

## *St. Louis City Ordinance 62579*

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 332

INTRODUCED BY ALDERMAN JOSEPH D. RODDY

An ordinance to establish regulations for licensing Mechanical Contractors and Pipefitters establishing administrative regulations for the Mechanical Code establishing a Board of Examiners for Mechanical Contractors, establishing within the Division of Building and Inspection a Section of Mechanical Regulations and Inspections, and containing a penalty clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: These regulations together with City of St. Louis Ordinance 60513 shall be known as the Mechanical Code of the City of St. Louis, herein referred to as "the Code". The Building Commissioner of the City of St. Louis or his representative shall be responsible for enforcing the provisions of this Code.

SECTION TWO: Scope of Code. There is hereby established a Board of Examiners for Mechanical Contractors which shall govern mechanical and pipefitting contractors who perform work under this Code of the following prescribed nature: Contractors involved in any or all of the functions described herein, including the laying out, fabrication, assembly, installation and maintenance of pressurized piping and piping systems, fixtures and equipment for steam and hot water heating, cooling, lubricating, and industrial processing systems. The specific functions performed by said Contractors would include any of the following: The selection of the type and size of pipe and related materials according to job specifications with respect to such work; the inspection of work sites to determine the presence of obstructions and to ascertain that holes will not cause structural weakness; the planning of the sequence of installation to avoid obstructions and activities of other construction workers, the cutting of pipe using a hacksaw, pipe cutters, hammer and chisel, cutting torch, pipe cutting machine or any other equipment used to perform the same general functions as this equipment; the threading of pipe using a threading machine; the bending of pipe by hand or with a pipe bending machine; the assembly and installation of a variety of metal and nonmetal pipe and pipe fittings including those made of brass, copper, glass and plastic with respect to the work described above; the joining of pipe by means of a

threaded, caulked, soldered, brazed, fused or cemented joint; the securing of pipe to structures with clamps, brackets and hangers using hand tools; the installation and maintenance of refrigeration and air-conditioning systems including compressors, pumps, meters, and hydraulic controls and piping on commercial building; the testing of piping systems for leaks by increasing pressure in pipes and observing gauges attached to pipes for indication of leaks. All of the functions described above must be with respect to the specific work described at the outset of this Section and such work shall not be interpreted in any event to include the installation, repair or maintenance of elevators. This Code shall apply to the above-described functions only as they relate to the new construction, replacement, maintenance, overhauling, general repair, renovation, rebuilding, rehabilitation or remodeling of mechanical systems which are: Steam piping and piping systems; pressurized piping systems in waste water and sewage treatment facilities; pressurized and vacuum piping in processing and industrial pipe installations through which hazardous, toxic or poisonous substances flow; pressurized piping in air conditioning systems in commercial structures of 14 tons and above; pressurized piping in heating systems in commercial structures of 300,000 British Thermal Units (BTUs) and above. This Code shall apply only to commercial structures and shall not apply to any residential building with six (6) or fewer dwellings. This Code shall not apply to any work of an aggregate mechanical contract price of Twenty-Five Thousand Dollars (\$25,000.00) or less. This Code shall be interpreted in conjunction with other building and safety codes by the Building Commissioner or his designated representative. Alterations or repairs to any mechanical system shall conform to that required for a new mechanical system without requiring the existing mechanical system to comply with all of the requirements of this Code. Alterations or repairs shall not cause an existing mechanical system to become unsafe nor adversely affect the performance of the mechanical system. Where additions or alterations subject parts of existing systems to loads exceeding those permitted herein, such parts shall be made to comply with this Code. This Code does not apply to any mechanical work performed by employees of an owner, lessee, or keeper of the structure in which the work is performed or to any public utility and/or its employees.

**SECTION THREE: Board of Examiners for Mechanical Contractors.** The Board of Examiners for Mechanical Contractors who install mechanical equipment shall be composed as follows: The Mayor shall appoint one (1) employing Mechanical Contractor who performs work within the City of St. Louis and one (1) registered professional engineer who shall be an employee of the City of St. Louis, two (2) journeyman pipefitters as that term is defined herein (one of which shall be involved primarily in maintenance work and one

of which shall be involved primarily in industrial work), and one (1) user of a mechanical system subject to this Code which user shall be either an owner, lessee or keeper of any commercial structure with a mechanical system or the agent of such a person. Each of the above shall be a United States Citizen. They shall review each applicant's qualifications for licensing.

