the evacuation of other occupants, or continues any operation within said  
2 building, structure, or portion thereof after having been given an evacuation order by the  
3 building official, it shall be the duty of the police department to immediately remove such  
4 person from said building or structure and prevent anyone from reentering the building or  
5 structure until such time as the police department has been notified by the building official  
6 that the order to condemn for occupancy has been rescinded. [~~The building official shall~~  
7 ~~immediately rescind the condemnation order issued herein upon the completion of the~~  
8 ~~inspection authorized by this section.~~] For purposes of this section a nuisance shall be  
9 defined as any violation of this ordinance which if not promptly corrected will constitute a  
10 fire hazard or a threat to the life, health, or safety of the occupants of the building, structure,  
11 or portion thereof in which the violations occur.

12 **104.8 Liability.** The building official, member of the Board of Building Appeals, or  
13 employee charged with the enforcement of this code, while acting for the City of Saint Louis  
14 in good faith and without malice in the discharge of the duties required by this code or other  
15 pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable  
16 personally and is hereby relieved from personal liability for any damage accruing to persons  
17 or property as a result of any act or by reason of an act or omission in the discharge of official  
18 duties.

19 **104.8.1 Legal defense.** Any suit or criminal complaint instituted against an officer or  
20 employee because of an act performed by that officer or employee in the lawful discharge  
21 of duties and under the provisions of this code shall be defended by the City of Saint  
22 Louis City Counselor's Office until the final termination of the proceedings. The

1 building official or any subordinates shall not be liable for cost or judgment in any action,  
2 suit or proceeding that is instituted in pursuance of the provisions of this code; and any  
3 employee of the Division of Building and Inspection, acting in good faith and without  
4 malice, shall be free from liability for acts performed under any of its provisions or by  
5 reason of any act or omission in the performance of official duties in connection  
6 therewith.

7 The above protection shall also extend to former employees for work performed  
8 during their period of employment with the City of Saint Louis.

9 **SECTION 105**

10 **APPROVAL**

11 **105.1 Modifications.** Wherever there are practical difficulties involved in carrying out  
12 provisions of this code, the building official shall have the authority to grant modifications  
13 for individual cases upon application of the owner or owner's representative provided the  
14 building official shall first find that special individual reason makes the strict letter of this  
15 code impractical and the modification is in compliance with the intent and purpose of this  
16 code and that such modification does not lessen health, accessibility, life and fire safety, or  
17 structural requirements. The details of action granting modifications shall be recorded and  
18 entered in the files of the Department of Public Safety.

19 **105.2 Alternative materials, design, and methods of construction and equipment.** The  
20 provisions of this code are not intended to prevent the installation of any material or to

1 prohibit any design or method of construction not specifically prescribed by this code  
2 provided any such alternative has been approved. An alternative material, design, or method  
3 of construction shall be approved where the building official finds that the proposed design is  
4 satisfactory and complies with the intent of the provisions of this code and that the material,  
5 method, or work offered is, for the purpose intended, at least the equivalent of that prescribed  
6 in this code in quality, strength, effectiveness, fire resistance, durability, and safety.

7 **105.3 Tests.** Whenever there is insufficient evidence of compliance with the provisions of  
8 this code, or evidence that a material or method does not conform to the requirements of this  
9 code, or in order to substantiate claims for alternative materials or methods, the building  
10 official shall have the authority to require tests as evidence of compliance to be made at no  
11 expense to the jurisdiction. Test methods shall be as specified in this code or by other  
12 recognized test standards. In the absence of recognized and accepted test methods, the  
13 building official shall approve the testing procedures. Tests shall be performed by an  
14 approved agency. Reports of such tests shall be retained by the building official for the  
15 period required for the retention of public records.

16 **105.3.1 Research and investigations.** The building official shall require that sufficient  
17 technical data be submitted to substantiate the proposed use of any material or assembly,  
18 and if it is determined that the evidence submitted is satisfactory proof of performance  
19 for the use intended, the building official shall approve its use subject to the requirements  
20 of this code. The costs of all tests, reports and investigations required under these  
21 provisions shall be paid by the applicant or owner.

1 **105.4 Used materials and equipment.** The use of used materials which meet the  
2 requirements of this code for new materials is permitted. Used equipment and devices shall  
3 not be reused unless they have been reconditioned, tested, and placed in good and proper  
4 working condition and approved by the building official.

5 **105.5 Approved materials and equipment.** Materials, equipment, and devices approved by  
6 the building official shall be constructed and installed in accordance with such approval.

7 **105.6 Research reports.** Supporting data, where necessary to assist in the approval of  
8 materials or assemblies not specifically provided for in this code, shall consist of valid  
9 research reports from approved sources.

10 **SECTION 106**

11 **VIOLATIONS**

12 **106.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to grade for,  
13 excavate for, erect, construct, alter, extend, repair, move, remove, demolish, use, or occupy  
14 any building, structure, premises, or equipment regulated by this code or cause same to be  
15 done in conflict with or in violation of the provisions of this code or any decision or order of  
16 the Board of Building Appeals or the building official.

17 **106.2 Notice of violation.** The building official is authorized to serve a notice of violation  
18 or order on the owner as shown in the records of the City of Saint Louis Assessor's Office or  
19 person responsible for the grading, excavating, erection, construction, alteration, extension,  
20 repair, moving, removal, demolition, use, or occupancy of a building, structure, or premises

1 in violation of the provisions of this code, or in violation of a detail statement or construction  
2 documents approved hereunder, or in violation of a permit or certificate issued under the  
3 provisions of this code. Such order shall direct the discontinuance of the illegal action or  
4 condition and the abatement of the violation. Such notice shall be permitted to be served by  
5 the United States mail. Posting of the premises shall also constitute notice. It shall be a  
6 violation of this code for any person to remove any such notice lawfully posted pursuant to  
7 this code unless otherwise ordered by the building official.

8 **106.2.1 Investigation of records.** Upon the receipt of a written request from the owner  
9 of the property, the real estate agent for the property, or the attorney, architect, or  
10 engineer representing the owner of the property, the permit section supervisor shall ask  
11 the various building division sections for copies of any existing violation letters  
12 concerning the property. If the request is not on the owner's letterhead, a notarized  
13 authorization from the owner must be submitted.

14 The response letter written by the permit section supervisor shall list any known  
15 violations and must contain the following statement: "This letter does not certify that  
16 there are no actual existing violations of the ordinances for which the Division of  
17 Building and Inspection is responsible. To determine if there are any violations of any  
18 ordinances, an application for an occupancy permit must be filed in accordance with  
19 Section 111.5 of the Building Code and the subsequent inspections completed. This  
20 letter does certify there are no existing letters of violation on record other than those  
21 attached herein. There will be a \$25 fee charged for this service. Five working days will  
22 be allowed to respond to this request."

1 **106.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the  
2 building official is authorized to request the legal counsel of the City of Saint Louis to  
3 institute the appropriate proceeding at law or in equity to restrain, correct, or abate such  
4 violation or to require the removal or termination of the unlawful occupancy of the building,  
5 structure, or premises in violation of the provisions of this code or of the order or direction  
6 made pursuant thereto.

7 **106.4 Violation penalties.** Any person who violates a provision of this code or fails to  
8 comply with any of the requirements thereof or who erects, constructs, alters, or repairs a  
9 building or structure in violation of the approved construction documents, of a directive of  
10 the building official, or of a permit or certificate issued under the provisions of this code  
11 shall be subject to penalties as prescribed in Section Four of the adopting ordinance.

