

**Summary****Board Bill Number 39****Primary Sponsor: Alderman Jesse Todd****May 29, 2020**

The proposed Board Bill amends Section Two of Ordinance 68610, as amended by Ordinance 70752, to increase the semi-annual registration fee charged owners of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, which is and has been vacant during the prior six-month period, and is in violation of the City's Building code from \$200 to \$400. Additionally, the term "owner" is expanded to specifically include private entities and public corporations such as the Land Reutilization Authority of the City of St. Louis

**BOARD BILL NUMBER 39 INTRODUCED BY: ALDERMAN JESSE TODD**

1 An ordinance amending Section Two of Ordinance 68610, approved March 16<sup>th</sup>, 2010, and  
2 amended by Ordinance 70752, pertaining to the semi-annual registration fee to be charged the  
3 owner of any parcel of residential property improved by a residential structure, or commercial  
4 property improved by a structure containing multiple dwelling units, which is vacant and has  
5 been vacant during the prior six-month period, and which is in violation of the City of St. Louis  
6 by increasing said semi-annual fee from two-hundred dollars (\$200) to four-hundred dollars  
7 (\$400), regardless of whether the owner is an individual, private entity, or public corporation such  
8 as the Land Reutilization Authority of the City of St. Louis.

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

10 **SECTION ONE. Ordinance Amended.** Section Two of Ordinance 68610, approved March 16<sup>th</sup>,  
11 2010, and amended by Ordinance 70752, is hereby amended to be and read as follows:

12 SECTION TWO. There is hereby established a semiannual registration fee of ~~two-hundred~~  
13 ~~dollars (\$200.00)~~ **four-hundred dollars (\$400)** which shall be charged to the owner of any parcel  
14 of residential property improved by a residential structure, or commercial property improved by a  
15 structure containing multiple dwelling units, which is vacant and has been vacant for at least six  
16 months, and which is in violation of the Building Code of the City of St. Louis, **regardless of**  
17 **whether the owner is an individual, private entity, or public corporation such as the Land**  
18 **Reutilization Authority of the City of St. Louis.**

**Ordinance Number 70752**

1 **BOARD BILL NO. 171 INTRODUCED BY ALDERWOMAN CARA SPENCER,**  
2 **ALDERWOMAN CHRISTINE INGRASSIA**

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4 An ordinance to revise Ordinance 68610, approved March 16, 2010, pertaining to a  
5 semiannual registration fee of two hundred dollars for certain buildings and structures, by  
6 removing the fee exemption for properties subject to a specific redevelopment agreement  
7 with the City of St. Louis and its development agencies.

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9 **WHEREAS**, pursuant to Board Rule 54, the proposed revisions to Ordinance 68610,  
10 Section Two are set forth herein with additions marked in **boldface** and deletions marked  
11 with [**brackets and boldface strikethrough**].

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

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15 **SECTION ONE:** Section Two of Ordinance 68610, approved March 16, 2010, pertaining  
16 to a semiannual registration fee of two hundred dollars for certain buildings and structures  
17 is hereby revised as follows:

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**SECTION TWO.** There is hereby established a semiannual registration fee of  
two hundred dollars (\$200.00) which shall be charged to the owner of any parcel  
of residential property improved by a residential structure, or commercial  
property improved by a structure containing multiple dwelling units, which is  
vacant and has been vacant for at least six months, and which is in violation of the  
Building Code of the City of St. Louis. [~~Any property subject to a specific~~

**Ordinance Number 70752**

- 1            ~~redevelopment agreement with the City of St. Louis and its development~~
- 2            ~~agencies shall be exempt from this ordinance.]~~

**ORDINANCE #68610**  
**Board Bill No. 322**  
**Floor Substitute**

An ordinance pertaining to a registration fee for certain buildings and structures, repealing Ordinance 64678, and enacting a new ordinance requiring establishing semiannual registration fee of two hundred dollars to be charged to the owner of any parcel of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, which is vacant and has been vacant for at least six months, and which is in violation of the building code of the City of St. Louis; authorizing the Building Commissioner to inspect properties which may be subject to such fee and to make the determination as to which properties shall be assessed the fee; authorizing the Building Commissioner to establish a procedure for the collection of the fee; permitting the owner of such property to appeal the determination of the Building Commissioner as to the assessment of the fee; permitting any delinquent fees to be collected in the same manner as delinquent real property taxes; and permitting the fee to be waived if the property is subsequently sold to a bona fide purchaser; establishing an authorized agent if required; requiring vacant building maintenance; establishing a Vacant Building Initiative Fund; containing a penalty clause, severability clause and emergency clause.