**SECTION FOUR: Review Committee.** The Board of Examiners shall appoint two (2) of each employees of the Plumbing and Mechanical Section and two (2) each for the Mechanical Industry to interview individuals applying for licensing as to their qualifications and experience.

**SECTION FIVE: Secretary of the Board, Duties.** The duties of the Secretary of the Board of Examiners shall be as stated with respect to similar Boards. The Secretary of the Board shall be nonvoting. The Secretary shall record all meeting notices.

**SECTION SIX: Term of Office, Compensation.** The members of the Board of Examiners shall hold office for a term of four (4) years or until their successors are duly appointed and qualified by the Mayor. Initial appointments to the Board of Examiners shall be for the following terms: Mechanical System User - 4 years; Mechanical Contractor - 3 years; journeyman pipefitter - 2 years; journeyman pipefitter - 2 years. The non-city employees shall receive compensation for their services if provided by separate ordinance on a per-meeting basis.

**SECTION SEVEN: Powers and Duties of the Board of Examiners.** The powers and duties of the Board of Examiners shall be the same for Mechanical Contractors as provided in Section P.23.3.2 of the Code for Master Plumbers and Master Drainlayers.

**SECTION EIGHT: Qualifications for Mechanical Contractors.**

1. Mechanical Contractor shall be in responsible charge of the work of person(s) who have served an apprenticeship program covering the work described in Section Two certified by the U. S. Department of Labor or who shall have worked as a journeyman performing said work for 5,000 hours in the previous five (5) years, or have equivalent training and experience. Only journeyman pipefitters as defined herein and apprentices working under their supervision shall perform the work described in Section Two. In addition, mechanical contractors shall comply with the guidelines and requirements of the City of St. Louis relating to equal opportunity in employment.

2. Manufacturer representative business entities and their employees engaged in the supply of equipment involving pressure pipe, pressure vessels, fired and unfired, cooling, heating or compressed air which by contract with manufacturers to supply parts, (proprietary) repairs, maintenance, start-up, testing, tuning and replacements shall be certified to perform to the extent that their duties and responsibilities are defined and required by contract with equipment manufacturers. A journeyman status to existing manufacturer trained service personnel shall be granted and apprentice requirements and training shall be approved under the control of manufacturer trained specialists and shall be approved in said manufacturer representative business entities. Any employee of a manufacturer representative business entity upon leaving said business entity shall be required to relicense themselves by test administered by the section of Mechanical Regulations and Inspection and shall be required to show proof of 5,000 hours experience in the previous five (5) years.

3. Manufacturer representative business entities holding the National Board of Boiler and Pressure Vessel Inspectors "R" stamp shall be deemed authorized to perform work on pressure vessels and associated attachments as previously required by City and State Code. Service personnel with certification provided by said business entity shall be licensed as journeymen pipefitters and apprentices as applicable in accordance with this Code.

SECTION NINE: Mechanical Certification Fees. Mechanical Contractors employing registered apprentices and licensed journeyman pipefitters shall be reviewed by the Board of Examiners. The review shall determine the contractors qualifications and experience as regards installation or testing on mechanical equipment using qualified pipefitter personnel. Upon qualifying, the Mechanical Contractor will be issued a certificate by the Division of Building and Inspection for a three (3) year period. The certificate fee shall be One Hundred Dollars (\$100.00) for three (3) years. The certificate will state the contractor's name, address, name of firm if not their own, and certificate number. When the Mechanical Contractor has qualified, the contractor will be issued a Certificate for the performance of work covered by this Mechanical Code. There shall be a notice of renewal sent to last known address of certificate holder and a thirty (30) day grace period after expiration shall be given in which renewal shall be given without re-qualification or re-examination.

SECTION TEN: Certificate of Insurance. A copy of a Certificate of Insurance for combined \$300,000.00 minimum limits liability insurance for bodily injury and property damage shall be submitted to the Mechanical Section on or before

January 15th of each year by a certified Mechanical Contractor. The certificate shall state the insurance company's name, address, phone number, kind of insurance, coverage and policy number. Permits will not be issued to contractors who fail to file a Certificate of Insurance with the Mechanical Section annually or whose insurance has lapsed.