12 **106.5 Abatement of violation.** The imposition of penalties as set forth in Section Four of  
13 the adopting ordinance shall not preclude the legal officer of the City of Saint Louis from  
14 instituting appropriate action to prevent unlawful construction; to restrain, correct, or abate a  
15 violation; to prevent illegal occupancy of a building, structure, or premises; or to stop an  
16 illegal act, conduct business, or use of a building or structure on or about any premises.

17 **SECTION 107**

18 **NOTICES AND ORDERS**

19 **107.1 Notice to owner or to person or persons responsible.** Whenever the building  
20 official determines that there has been a violation of this code or has grounds to believe that a



1 violation has occurred, notice shall be given to the owner or the person or persons  
2 responsible therefore in the manner prescribed in Sections 107.2 and 107.3.

3 **107.2 Form.** Such notice prescribed in Section 107.1 shall:

- 4 1. Be in writing;
- 5 2. Include a description of the real estate sufficient for identification;
- 6 3. Include a statement of the violation or violations and why the notice is being issued;
- 7 4. Include a correction order allowing a reasonable time to make the repairs and  
8 improvements required to bring the dwelling unit or structure into compliance with  
9 the provisions of this code; and
- 10 5. Inform the property owner of the right to appeal.

11 **107.3 Method of service.** The notice to the owner of the building, structure, or premise  
12 found to be in violation of this code by the building official shall be directed to the owner or  
13 owners of such building, structure, or premise as recorded most recently in the City of Saint  
14 Louis Assessor's Office. The notice shall be served in one of the following ways:

- 15 1. Delivered personally to owner or owners; or
- 16 2. By posting a copy of said notice upon the building, structure, or premise; or
- 17 3. By mailing a copy of said notice by regular mail, postage prepaid, direct to the owner  
18 or owner's place of business or the address currently recorded in the Assessor's  
19 Office of the City of Saint Louis; or
- 20 4. By publication in a newspaper of general circulation in the City of Saint Louis.

21 **107.4 Unauthorized tampering.** Signs, tags, or seals posted or affixed by the building

1 official shall not be mutilated, destroyed, tampered with, or removed without authorization  
2 from the building official.

3 **107.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in  
4 Section Four of the adopting ordinance.

5 **107.6 Transfer of ownership.** It shall be unlawful for the owner of any dwelling unit or  
6 structure who has received a compliance order or upon whom a notice of violation has been  
7 served to sell, transfer, mortgage, lease, or otherwise dispose of to another until the  
8 provisions of the compliance order or notice of violation have been complied with or until  
9 such owner shall first furnish the grantee, transferee, mortgagee, or lessee a true copy of any  
10 compliance order or notice of violation issued by the building official and shall furnish to the  
11 building official a signed and notarized statement from the grantee, transferee, mortgagee, or  
12 lessee acknowledging the receipt of such compliance order or notice of violation and fully  
13 accepting the responsibility without condition for making the corrections or repairs required  
14 by such compliance order or notice of violation.

15 **107.7 Continuation of Violation.** Any notice sent pursuant to this code or any other  
16 ordinance of the City of Saint Louis concerning the condition of a property or structure,  
17 including building, health, safety, or environmental, shall run with the land and no further  
18 notices are required to be sent to any new owner except any violation notice or condemnation  
19 of structure or property shall be in full force and effect upon transfer of property and the city  
20 is not required to reissue the notice or re-condemn the property unless twelve months have  
21 elapsed since the last notice.

1 **SECTION 108**

2 **UNSAFE BUILDINGS, STRUCTURES AND EQUIPMENT**

3 **108.1 Conditions.** Buildings, structures, or equipment that are or hereafter become unsafe,  
4 unsanitary, or deficient because of inadequate means of egress, facilities, inadequate light and  
5 ventilation, or a fire hazard; are otherwise dangerous to human life or the public welfare; or  
6 which involve illegal or improper occupancy or inadequate maintenance shall be deemed in  
7 unsafe condition. Unsafe buildings or structures shall be taken down and removed or made  
8 safe as the building official deems necessary and as provided for in this section. A vacant  
9 structure that is not secured against entry shall be deemed unsafe.

10 **108.2 Closing of vacant structures.** If the structure is vacant and unfit for human habitation  
11 and occupancy and is not in danger of structural collapse, the building official is authorized  
12 to post a placard of condemnation on the premises and order the structure closed so as not to  
13 be an attractive nuisance. Upon failure of the owner to close up the premises within the time  
14 specified in the order, the building official shall cause the premises to be closed and secured  
15 through any available public agency or by contract or arrangement by private persons and the  
16 cost thereof shall be charged against the real estate upon which the structure is located and  
17 shall be a lien upon such real estate and may be collected by any other legal resource.

18 **108.2.1 Authority to disconnect service utilities.** The building official shall have the  
19 authority to authorize disconnection of utility service to the building, structure, or system  
20 regulated by this code and the referenced codes and standards set forth in Section 102.7  
21 in case of emergency where necessary to eliminate an immediate hazard to life or

1 property or when such utility connection has been made without approval. The building  
2 official shall notify the serving utility and, whenever possible, the owner and occupant of  
3 the building, structure, or service system of the decision to disconnect prior to taking  
4 such action. If not notified prior to disconnection the owner or occupant of the building,  
5 structure, or service system shall be notified in writing as soon as practical thereafter.

6 **108.3 Notice.** If an unsafe condition is found, the building official shall serve on the owner,  
7 agent, or person in control of the structure a written notice that describes the condition  
8 deemed unsafe and specifies the required repairs or improvements to be made to abate the  
9 unsafe condition or that requires the unsafe structure to be demolished within a stipulated  
10 time. Such notice shall require the person thus notified to declare immediately to the  
11 building official acceptance or rejection of the terms of the order.

12 **108.3.1 Prohibited occupancy.** Any occupied structure condemned and placarded by  
13 the building official shall be vacated as ordered by the building official. Any person who  
14 shall occupy a placarded premises or shall operate placarded equipment and any owner or  
15 any person responsible for the premises who shall let anyone occupy a placarded  
16 premises or operate placarded equipment shall be liable for the penalties provided by this  
17 code.

18 **108.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is  
19 (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the  
20 owner at the last known address with the return receipt requested; or (c) delivered in any  
21 other manner as prescribed by local law. If the certified or registered letter is returned

1 showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous  
2 place in or about the structure affected by such notice. Service of such notice in the  
3 foregoing manner upon the owner's agent or upon the person responsible for the structure  
4 shall constitute service of notice upon the owner.

5 **108.5 Restoration.** The structure or equipment determined to be unsafe by the building  
6 official is permitted to be restored to a safe condition. To the extent that repairs, alterations  
7 or additions are made or a change of occupancy occurs during the restoration of the structure,  
8 such repairs, alterations, additions, or change of occupancy shall comply with the  
9 requirements of Section 105.2.2 of the Building Code and Section 105.2.2 of the Existing  
10 Building Code.

11 **108.6 Abatement methods.** The owner, operator, or occupant of a building, premises, or  
12 equipment deemed unsafe by the code official shall abate or cause to be abated or corrected  
13 such unsafe condition either by repair, rehabilitation, demolition, or other approved  
14 corrective action.

15 **108.6.1 Securing structures.** The building official shall be permitted to order the owner  
16 of a vacant or partially vacant building or structure that is open and unsecured, in whole  
17 or in part, to secure all openings of said building or structure in accordance with Section  
18 119 of the Building Code.

19 If the owner or owners fail to comply with the order of the building official within ten  
20 calendar days and in such a manner as provided by code, then such owner or owners shall  
21 have violated this code and the building official may forthwith, subject to funds

1 availability, proceed to undertake and complete the work specified in that order. Billing,  
2 liens, and cost recovery shall be in accord with Section 119.5 of the Building Code.

3 **108.7 Declaration of emergency securing.** The building official may declare an emergency  
4 to exist which shall waive the required ten calendar day owner compliance period and allow  
5 the building official to immediately cause the removal or the securing of open hazardous  
6 structures by placing a notice on the structure and, after a 24 hour period, causing the  
7 securing. Lien and recovery of costs shall be in accord with Section 199.5 of the Building  
8 Code. In extreme imminent public safety conditions, the 24 hour period need not be  
9 observed.

10 **108.8 Record.** The building official shall cause a report to be filed on an unsafe condition.  
11 The report shall state the occupancy of the structure and the nature of the unsafe condition.

12 **SECTION 109**  
13 **EMERGENCY MEASURES**

14 **109.1 Procedure.** When, in the opinion of the building official, a building, structure, or  
15 premises poses an immediate or imminent danger to the public health, safety, or welfare, the  
16 building official shall order the immediate evacuation and securing of said building,  
17 structure, or premises and shall be permitted to order all utilities to be disconnected without  
18 sending a notice. Each principal entrance shall be posted with a notice which reads as  
19 follows:

20 **DANGER**

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**THIS PREMISES IS UNSAFE AND HAS BEEN  
CONDEMNED  
ALL PERSONS ARE WARNED TO  
KEEP AWAY**

Any person who refuses to leave, interferes with the evacuation of other occupants, occupies, or continues any operation after the property has been posted pursuant to this section, except such persons who are directed to perform work to remove a violation or unsafe condition, shall be deemed in violation of this section and it shall be the duty of the Police Department to immediately remove such persons from said building, structure, or premises and prevent anyone, unless approved by the building official, from re-entering the building, structure, or premises until such time that the Police Department shall have been notified that the same is in a safe condition. The building official assumes no responsibility for persons entering upon said property and said persons proceed at their own risk and assume all liability.

**109.2 Temporary safeguards.** When, in the opinion of the building official, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life, the building official shall be permitted to cause the necessary work to be done to render such building or structure or part thereof temporarily safe whether or not the legal procedure herein described has been instituted.

**109.3 Closure.** When necessary for public safety, the building official shall temporarily close sidewalks, streets, buildings, structures, and places adjacent to a building, structure, or premises deemed unsafe under the provisions of Section 108 and prohibit the same from

1 being used.

2 **109.3.1 Catchment enclosures.** If, in the opinion of the building official, it is  
3 determined that there exists an imminent structural hazard, catchment enclosures shall be  
4 erected protecting adjoining property and the public right-of-way. The cost for such  
5 catchment enclosures shall be the responsibility of the owner of record of the hazard and  
6 the recovery of said costs will be as described in Section 119.5 of the Building Code.

7 **109.4 Emergency repairs; remedies.** For the purpose of this section, the building official  
8 shall be permitted to employ the necessary labor and materials to perform the required work  
9 as expeditiously as possible. Further, when it is found that potable water is running inside a  
10 vacant building or structure and the owner or the owner's representative cannot be contacted  
11 and where severe structural or other damage can thus occur to adjacent properties, the  
12 Building Commissioner or the Health Commissioner shall be permitted to order the Water  
13 Division to cease the problem flow by whatever means the Water Division finds necessary.  
14 The Water Division shall comply with any order issued pursuant to this section.

15 **109.5 Cost of emergency repairs or demolition.** Costs incurred in the performance of  
16 emergency work shall be paid from the Treasury of the City of Saint Louis on certification of  
17 the building official. The legal counsel of the City of Saint Louis shall institute appropriate  
18 action against the owners of the premises where the unsafe building or structure is or was  
19 located for the recovery of such costs plus a ten percent administrative fee. If such cost is not  
20 collected, a lien shall be requested to be placed upon the property by the Comptroller. The  
21 costs shall also be certified by the Collector of Revenue or other official collecting real estate



1 taxes who shall cause a special tax bill against the property to be prepared and collected in  
2 the same manner and procedures as other real estate tax bills. Said special tax bill shall be  
3 deemed a personal debt against the property owners and shall also be a lien on the property  
4 until paid.

5 **109.6 Emergency demolition or removal.** If, in the opinion of the building official, a  
6 building, structure, tree, or premises, in whole or in part, poses an immediate and imminent  
7 danger to the public health, safety, or welfare by virtue of its condition or conditions in  
8 violation of this code, the building official shall be permitted to cause the immediate removal  
9 of said building, structure, or tree without the notice set forth elsewhere in this code. Further,  
10 the building official shall have the authority to award a sole source contract for demolition of  
11 said dangerous building, structure, or tree.

12 **109.7 Demolition of party walls; responsibility.** When a building or structure on one side  
13 of a party wall is demolished, the demolition contractor is required to mortar in the floor or  
14 roof joist pockets, and is also responsible for installing missing portions of the party wall  
15 which were not originally built. The demolition contractor shall remove any attachments to  
16 the building or structure (plaster, mortar, steps, paneling, etc.). The adjacent wall shall have  
17 an approved roofing material applied to create a coping for the wall. The demolition  
18 contractor shall also be responsible for applying an exterior sprayed-on sand and tinted  
19 cement coating or for tuckpointing; these are not the responsibility of the owner of the  
20 remaining building who relies on structural support from the party wall.

21

## SECTION 110

1 **RIGHT TO APPEAL**

2 **110.1 Appeals.** Any person aggrieved by a decision of the building official may appeal said  
3 decision to the Board of Building Appeals as set out in Section 113 of the Building.

4 **110.2 Appeals to stay proceedings; exceptions.** Appeals shall stay all proceedings in  
5 furtherance of the action appealed from unless the building official or fire official, whichever  
6 shall be the case, certifies to the Board of Building Appeals after the notice of appeal has  
7 been filed that by reason of the facts stated in the certificate, a stay would, in their opinion,  
8 cause imminent peril to life or property. Proceedings shall not be stayed other than by  
9 restraining order.

10 **SECTION 111**

11 **STOP WORK ORDER**

12 **111.1 Authority.** Whenever the building official finds any work regulated by this code  
13 being performed in a manner contrary to the provisions of this code or in a dangerous or  
14 unsafe manner, the building official is authorized to issue a stop work order.

15 **111.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of  
16 the property involved, to the owner's agent, or to the person doing the work. Upon issuance  
17 of a stop work order, the cited work shall immediately cease. The stop work order shall state  
18 the reason for the order and the conditions under which the cited work will be permitted to  
19 resume.

1 **111.3 Unlawful continuance.** Any person who shall continue any work in or about the  
2 building, structure, or premises after having been served with a stop work order, except such  
3 work as they are directed to perform to remove a violation or unsafe condition shall, upon  
4 conviction thereof, be subject to the penalties as set forth in Section Four of the adopting  
5 ordinance. Each day that a violation continues shall constitute a separate and distinct  
6 offense.