**SECTION ELEVEN: Continuation.** Mechanical contractors presently doing work as described in Section Two who meet the requirements of this Code, or who have permits in effect issued from appropriate Divisions of the Mechanical Department may continue in their operations for 180 days after implementation of the Ordinance without a permit certification. Initial certificates shall be issued to those mechanical contractors presently doing work as described in Section Two who apply for said certificates with the Division of Building and Inspection within 180 days of the effective date of the Ordinance. In order to receive a certificate without additional examination a contractor must show to the Building Commissioner or his representative proof of performance of the work described in Section Two within this initial 180 day period. Thereafter, Mechanical Contractors must acquire and maintain certificates as determined by the Division of Building and Inspection. No additional testing will be required of those Mechanical Contractors receiving certificates during the initial 180 day period from the effective date of this Ordinance unless the Mechanical Contractor allows said certificate to not be renewed under the provisions of Section Nine of this Code or unless the Mechanical Contractor has had said certificate suspended or revoked under the provisions of Section Eighteen of this Code.

**SECTION TWELVE: Journeymen Pipefitters.** Journeymen pipefitters are employees of mechanical contractors performing the work described in Section Two hereof and shall be licensed within the City of St. Louis prior to performing any of said work. Journeyman pipefitters shall be licensed within the City of St. Louis. Journeyman pipefitters will be issued a journeyman pipefitters license for a three (3) years period for a fee of Twenty-Five Dollars (\$25.00). Such license shall be issued during the initial 180 days following the effective date of this Ordinance to anyone who has completed a bonafide apprenticeship program as described in Section Thirteen or to anyone deemed to have equivalent training and qualifications, and to anyone who can show proof of 3,000 hours work of the type described in Section Two during the preceding three (3) years. No additional testing will be required of those journeymen heretofore described receiving certificates or licenses during the initial 180 day period from the effective date of this ordinance unless the journeyman allows said certificate to not be renewed under the provisions of this Section of this Code. There shall be a notice of renewal sent to the last

know address of journeyman licensees and a thirty (30) day grace period after expiration shall be given in which renewal shall be given without re-qualification or re-examination. After said initial 180 days all journeymen applicants must successfully pass a test administered by the Section of Mechanical Regulations and Inspections.

**SECTION THIRTEEN: Qualifications for an Apprentice Pipefitter.** Apprentice pipefitters as used herein shall be anyone in the process of serving in an apprenticeship program covering the work described in Section Two certified by the Bureau of Apprenticeship and Training of the U. S. Department of Labor and to anyone attending an equivalent training program such as one approved by the North Central Association of Colleges and Schools. The Board of Examiners shall, upon application, review equivalent training programs for approval. Such person must work under the direct personal and immediate supervision of a licensed journeyman pipefitter in the employment of a mechanical contractor. The apprentice shall register with the Plumbing Section and pay a Five Dollar (\$5.00) registration fee. The apprentice will be issued an apprenticeship certificate with "apprentice" plainly marked on it, the apprentice's name and date of issue. The term pipefitter as used in this Code shall include pipefitters as that term is generally used and all mechanical maintenance journeymen and apprentices.

**SECTION FOURTEEN: Mechanical Regulations and Inspections Section.** There is hereby created within the Division of Building and Inspection a Section of Mechanical Regulations and Inspections which shall, under the supervision and control of the Building Commissioner, control and enforce all regulations and ordinances pertaining to mechanical design and installation and systems in accordance with this Code. The head of this section shall be known as the Mechanical Inspection Supervisor, and shall be appointed by the Building Commissioner.

**SECTION FIFTEEN: Mechanical Inspection Supervisor.** There shall be appointed by the Building Commissioner a Mechanical Inspection Supervisor. The Supervisor shall have five (5) years experience and possess the qualifications established by the Civil Service Commission under authority of Article Eighteen of the City Charter, and shall receive a salary prescribed in and under the conditions of ordinances adopted thereunder.