7 **SECTION 112**

8 **WORKMANSHIP**

9 **112.1 General.** All work shall be conducted, installed, and completed in a neat,  
10 workmanlike, and acceptable manner so as to secure the results intended by this code.

11 **CHAPTER 2 IS AMENDED AS FOLLOWS:**

12 Modify Section 202 General Definitions by the addition or changing of definitions to read  
13 as follows:

14 **BUILDING or CODE OFFICIAL.** The Building Commissioner of the City of Saint Louis  
15 or any duly authorized representative.

16 **COMMON EXIT.** An exit that serves two or more dwelling units.

17 **OWNER.** Any person, agent, operator, management firm, collector of rent, firm, or  
18 corporation having a legal or equitable interest in the property; or recorded in the official

1 records of the Assessor’s Office of the City of Saint Louis as holding title to the property; or  
2 otherwise having control of the property, including the guardian of the estate of any such  
3 person, and the executor or administrator of the estate of such person if ordered to take  
4 possession of real property by a court.

5 **CHAPTER 3 IS AMENDED AS FOLLOWS:**

6 Change Section 302.3 through 302.8 to read as follows:

7 **302.3 Private property areas.** All sidewalks, steps, driveways, parking spaces and similar  
8 paved areas on private property shall be kept in a proper state of repair, free of all snow, ice,  
9 mud, overhanging trees and shrubs which obstruct walkways, and other debris and shall be  
10 maintained free of hazardous conditions. If any sidewalk or driveway or portion thereof on  
11 private property by virtue of its state of repair shall constitute a danger to public health and  
12 safety, the sidewalk or driveway or portion thereof shall be replaced. Steps shall comply  
13 with the requirements for exterior stairs.

14 Whenever off-street parking is permitted in any dwelling district behind the building line,  
15 the new parking area, including the driveway, shall be paved with concrete, bituminous  
16 material, or an equivalent surface approved by the building official. Any new off-street  
17 parking and loading areas, including a driveway behind the building line, must be  
18 constructed to conform with the Building Code. Any such off-street parking areas and  
19 driveways for said parking areas existing at the date of the passage of this ordinance shall be  
20 of a surface approved by the building official. If any existing off-street parking areas are  
21 enlarged or changed in any manner that results in the total parking area including the

1 driveway to be 1,000 square feet or more, then the entire parking area and driveway shall be  
2 paved with concrete, bituminous material, or an equivalent surface approved by the building  
3 official.

4 **302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or  
5 plant growth in excess of eight inches. All noxious weeds shall be prohibited. Weeds shall  
6 be defined as all grasses, annual plants, and vegetation other than trees or shrubs other than  
7 cultivated flowers and gardens.

8       Upon failure of the owner or agent having charge of a property to cut and destroy weeds  
9 after service of a notice of violation, they shall be subject to prosecution in accordance with  
10 Section 106.3 and as proscribed by the City of Saint Louis. Upon failure to comply with the  
11 notice of violation, any duly authorized employee of the Forestry Division or contractor hired  
12 by the City of Saint Louis shall be authorized to enter upon the property in violation and cut  
13 and destroy the weeds growing thereon, and the costs of such removal shall be paid by the  
14 owner or agent responsible for the property.

15 **302.5 Rodent harborage.** All structures and exterior property shall be kept free from rodent  
16 harborage and infestation. Where rodents are found, they shall be promptly exterminated by  
17 approved processes which will not be injurious to human health. After extermination, proper  
18 precautions shall be taken to eliminate rodent harborage and prevent infestation. Control of  
19 rodents and their harborage shall be regulated by the City of Saint Louis Health Department.

20 **302.6 Exhaust vents.** Location and usage of exhaust vents shall be as regulated in the  
21 Mechanical Code.

1 **302.7 Accessory structures.** All accessory structures, including attached and detached  
2 garages, fences, and walls, shall be maintained structurally sound and in good repair. All  
3 garages opening onto an alley or street shall have doors in good repair and capable of being  
4 closed and locked.

5 **302.8 Motor vehicles, residential areas.** Except as provided in other regulations, currently  
6 unlicensed, unregistered or uninspected, derelict, or abandoned motor vehicle shall not be  
7 parked on any property, in a state of major disassembly or disrepair, or in the process of  
8 being stripped or dismantled unless such work is provided in a structure or similarly enclosed  
9 area designed and approved for such purposes. No vehicle of any type shall at any time  
10 undergo major overhaul, including body work, in a residential district unless such work is  
11 provided in a structure or similarly enclosed area designed and approved for such purposes.

12 Except as provided in other regulations and approved by the building official, no  
13 currently unregistered or uninspected, derelict, or abandoned motor vehicle shall be  
14 permitted on any property in a nonresidential district and no such vehicle shall at any time be  
15 in a state of major disassembly or disrepair; nor shall it be in the process of being stripped or  
16 dismantled. (Also see Ordinance 60935).

17 Add Section 302.10 to read as follows:

18 **302.10 Metal structures and fixtures.** All metal structures, metal fixtures appurtenant to  
19 such structures, and metal fixtures attached to any property shall be free of rust and  
20 maintained weatherproof and in good condition.

1 Change Section 304.3 to read as follows:

2 **304.3 Premises identification.** Approved numbers or addresses shall be provided for all  
3 buildings in such a position as to be plainly visible and legible from the street or road  
4 fronting the property. These numbers shall contrast with their background. Address  
5 numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four  
6 inches high with a minimum stroke width of 0.5 inch.

7 If there is an alley, numbers shall also be placed on the alley elevation of the premises on  
8 which the house, building, or structure is located. If there is a garage or carport fronting on  
9 an alley, house numbers shall also be placed on the alley elevation of the garage or carport.

10 Change Sections 304.6 and 304.7 to read as follows:

11 **304.6 Exterior walls.** Every exterior wall shall be free of holes, breaks, loose or rotting  
12 boards or timbers, and any other conditions which might admit rain or dampness to the  
13 interior portion of the walls or to the occupied spaces of the building. All exterior surface  
14 materials including wood, composition, or metal siding shall be maintained weatherproof and  
15 shall be properly surface coated when required to prevent deterioration. Tuckpointing shall  
16 not be loose or missing.

17 **304.7 Roofs and drainage.** The roof and flashing shall be sound, tight, and not have defects  
18 that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the  
19 walls or interior portion of the structure. Roof drains, gutters, and downspouts shall be  
20 maintained in good repair and free from obstructions and shall not discharge in a manner that  
21 adversely affects adjacent property.

1 Add Section 304.10.1 to read as follows:

2 **304.10.1 Stair dimension tolerances.** Treads and risers shall be significantly the same  
3 in depth or height so as to not create a trip hazard.

4 Change Section 304.14 to read as follows:

5 **304.14 Insect screens.** During the period from April 1 to November 1, every door, window,  
6 and other outside opening required for ventilation of habitable rooms, food preparation areas,  
7 food service areas, or any areas where products to be included or utilized in food for human  
8 consumption are processed, manufactured, packaged, or stored shall be supplied with  
9 approved tightly fitting screens of not less than sixteen mesh per inch and every swinging  
10 door shall have a self-closing device in good working condition.

11 **Exception:** Screen doors shall not be required where other approved means such as air  
12 curtains or insect repellent fans are employed.

13 Add section 305.5.1 to read as follows:

14 **305.4.1 Stair dimension tolerances.** Treads and risers shall be significantly the same in  
15 depth or height so as to not create a trip hazard.

16 Add Section 305.7 to read as follows:

17 **305.7 Storage.** The interior of every structure shall be free from excessive storage, as  
18 determined by the building official, to maintain the health, safety, and welfare of the  
19 occupants. Storage shall not interfere with the clearances required for egress or the operation



1 of plumbing, mechanical, or electrical equipment.

2 Change Section 307.1 to read as follows:

3 **307.1 General.** Every exterior and interior flight of stairs having more than four (4) risers  
4 shall have a handrail on one side of the stair and every portion of a stair, landing, balcony,  
5 porch, deck, ramp or other walking surface which is more than thirty (30) inches above the  
6 floor or grade below shall have guards. Handrails shall not be less than thirty-four (34)  
7 inches high or more than thirty-eight (38) high measured vertically above the nosing of the  
8 tread or above the finished floor of the landing or walking surface. Guards shall not be less  
9 than thirty-six (36) inches high above the floor of the landing, balcony, porch, deck, ramp or  
10 other walking surface.

11 Change Section 308.1 to read as follows:

12 **308.1 General.** All exterior property and premises and the interior of every structure shall be  
13 free from any accumulation of rubbish or garbage. The control of rubbish and garbage shall  
14 be the responsibility of the Health Department and Street Department, Refuge Division.

15 Delete Sections 308.2 through 308.3.2. in their entirety.

16 Change Section 309 to read as follows:

17 **SECTION 309**

18 **PEST ELIMINATION**

19 **309.1 Owner.** The owner of any structure shall be responsible for extermination of rats,

1 insects, or other pests within the structure prior to renting, leasing, or selling the structure.  
2 Primary enforcement of Section 309 is by the Health Department.

3 **309.2 Single occupancy.** The owner and occupant of a structure containing a single  
4 dwelling unit or of a single non-residential structure shall be equally responsible for the  
5 extermination of any insects, rodents, or other pests in the structure or on the premises.

6 **309.3 Multiple occupancy.** The owner of a structure containing two or more dwelling units,  
7 a multiple occupancy, a rooming house, or a nonresidential structure shall be responsible for  
8 extermination in the public or shared areas of the structure and exterior property. If  
9 infestation is caused by failure of an occupant to prevent such infestation in the area  
10 occupied, the occupant and owner shall be responsible for extermination.

11 **309.4 Continued rodent infestation.** Continuing or repeated incidents of rodent infestation  
12 determined from the official records shall require the installation of rat and vermin proof  
13 walls. The rat and vermin proof walls shall be installed in accordance with the building  
14 code.

15 **CHAPTER 4 IS AMENDED AS FOLLOWS:**

16 Change Section 404.4.1 to read as follows:

17 **404.4.1 Room area.** Every living room shall contain at least 120 square feet; every room  
18 occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor  
19 area; and every room occupied for sleeping purposes by more than one person shall contain  
20 at least 50 additional square feet of floor area for each additional occupant thereof.

- 1 Change Section 404.5 and Table 404.5 to read as follows:
- 2 **404.5 Overcrowding.** Dwelling units shall not be occupied by more occupants than
- 3 permitted by the minimum area requirements of Table 404.5

**TABLE 404.5  
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room	120	120	150
Dining room	No requirements	80	100
Kitchen	50	50	60
Bedrooms	Shall comply with Section 404.4.1		

- 4 Add Section 404.5.2 to read as follows:
- 5 **404.5.2 Combined spaces.** Combined living room and dining room spaces shall comply
- 6 with the requirements of Table 404.5 if the total area is equal to that required for separate
- 7 rooms and if the space is so located that it functions as a combination living room/dining
- 8 room. This option is also applicable for a combination kitchen/dining room.

9 **CHAPTER 5 IS AMENDED AS FOLLOWS:**

- 10 Change Section 502.5 to read as follows:
- 11 **502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe, sanitary,
- 12 and working condition in accordance with the Plumbing Code. Except for periodic
- 13 maintenance or cleaning, public access and use shall be provided to the public facilities at all

1 times during occupancy of the premises.

2 Add Section 503.1.1 to read as follows:

3 **503.1.1 Toilet partitions.** Every nonresidential structure that requires or supplies a  
4 water closet shall provide within the toilet room partitions, enclosures, or compartments  
5 for privacy between water closets and shall comply with fixture clearance requirements  
6 of the Plumbing Code for such installations.

7 Change Section 505.1 to read as follows:

8 **505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or  
9 other plumbing fixture shall be properly connected to a public water system. All kitchen  
10 sinks, lavatories, laundry facilities, bathtubs, and showers shall be supplied with hot or  
11 tempered and cold running water in accordance with the Plumbing Code.

12 Change Section 505.5.1 to read as follows:

13 **505.5.1 Abandonment of systems.** Where a nonpotable water reuse system or a  
14 rainwater collection and distribution system is not maintained or the owner ceases use of  
15 the system, the system shall be abandoned in accordance with the Plumbing Code.

16 Change Section 507 to read as follows:

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**SECTION 507**

**STORM DRAINAGE**

**507.1 General.** Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be modified or altered to discharge in a manner that adversely affects adjacent property or creates a public nuisance.

**507.2 Gutters and downspouts.** Unless otherwise approved by the Plumbing Inspection Section, all gutters and downspouts must be maintained so as to function properly and must be sewer connected where existing drain connections are provided. Primary structures and room additions with a roof area of less than 550 square feet and all accessory structures, including residential garages, shall not be sewer connected provided the surface drainage water does not adversely affect the adjacent property or create a nuisance. Surface drainage shall be diverted to a public right-of-way, storm sewer conveyance, or other point of collection so as not to create a hazard. Lots shall be graded so as to drain water away from foundation walls.

**CHAPTER 6 IS AMENDED AS FOLLOWS:**

Add Section 602.1.1 to read as follows:

**602.1.1 Enforcement.** The Health Department is the principal enforcement agency of Section 602.

Change 602.2 to read as follows:

1    **602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable  
2    of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms, and  
3    toilet rooms. Cooking appliances and portable unvented fuel-burning space heaters shall not  
4    be used as a means to provide required heating.

5    Change 602.3 to read as follows:

6    **602.3 Heat supply.** Every owner and operator of any building who rents, leases, or lets one  
7    or more dwelling units, rooming units, dormitory, or guestrooms on terms, either expressed  
8    or implied, shall supply sufficient heat during the period from October 1 to April 30 to  
9    maintain a room temperatures of not less than 68°F in all habitable rooms, bathrooms, and  
10   toilet rooms. The heat supply shall be permanently installed.

11       **Exception:** When the outdoor temperature is below the winter outdoor design  
12       temperature for the City of Saint Louis, maintenance of the minimum room temperature  
13       shall not be required provided that the heating system is operating at its full design  
14       capacity. The winter outdoor design temperature for the City of Saint Louis shall be zero  
15       degrees Fahrenheit.

16   Change 602.4 to read as follows:

17   **602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat  
18   during the period from October 1 to April 30 to maintain a temperature of not less than 65°F  
19   during the period the spaces are occupied.