**SECTION SIXTEEN:** There shall be appointed by the Building Commissioner a sufficient number of mechanical inspectors to adequately perform all inspection duties and enforce all ordinances pertaining to the Section of Mechanical Regulation and Inspection in accordance with subsequent sections

of this Code and City of St. Louis budget constraints. All mechanical inspectors shall have had at least three (3) years experience and possess the qualifications set forth by the Civil Service Commission under authority of Article Eighteen of the City Charter, and shall receive salaries as prescribed in and under the conditions of ordinances adopted thereunder. One such inspector shall assist the Mechanical Inspection Supervisor. The assistant shall assume the responsibilities of the Mechanical Inspection Supervisor in the Supervisor's absence.

**SECTION SEVENTEEN: Rule Making Authority.** The Building Commissioner shall have power as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this Code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall have the effect of furthering or interpreting mechanical safety and adequacy.

**SECTION EIGHTEEN: Suspensions and Cancellations.** The Building Commission or any citizen shall have the right to recommend to the Board of Examiners for Mechanical Contractors a suspension or revocation of any Certificate or License granted hereunder if, after notice and opportunity to be heard, the party named therein is found by the Board of violating rules and regulations established by the Building Commissioner or Section of Mechanical Regulations and Inspections or of violating provisions of the Code. The Board of Examiners for Mechanical contractors may suspend or revoke such Certificates or Licenses.

**SECTION NINETEEN: Applications.** No mechanical system shall be installed within or on any building or premises, nor shall any alterations or additions be made in any such existing installations, without first filing in the Office of the Building Commissioner a written application or forms prepared and provided by the Building Commissioner for a permit to do the work contemplated, except as provided in this Code. Such application shall include but be not limited to description in detail of the nature of the work, the location thereof by street and number, the date of the beginning of such work and the tentative completion date thereof, the use and occupancy and proposed occupancy of the building. No person shall begin such work unless and until said person has received such permit. No permit provided for in this Section shall be assignable or transferable or used to aid or abet any unlicensed person in the performance of mechanical work. Should the Building Commissioner find that such work is completed in accordance with the provisions of this article, the Official shall, assuming payment of the prescribed inspection fee has been made, approve

such work. Such fee shall be paid prior to commencement of work. If the Building Commissioner should find that the work be not completed in accordance with the provisions of this article or that the work was done by a person not licensed as hereinafter provided, the Building Commissioner is hereby empowered, in addition to the other penalties, to order the closing of said building, structure or premises where such work has been done until such work is remedied and properly performed or to direct such other action as he deems appropriate. It shall be unlawful to use or permit the use of the building, structure or premises unless the required permit has been issued by the Building Commissioner. Nothing in this Code is applicable to buildings, structures or premises owned and operated by the United States of America or the State of Missouri.

**SECTION TWENTY: Permits.** The Permit for Mechanical installation or a facsimile thereof shall be available at the job site. Permits shall be required of all mechanical contractors involved in mechanical installation as the term new construction is ordinarily used in the context of the Missouri Prevailing Wage Law, Section 290.210, R.S.Mo. et seq.

1. **PERMIT REQUIRED:** No owner, lessee or keeper of any commercial structure, or the agent thereof, where such agent orders mechanical work to be done, shall cause or permit mechanical work, except minor repairs to be done, in, upon, or about any building, structure, or premises until the person proposing to do such work shall have first procured a permit from the Building Commissioner authorizing it to be done, nor shall any person commence any mechanical work until they shall have obtained a permit of said Building Commissioner authorizing said work to be done. The fees for said permits shall be paid to the Building Division or the City of St. Louis for each permit herein required. All work shall be done, supervised or controlled by a person in whose name the permit or permits required by this section are issued.

2. **BY WHOM APPLICATION IS MADE:** Application for a permit shall be made by the owner, lessee or keeper of commercial premises, or an agent, responsible for the installation of all or part of any mechanical system. The applicant shall meet all qualifications established by this Code.

3. **PLANS AND SPECIFICATIONS:** The Building Commissioner is authorized to require the submission and approval of plans and specifications in triplicate showing the nature and extent of the proposed work before a permit is issued. If, in the course of the work, it is found necessary to make any change from the approved plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted, and if approved, a



supplementary permit shall be issued to cover the change after the same conditions required to secure the original permit have been satisfied.

**SECTION TWENTY-ONE: Notices and Orders.** The Building Commissioner shall issue all necessary notices or orders to abate illegal or unsafe conditions and to insure compliance with all Code requirements for the safety and general welfare of the public.