20       **Exceptions:**

21           1. Processing, storage, and operations areas that require cooling or special

1 temperature conditions.

2 2. Areas in which persons are primarily engaged in vigorous physical activities.

3 **CHAPTER 7 IS AMENDED AS FOLLOWS:**

4 Add Section 701.3 to read as follows:

5 **701.3 Enforcement.** The designated enforcement agency for this Chapter shall be as set  
6 forth in Section 104.1.1 of the Building Code

7 Add Section 702.1.1 to read as follows:

8 **702.1.1 Dual exits over two stories.** All habitable buildings over two stories in height  
9 containing one or more dwelling units above the second floor shall provide two separate  
10 exits from each floor above the second floor, accessible to each dwelling unit on said  
11 floor. All required exit facilities shall lead to a public thoroughfare either directly or  
12 through a court or yard, and passage to such exits shall not lead through any other  
13 dwelling unit. Dual means of exit shall consist of two interior stairs discharging directly  
14 or through a rated exit enclosure to the outside, or one interior and one exterior stair or  
15 existing fire escape accessible to all dwelling units on each floor above the second floor  
16 and discharging directly or through a court or yard to a public thoroughfare.

17 **Exceptions:**

- 18 1. Buildings permitted to have only one means of egress under the Building  
19 Code.
- 20 2. Single Family Dwelling Units 2½ or 3 three stories in height of Type III  
21 (exterior masonry) construction, shall be exempt from the requirements for

1 two exits.

2 3. A single exit shall be permitted from townhouse dwelling units located on the  
3 second and third floors in buildings of Type III (exterior masonry)  
4 construction provided that the exit is from the second floor with a minimum  
5 of 40% of the habitable space located on the second floor and all of the  
6 following requirements are met:

7 A. Horizontal and vertical fire separation assemblies based on the Use  
8 Group classification between the first and second floor as determined  
9 under the Building Code. A horizontal fire separation is not required  
10 between a first floor commercial space and dwelling units above  
11 provided that an AC-powered battery back-up interconnected smoke  
12 detection system is installed in the commercial space and basement  
13 with remote alarms in all dwelling units above or in the common stair  
14 and hall if audible within all dwelling units.

15 B. The building is limited to a maximum of six dwelling units and three  
16 stories in height.

17 C. An AC-powered battery back-up interconnected smoke detection  
18 system is installed for each dwelling unit throughout the building  
19 including the basement. The location of the smoke detectors shall be  
20 sufficient to detect smoke in any habitable room or basement.

21 Change Section 702.2 to read as follows:

22 **702.2 Aisles.** The required width of aisles in accordance with the Building Code shall be



1 unobstructed.

2 Add Section 704.1.4 to read as follows:

3 **704.1.4 Standpipe systems.** Standpipe systems shall be in proper operating condition at  
4 all times and readily identified and fully accessible. Hose connections shall be  
5 unobstructed.

6 **CHAPTER 8 IS AMENDED AS FOLLOWS:**

7 Modify Chapter 8 by adding the following:

8 **IAPMO** International Association of Plum\bing and Mechanical Officials  
9 5001 E. Philadelphia Street  
10 Ontario, CA 91761-2816

11 **UPC-09- Uniform Plumbing Code**

12 102.3, 201.3, 502.5, 503.1.1, 505.1, 505.5.1, 602.2, 602.3

13 **CHAPTER 9 IS ADDED AS FOLLOWS:**

14 **CHAPTER 9**

15 **FACILITIES REQUIRING PLAT AND PETITION**

16 **SECTION 901**

17 **GENERAL**

18 **901.1 Scope.** Every building used in whole or in part as a boarding house, rooming house,

19 dormitory, or special residential use shall conform to the requirements of this Chapter.

1 **901.2 Hazards.** Any boarding house, rooming house, dormitory, or special residential use  
2 which shall fail to conform to the requirements of this code or other adopted codes and is in  
3 violation of any laws of the City of Saint Louis and is detrimental to the health, safety, and  
4 welfare of the inhabitants of the City of Saint Louis shall be deemed a hazard.

5 **SECTION 902**

6 **DEFINITIONS**

7 **902.1 Definitions.** The following words and terms shall, for the purpose of this chapter,  
8 have the meanings shown herein.

9 **BOARDING HOUSE.** Residential occupancy arranged or used for lodging for  
10 compensation, with or without meals, and not occupied as a single-family unit. The  
11 occupants are transient in nature.

12 **BPS PERMITTED FACILITIES.** Any facility regulated and permitted under this Chapter  
13 prior to the adoption of this Ordinance.

14 **DORMITORY.** A space in a building where group sleeping accommodations are provided  
15 in one room or in a series of closely associated rooms for persons not members of the same  
16 family group, under joint occupancy and single management as in college dormitories or  
17 fraternity houses.

18 **ROOMING HOUSE.** Residential occupancy arranged or used for lodging for compensation  
19 with or without meals and not occupied as a single-family unit. The occupants are not

1 transient in nature.

2 **SPECIAL RESIDENTIAL USE.** This means any occupancy being used, with or without  
3 compensation to the operator, as a shelter for the homeless, a facility for battered spouses or  
4 children, a group home, a 24-hour daycare (adult and/or child), halfway house, social  
5 rehabilitation facility, or an alcohol and/or drug abuse treatment center.

6 **SECTION 903**

7 **PERMIT & PLAT & PETITION REQUIREMENTS**

8 **903.1 Plat and Petition Requirements.** Prior to filing an application for a Certificate of  
9 Occupancy, an applicant seeking to operate a boarding house, rooming house, dormitory or  
10 special residential use shall obtain the plat and petition forms from the Zoning Office. Upon  
11 completion of the forms, an applicant to operate a dormitory, rooming house, boarding  
12 house, or special residential use, together with all other requirements of this Chapter, shall  
13 file a plat or drawing showing its location or premises together with the position of the  
14 building to be used thereon and a written petition in favor of the issuance of such occupancy  
15 permit signed by a majority of the property owners or registered voters residing within the  
16 prescribed petition circle drawn by a radius of 500 feet plus one-half of the width of the front  
17 of the premises from the center of such premises projected to the streets. Notwithstanding  
18 the above, no occupancy permit shall be approved wherein a church, elementary school, or  
19 secondary school is located within the radius herein above described. It shall be unlawful to  
20 operate a dormitory, rooming house, boarding house, or special residential use without first  
21 complying with the plat and petition requirements as set forth herein.

1       **Exceptions:**

- 2           1. Sheltered workshops and residence facilities authorized by Sections 205.968 to  
3           205.972 of the Revised Statutes of Missouri, 2000, as amended, shall be and are  
4           hereby exempted from the plat and petition and the church and school radius  
5           requirements set forth herein.
- 6
- 7           2. Dormitories as defined in Section 902.1 are exempt from the plat and petition and  
8           the church and school radius requirements if they are both owned and operated by  
9           a State or private university or College and located within the boundaries of said  
10          State or private University or College on a designated campus of not less than 30  
11          acres.
- 12          3. The Building Commissioner may waive plat and petition requirements for certain  
13          special residential uses that require that the location of the special residential use  
14          remain confidential due to the type of clients it serves or shelters (e.g. battered  
15          spouse shelter), for temporary emergency shelters that are needed due to weather  
16          or natural disaster conditions, or when a unique hardship exists and the use will  
17          not have a detrimental impact on the neighborhood. In the event such a waiver is  
18          granted, the Building Commissioner may make the waiver subject to certain  
19          conditions designed to prevent detrimental impacts on the neighborhood.

20       **903.1.1 Notification of termination.** The Director of the Saint Louis Office for Mental  
21       Retardation/ Developmental Disabilities Resources shall notify the Director of Public  
22       Safety in writing within ten days when the operation of any sheltered workshop or

1 residence facility is terminated voluntarily or otherwise. The exemption herein granted  
2 for that location shall be automatically withdrawn.

3 **903.2 Certificate of occupancy.** Upon approval of the plat and petition from the Zoning  
4 Office, the applicant shall file with the building official an application for a Certificate of  
5 Occupancy in accordance with the Building Code, and if the code official finds that the  
6 Zoning Code permits such usage in the district in which the proposed building is located, the  
7 building official shall take the application of the applicant. If the building official finds that  
8 the comprehensive zoning ordinance does not permit such usage in the district in which the  
9 proposed building is located, the building official shall not approve the application for a  
10 rooming house, boarding house, dormitory, or special residential use. Appeals on the zoning  
11 aspects of the Certificate of Occupancy lie within the Board of Adjustment.

12 **903.3 Denial of permit or waiver - hearing.** If the occupancy permit is denied due to its  
13 failure to comply with the provisions of this Chapter or because the Building Commissioner  
14 abused his discretion in not granting a waiver, the applicant shall, upon written request, be  
15 granted a hearing before the Board of Building Appeals on a day designated by it for  
16 reconsideration of the denial of such permit or waiver. After considering such request and  
17 the evidence and argument, if any, submitted in support thereof, the Board may issue said  
18 permit or waiver or confirm the action in refusing to do so. In considering whether an abuse  
19 of discretion has occurred, the Board may consider the number of occupants of the facility  
20 and other factors considered by the Building Commissioner.

1 **903.4 Notice of violation to violator - correction or abatement.** If the building official  
2 finds any rooming house, boarding house, dormitory, or special residential use in violation of  
3 any of the requirements of this Chapter, the building official shall immediately notify the  
4 applicant thereof to correct or abate same. If the violation is not abated within a reasonable  
5 period, the building official shall file a report of such violation with the Board of Building  
6 Appeals with the building official's recommendation to revoke said permit. The Board shall  
7 notify the applicant or the applicant's resident agent of the building official's recommendation  
8 and shall within a reasonable time conduct a hearing as to whether or not the occupancy  
9 permit should be revoked. If the Board finds that the rooming house, boarding house,  
10 dormitory, or special residential use is being operated in violation of any of the requirements  
11 of this Chapter, the Board shall immediately revoke the permit.

12 **903.4.1 Revocation of permit - license revocation.** Should any permit issued under this  
13 Chapter be revoked, the license collector shall, immediately upon receipt of such notice  
14 of revocation, revoke the license of such applicant, if any.

15 **903.5 Change of owner - new application to be filed.** Any change of ownership of a  
16 boarding house, rooming house, dormitory, or special residential use shall require that a new  
17 application and new neighborhood consent petition be filed as set forth in this Chapter and  
18 shall be subject to rules and regulations and ordinances in effect at the date of such  
19 application.

20 **903.6 BPS Permitted Facilities.** Any facility that has a valid BPS permit at the time this  
21 Ordinance becomes effective, and the facility was regulated by this Chapter, will not be

1 required to submit a new plat and petition or certificate of occupancy to operate under this  
2 Ordinance. However, all BPS permitted facilities, except hotels, shall be subject to all other  
3 provisions and regulations of this Ordinance.

## 4 SECTION 904

### 5 FEES & NOTICES

6 **904.1 Plat & Petition Fee.** Application for a certificate of occupancy for any facility  
7 regulated under this Chapter shall be charged a separate fee, as set forth in the Zoning Code,  
8 for processing and reviewing the plat and petition.

9 **904.2 Service of notice.** All notices provided herein to be served upon the owner, applicant,  
10 agent of owner, or occupant, as the case may require, shall be deemed served upon such  
11 owner, applicant, agent of owner, or occupant, as the case may require, if a copy thereof  
12 shall:

- 13 1. Be delivered to them personally; or
- 14 2. If not found, by leaving a copy at the usual place of abode with a member of the  
15 family of sixteen or more years of age; or
- 16 3. By posting a copy in a conspicuous place in or about the dwelling affected by the  
17 notice; or
- 18 4. By sending a copy of the notice by registered letter with a return receipt requested to  
19 the address specified in the to the last known address; or
- 20 5. If registered letter with copy is returned with receipt showing it has not been  
21 delivered to them, by posting a copy thereof in a conspicuous place in or about the

1 dwelling affected by the notice.

2 **904.3 Form of notice.** All notices provided herein shall:

- 3 1. Be in writing;
- 4 2. Include a description of the real estate sufficient for identification;
- 5 3. Include a statement of the reason or reasons why notice is being issued;
- 6 4. Include a description of the violations required to be abated to bring the premises into  
7 compliance with the provisions of the ordinance and any rules or regulations adopted  
8 pursuant thereto.

9

## SECTION 905

10

### BUILDING REQUIREMENTS

11 **905.1 Existing BPS Permitted Facilities.** All currently existing permitted rooming houses,  
12 boarding houses, dormitories, and special residential uses shall, at a minimum, be governed  
13 by the provisions of the Building and Fire Code under which they were initially licensed.  
14 Any alteration or change of occupancy shall be made to comply with the Existing Building  
15 Code.

16 **905.2 New Certificates of Occupancy.** All new boarding houses, rooming houses,  
17 dormitories, and special residential uses must meet the requirements as defined in this code  
18 and the current building code as amended.

19 **905.3 Change of operation.** All existing rooming houses, boarding houses, dormitories, and  
20 special residential uses that have a change in their procedure/operation such as an increase or



1 decrease in number of sleeping rooms or occupants or a reconfiguration of space shall  
2 comply with the Existing Building Code.

3 When a change of operation occurs altering the original occupancy permit issued, such an  
4 increase or decrease in the number of rooms, the applicant shall comply with all adopted  
5 codes necessary to achieve the public safety of its occupants.

6 **905.4 Appeals.** Appeals of this Chapter shall have their jurisdiction with the Board of  
7 Building Appeals of the City of Saint Louis. An appeal shall stay all proceedings in  
8 furtherance of the action appealed from unless the Building Commissioner or Health  
9 Commissioner shall certify to the Board subsequent to the filing of any notice of appeal that,  
10 by reason of the facts stated in the certificate, a stay would cause imminent peril to life or  
11 property. In such case, proceedings shall not be stayed otherwise than by the order of any  
12 court of competent jurisdiction.

13 **905.5 Master room keys.** It shall be the duty of the applicant to keep available on the  
14 premises at all times proper keys to all rooms so that proper inspection can be made by the  
15 Building Inspection Section and the Department of Health or Police Department.

16 **905.6 Room numbers.** Every rooming unit in every rooming house or boarding house shall  
17 be numbered and said number to be placed on the outside of the door to such unit. No two  
18 units shall bear the same number.