**SECTION TWENTY-TWO: Inspections.** The Building Commissioner or his representative shall make all required inspections, or may accept reports of inspection by authoritative and recognized services or individuals. All reports of such inspections shall be in writing and certified by a responsible officer of such authoritative service or by the responsible individual. The Building Commissioner is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

**SECTION TWENTY-THREE: Credentials.** The Building Commissioner or an authorized representative shall carry proper credentials of office for the purpose of inspecting any and all buildings and premises in the performance of their duties.

**SECTION TWENTY-FOUR: Department Records.** The Building Commissioner shall keep official records of mechanical applications received, permits, licenses and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for three (3) years except notices and orders which have been complied with need not be kept.

**SECTION TWENTY-FIVE: Amendments.** Amendments to a plan, application or other records accompanying the same shall be filed at any time before the work for which the amended permit is sought or issued. Such amendments shall be deemed part of the original application and shall be filed therewith and shall be filed and processed as the original application.

**SECTION TWENTY-SIX: Time Limit.** An application or a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing -- and acceptance, unless such application has been diligently prosecuted or a permit shall have been issued. The Building Commissioner shall grant one or more extensions of time for additional periods not exceeding One Hundred and Eighty (180) days if there is reasonable cause.

**SECTION TWENTY-SEVEN: Permit Cancellation.** A permit will be considered for cancellation under the following provisions: The owner of the property or the contractor requests cancellation in writing stating the reasons for the request for cancellation or Building Commissioner may revoke the permit for fraud, misrepresentation of fact in application, for noncompliance with the Code plans submitted, or for failure to pay the prescribed fees. No refund of fees shall be made when a permit is canceled.

**SECTION TWENTY-EIGHT: Work Not In Compliance.** Should the Mechanical Contractor install work that is not in compliance with the Mechanical Code, the contractor shall be directed by the Building Commissioner to make necessary corrections pursuant to provisions of Section 117.0 of Ordinance 60664 and Section M-117.0 of Ordinance 60513 to assure compliance and no other permits shall be issued to said contractor until such work is corrected and approved by the Building Commissioner.

**SECTION TWENTY-NINE: Action on Permit Application.** The Building Commissioner or his representative shall examine or cause to be examined all applications for permits and amendments thereto. If the application or plans do not conform to the requirements of all pertinent laws relating to mechanical systems, such application shall be rejected in writing, stating the reasons therefor. If the Building Commissioner is satisfied that the proposed work conforms to the requirements of this Code and all laws and ordinances applicable thereto, a permit shall be issued. A mechanical permit shall not be transferable.

**SECTION THIRTY: Previous Permit Approvals.** No provisions of this Code shall require changes in the mechanical system of a building for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the installation of which shall have been actively prosecuted within ninety (90) days after the effective date of this Code and completed with dispatch unless there is a proposed change in the building, mechanical system or use.

**SECTION THIRTY-ONE: Automatic Revocation of Permit.** Any permit issued shall become invalid and revoked if the authorized work is not commenced within six (6) months after issuance of the permit, or if the authorized work is suspended or not prosecuted for a period of six (6) months after the time of commencing the work.

**SECTION THIRTY-TWO: Payment of Fees.** A permit shall not be issued until a fee of \$20.00 to the Building Commission has been paid. A permit may be revoked if payment is returned for insufficient funds.

**SECTION THIRTY-THREE: Compliance with Code.** The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel or set aside any of the provisions of this Code, except as specifically stipulated by modification or legally granted variation as described in the application.

**SECTION THIRTY-FOUR: City of Saint Louis Projects.** Mechanical permit fees shall be waived for contractors working in facilities owned and operated by the City of Saint Louis. This shall apply only to those structures located within the geographical limits of the City of Saint Louis. However, permits, inspections and Code compliance in all other respects shall be required.

**SECTION THIRTY-FIVE: Unlawful Continuance.** No person who shall continue any work in or about the structure after having been served with a Stop Work Order, except such work as that person is directed by the Building Commissioner to perform to remove a violation or unsafe condition.

**SECTION THIRTY-SIX: Inspection During Installation.** During the installation of mechanical systems and equipment, the Building Commissioner shall make inspections to insure compliance with the provisions of this Code. Where applications for unusual design or magnitude of construction are filed or where code reference standards require special or engineering inspections, the Building Commissioner is authorized to require project representation by an engineer. This project representative shall keep records and submit reports as required by the Building Commissioner. This special professional service requirement shall be determined prior to the issuance of the permit and shall be a prerequisite for the permit issuance.

**SECTION THIRTY-SEVEN: Concealing Work.** Work in connection with a mechanical system shall not be covered or concealed until it has been inspected and permission to conceal has been approved.

**SECTION THIRTY-EIGHT: Final Inspections.** Upon completion of the mechanical work, a final inspection shall be made. All violations of the Code and any approved plans and permit shall be noted, and the holder of the permit shall be notified of the violations.

**SECTION THIRTY-NINE: Notice.** Every person, within one (1) week after the completion of any mechanical work, shall notify the Building Commissioner in the Mechanical Inspection Section, which notice shall describe the work done, giving the address by street and number, and thereupon the Building Commissioner shall inspect same.

**SECTION FORTY: Reinspection.** A mechanical inspection for which a building, structure or premises has been closed for a period of thirty (30) days or more, shall not be reopened until the system has been reinspected and a new certificate of inspection issued.

**SECTION FORTY-ONE: Right of Entry.** In the discharge of duties, the Building Commissioner or an authorized representative shall have the authority to enter at any reasonable hour any building, structure or premises in the City of Saint Louis to enforce the Code provisions.

**SECTION FORTY-TWO: Violation.** In addition to any other prohibited acts hereunder, it shall be unlawful to install, extend, alter, repair or maintain mechanical systems in or adjacent to buildings except in conformity with this Code. It shall also be unlawful for any person, firm or corporation to state, advertise, write, print or in any way infer the holding of a license or a Certificate as a Mechanical Contractor in the City of Saint Louis without actually holding such license or Certificate. This shall include, but not be limited to, business cards, bills or advertising in any manner. In addition, it shall be unlawful to use a license or Certificate in such a way that enables unlicensed persons, firms or corporations without said licenses or Certificates to perform work in the City of Saint Louis.

**SECTION FORTY-THREE: Notice of Violations.** If the building inspection, reinspection, test or review of plans or permits reveals failure of any new installation, addition, alteration or replacement to comply with the provisions of this Code, the installation shall be declared unlawful by the Building Commissioner, and a written notice of violation shall be given or mailed to either the responsible individual, person, firm or corporation to whom the permit was issued, or to the owner, or both; or to the legally authorized representative of the permit holder, owner or both. If the notice of violation is not complied within seven (7) days, such person shall have violated the Ordinance and in addition to any other penalty, the Building Commissioner may request the City Counselor to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful use of any mechanical system in violation of the provisions of this Code or of the order or direction made pursuant thereto, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or use of a building or structure in or about any premises.

**SECTION FORTY-FOUR: Time For Compliance and Notification to Department.** All notices of violation shall indicate the time allowed for

compliance. Upon compliance with the notice, the recipient of the notices, the recipient's agent, contractor or subcontractor shall notify the Building Commissioner according to the procedure set forth in this Code. Upon notification, the Building Commissioner shall reinspect the premises in which the violation was found, and if compliance is shown to exist, the violation notice shall be terminated and type of inspection recorded.

**SECTION FORTY-FIVE: Stop Work Order Notice.** Upon notice from the Building Commissioner that work on any building or structure is being prosecuted contrary to the provisions of this Code or in an unsafe and dangerous manner, or without permit, such work may be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. It shall state the conditions under which work will be permitted to resume upon approval of the Building Commissioner.

**SECTION FORTY-SIX: Unlawful Continuance.** Any person who shall continue any mechanical work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions shall, if convicted, be subjected to the penalty provisions of this Code.

**SECTION FORTY-SEVEN: Vacating Structures.** When there is an actual and immediate condition which would endanger life, the Building Commissioner is authorized and empowered to order and require the occupants to vacate a building, structure or premises forthwith. The Code Official shall cause to be posted at each entrance to such building, structure or premises a notice reading as follows: "This Structure is Unsafe and Has Been Condemned for Occupancy." It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or removal. The procedure for this shall be as set out in the Existing Structures Code of the City of Saint Louis, as amended.