19 **905.7 Register required.** A boarding house, rooming house, dormitory, or special  
20 residential use shall at all times keep a standard register in which shall be inscribed the  
21 names of all occupants renting or occupying rooming units in such establishment. The

1 register shall be kept at the establishment and signed by the person renting or occupying such  
2 unit. After the name or names of persons renting or occupying such unit, the applicant or the  
3 applicant's agent shall write the number of the room or rooms which each person is to occupy  
4 together with the date and hour when such room or rooms are rented. All of which shall be  
5 done before such person is permitted to occupy such room or rooms. The register shall be at  
6 all times open to inspection by the building official, Health Commissioner, or fire official of  
7 the City of Saint Louis or Police Department.

8 **905.7.1 False registration prohibited.** No person shall knowingly write or cause to be  
9 written in any rooming house, boarding house, dormitory, or special residential use any  
10 other or different name than the true name of such person or the name by which such  
11 person is generally known.

## 12 SECTION 906

### 13 POWERS AND DUTIES

14 **906.1 Power of health commissioner to make rules.** The Health Commissioner shall have  
15 power to make such rules and regulations as in the Health Commissioner's opinion may be  
16 reasonably necessary for carrying out the provisions of this part insofar as they relate to the  
17 public health. Such rules and regulations shall be in writing and a copy filed with the  
18 building official.

19 **906.2 Duty of building official.** It shall be the duty of the building official to make or cause  
20 to be made annual inspections of all boarding houses, rooming houses, dormitories, or

1 special residential uses. It shall also be the duty of the building official to investigate  
2 changes in the use group and building classification and require a new occupancy permit  
3 where necessary.

4 **906.3 Cooperation of other agencies.** All state and local agencies shall forward all  
5 inquiries and inspection requests to the City of Saint Louis Building Division for further  
6 investigation.

7 **SECTION 907**

8 **CONDEMNATION**

9 **907.1 Procedures for condemning.** The designation of boarding houses, rooming houses,  
10 dormitories, or special residential uses as unfit for human habitation and the procedure for  
11 the condemnation and the placarding of such unfit boarding houses, rooming houses,  
12 dormitories, and special residential uses shall be carried out in compliance with the following  
13 requirements.

14 **907.2 Conditions requiring condemnation.** The code official shall condemn as unfit or  
15 unsafe for occupancy any rooming house, dormitory or special residential use per the  
16 requirements listed in the current section of the Building Code.

17 **907.3 Notice of condemnation to owner.** Whenever the building official has condemned a  
18 boarding house, rooming house, dormitory, or special residential use or portion thereof as  
19 unfit for human habitation, the building official shall immediately give notice to the owner,  
20 applicant, or resident agent thereof of such condemnation and of the intent to placard such

1 boarding house, rooming house, dormitory, or special residential use as unfit for human  
2 habitation. Such notice shall:

- 3 1. Be in writing;
- 4 2. Contain a description of the real estate sufficient for identification;
- 5 3. Contain a statement of the grounds of such condemnation as unfit for human  
6 occupancy;
- 7 4. Contain a description of the violations;
- 8 5. Contain a statement informing the owner of their right to appeal such action to the  
9 building official within ten days after same is served.

10 **907.4 Hearing before Board of Building Appeals.** Any owner or applicant affected by  
11 notice relating to condemnation of a boarding house, rooming house, dormitory, or special  
12 residential use as unfit for human habitation may request and shall be granted a hearing  
13 before the Board of Building Appeals provided that such person shall file in the office of the  
14 building official a written petition requesting such hearing and setting forth a statement of the  
15 grounds therefore within ten calendar days after the date of the notice. Within ten calendar  
16 days after receipt of such petition, the building official shall set the time and place of such  
17 hearing and shall give the petitioner written notice thereof.

18 **907.4.1 Time of hearing.** At such hearing the petitioner shall be given an opportunity to  
19 be heard and to show cause why such notice should be modified or withdrawn. The  
20 hearing shall be scheduled not later than 45 calendar days after the date on which the  
21 petition was filed provided that upon written application of the petitioner to the building  
22 official, the building official may postpone the date of the hearing for a reasonable time

1 beyond such 45-day period if, in the official's judgment, the petitioner has submitted a  
2 good and sufficient cause for such postponement.

3 **907.5 Posting notice of condemnation.** If no appeal has been taken within the ten calendar  
4 day period, or if after such hearing, the Board of Building Appeals affirms the decision to  
5 condemn said premises, the building official shall post, in a conspicuous place or places upon  
6 the affected building, a placard or placards bearing the following words, "Condemned as  
7 unfit for human habitation" or the words "Condemned for Occupancy" which shall have the  
8 same meaning.

9 **907.6 Vacation of condemned building.** Any boarding house, rooming house, dormitory,  
10 or special residential use that has been condemned and placarded as unfit for human  
11 habitation by the building official shall be vacated within a reasonable time as required by  
12 said official. No owner or applicant shall let to any person for human habitation and no  
13 person shall occupy said rooming house, boarding house, dormitory, or special residential use  
14 which has been condemned and placarded by the building official after the date on which the  
15 building official has required the affected structure to be vacated.

16 **907.7 Correction of premises.** No boarding house, rooming house, dormitory, or special  
17 residential use which has been condemned and placarded as unfit for human habitation shall  
18 again be used for human habitation until written approval is secured from and such placard is  
19 removed by the building official. The building official shall remove such placard whenever  
20 the defect or defects upon which the condemnation and placard action was based shall have  
21 been eliminated. The building official may require permits for the corrective work.

1       **906.7.1 Removal of placard unlawful.** No person shall deface or remove any placard  
2       from any boarding house, rooming house, dormitory, or special residential use which has  
3       been condemned as unfit for human habitation and placarded as such except as provided  
4       in the currently adopted Building Code.

5       **SECTION FOUR. PENALTY CLAUSE.** Any person who shall violate a  
6       revision of this code or shall fail to comply with any of the requirements thereof, or who  
7       shall erect, construct, alter, extend, repair, remove, demolish, use, or occupy any building,  
8       structure, premises, or equipment regulated by this code in violation of an approved  
9       construction document or directive of the building official or the Board of Building Appeals,  
10      or of a permit or certificate issued under the provisions of this code, and shall, upon  
11      conviction thereof, be punished by a fine of not more than \$500, or by imprisonment not  
12      exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues  
13      shall constitute a separate and distinct offense.

14      **SECTION FIVE. SEVERABILITY.** If a section, subsection, sentence, clause,  
15      or phrase of this code is for any reason held to be unconstitutional, such decision shall not  
16      affect the validity of the remaining portions of this code.

17      **SECTION SIX. SAVINGS CLAUSE.** That nothing in this Ordinance or in the  
18      Property Maintenance Code hereby adopted shall be construed to affect any suit or  
19      proceeding impending in any court, or any rights acquired, or liability incurred, or any cause  
20      or causes of action acquired or existing under any act or ordinance hereby repealed as cited in  
21      Section Two of this Ordinance; nor shall any just or legal right or remedy of any character be

1 lost, impaired, or affected by this ordinance.

2 **SECTION SEVEN. EMERGENCY CLAUSE.** This being an ordinance  
3 necessary for the immediate preservation of the public safety, it is hereby declared to be an  
4 emergency measure and shall become effective immediately upon its approval by the Mayor.

5 **SECTION EIGHT. CODIFIED.** It is the intent of the Board of Aldermen that  
6 Sections Two, Three, and Four of this ordinance be codified in the Revised Code of the City  
7 of Saint Louis.