**SECTION FORTY-EIGHT: Defective Mechanical Systems.** Should the Building Commissioner or his representative find that any mechanical systems, or portion thereof, of any building, structure, premises, or any portion thereof be in such a defective condition and in violation of the Mechanical Code as likely to cause immediate danger or likely to cause immediate injury to the lives of persons located within such building, or structure or upon such premises, or likely to cause immediate injury or damage to such building or structure, or any property or structure within or without the immediate area of such building, structure or premises, or upon the premises wherein such system

is located, the Building Commissioner or his representative shall forthwith notify the owner or owners, or tenant or tenants, or lessee or lessees, or the occupant or occupants of such fact, and order the owner or owners, tenant or tenants, lessee or lessees, or the occupant or occupants to remove all persons therefrom forthwith and forthwith render the mechanical system safe and to correct such defective condition within twenty-four (24) hours or to shut down the system until it is made safe with the defective condition corrected. Should such system be not made safe and placed in a safe condition within such twenty-four (24) hour period or should such system not be shut down as ordered by the Code Official, the Building Commissioner is hereby authorized to consider the building, structure or premises unsafe and officially seal the building, structure or premises as out of service or use until ordered otherwise by the Building Commissioner. Any owner or owners, tenant or tenants, lessee or lessees, occupant or occupants of such building, structure or premises aggrieved by any action of the Building Commissioner under the provisions of this Article, may appeal such action to the Board of Building Appeals as provided by the City of Saint Louis Building Code. The Code Official or his representative has the authority to post a placard in a conspicuous place on a building or premises where the mechanical system has been found to be unsafe or inadequate, announcing the unsafe or inadequate building condition. Placards shall remain on said building until the required repairs, replacements or improvements have been made and accepted by the Building Commissioner and it shall be unlawful to deface or wilfully remove any such placard that has been posted on a building without first obtaining consent of the Building Commissioner. It shall be unlawful for any person to reside in, use, rent, lease or occupy such building for any purpose while so placarded.

**SECTION FORTY-NINE: Change in Use.** It shall be unlawful to make any change in the use of occupancy of any structure which subjects it to any special provisions of this Code without approval, and certification that such structure meets the intent of the provisions of law governing building construction for the proposed new use and occupancy and that such change does not result in any hazard to public health, safety or welfare.

**SECTION FIFTY: Minor Repairs.** Minor repairs or replacements in an existing system do not require permit application, provided such repairs or replacements are made in a safe manner and further provided that such repairs or replacements are for an aggregate mechanical contract price of not more than Twenty-Five Thousand Dollars (\$25,000.00).

**SECTION FIFTY-ONE: Maintenance.** All mechanical systems, both existing and new, shall be maintained in a safe condition. All service equipment,

devices and safeguards which are required by this Code or which were required in a building or structure by previous statute or Ordinance, shall be maintained in working order.

**SECTION FIFTY-TWO: Responsibility.** The owner and designated agent and the persons collecting rent shall be responsible for repairs and renovations of unsafe equipment, fixtures, and devices and for the safe maintenance of the mechanical system in any building or structure at all times. Installed fixtures and mechanical equipment of any building or premise found to be in an unsatisfactory or hazardous condition shall be repaired, renovated, replaced or removed within seven (7) days subsequent to the issuance of a written notice of the unsafe or hazardous condition by the Mechanical Division of Building and Inspection or the Building Commissioner.

**SECTION FIFTY-THREE:** These sections which shall be known as the Mechanical Code of the City of Saint Louis shall be construed liberally and justly to secure proper licensing and certification for contractors performing the work in whole or in part as described in this Code.

**SECTION FIFTY-FOUR:** Any person found violating any provision of this Ordinance shall be subject to penalties set forth in Section 117.4 of Ordinance 60664 and Section M-117.4 of Ordinance 60513.

**SECTION FIFTY-FIVE: Emergency Clause.** This being an Ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of Saint Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

<b>Legislative History</b>				
<b>1ST READING</b>	<b>REF TO COMM</b>	<b>COMMITTEE</b>	<b>COMM SUB</b>	<b>COMM AMEND</b>
<b>01/31/92</b>	<b>01/31/92</b>	<b>PS</b>	<b>03/18/92</b>	<b>03/18/92</b>
<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>PERFECTN</b>	<b>PASSAGE</b>
<b>03/20/92</b>			<b>03/27/92</b>	<b>03/31/92</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>	

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