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

**SECTION ONE.** Ordinance 64678 is hereby repealed and enacted in lieu thereof is the following:

**SECTION TWO.** There is hereby established a semiannual registration fee of two hundred dollars (\$200.00) which shall be charged to the owner of any parcel of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, which is vacant and has been vacant for at least six months, and which is in violation of the Building Code of the City of St. Louis. Any property subject to a specific redevelopment agreement with the City of St. Louis and its development agencies shall be exempt from this ordinance.

**SECTION THREE.** The Building Commissioner or his designee or a Neighborhood Stabilization Officer shall inspect any property that may be subject to such registration fee. The inspecting officer shall report his findings and recommendations and the Building Commissioner or his designee shall determine whether any such property shall be subject to the registration fee. Within five business days of such determination, the Building Commissioner or his designee shall notify by mail the owners of property on which the registration fee has been levied at their last known address according to the records of the office of the Assessor. The property owner shall have the right to appeal the decision of the Building Commissioner to the municipal court within thirty days of such notification. Absent the existence of any valid appeal or request for reconsideration pursuant to Section Four of this ordinance, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the decision of the Building Commissioner.

**SECTION FOUR.** Within thirty days of the Building Commissioner making such notification, the property owner may complete any improvements to the property that may be necessary to revoke the levy of the registration fee and then may request a reinspection of the property and a reconsideration of the levy of the registration fee by the city. If the Building Commissioner or his designee revoke the registration fee, no such assessment shall be made and the matter shall be considered closed. If the Building Commissioner or his designee affirm the assessment of the registration fee, the property owner shall have the right to appeal the reconsideration decision of the Building Commissioner to the municipal court within thirty days of such decision. Absent the existence of any valid appeal to the municipal court or other court of competent jurisdiction, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the reconsideration decision of the Building Commissioner.

**SECTION FIVE.** The Building Commissioner is hereby authorized to establish procedures for the payment of the registration fee and penalties for delinquent payments of such fees. Any registration fees which are delinquent for a period of one year shall become a lien on the property and shall be subject to foreclosure proceedings in the same manner as delinquent real property taxes. The owner of the property against which the assessment was originally made shall be able to redeem only by presenting evidence that the violations of the applicable housing code cited by the Building Commissioner have been cured and presenting payment of all registration fees and penalties. Upon bona fide sale of the property to an unrelated party said lien shall be considered released and the delinquent registration fee forgiven.

**SECTION SIX.** The property owner shall provide the property owner's street address, phone number and email address to the Assessor's Office. The information shall include the property owner's name, the property owner's street address, phone number and email address. If the property owner does not reside in Missouri or Illinois, the property owner is required provide the name, street address and telephone number of a natural person eighteen (18) years of age or older, designated by the property owner as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative

enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of this code. This person must maintain an office either in the State of Illinois or Missouri or must actually reside either in the State of Illinois or Missouri. The Building Division shall be responsible for providing the information to the City Information Technology Services Agency and the information shall be available through the Geo St. Louis website.

**SECTION SEVEN. Vacant Building Maintenance**

- A. The owner of any building that has become vacant shall, within thirty (30) days, do the following:
  - 1. Enclose and secure the building, as defined under the St. Louis City Revised Code Chapter 25.01.030, Section 118.3.1. All doors must be properly secured and windows on all floors of the building shall be properly secured;
  - 2. Maintain the building in a secure and closed condition until the building is again occupied or until repair or completion of the building has been undertaken.

**SECTION EIGHT. Collected Funds**

The Comptroller of the City of St. Louis is hereby authorized and directed to establish a Special Account to be known as the Vacant Building Initiative Fund in which all funds received pursuant to this ordinance shall be deposited and such funds shall be kept separate and apart from all other funds. Such funds are hereby appropriated for the costs associated with this ordinance. All interest generated on deposited funds shall be accrued to the Vacant Building Initiative Fund Account.

**SECTION NINE. Penalty Clause**

If an owner fails to pay the registration fee under Section Two of this ordinance thirty (30) days after the registration fee is assessed, a penalty shall be assessed of two hundred- fifty dollars (\$250.00) per occurrence. Any owner found to be in violation of provisions of Section Six of this ordinance shall be subject to a fine of not more than five hundred dollars (\$500.00) or to a term of imprisonment of not more than ninety days (90) or to both a fine and imprisonment. Any owner found to be in violation of provisions of Section Seven of this ordinance shall be subject to a fine of not more than five hundred dollars (\$500.00) or to a term of imprisonment of not more than ninety days (90) or to both a fine and imprisonment. Every day that a violation continues shall constitute a separate and distinct offense.

**SECTION TEN. Severability Clause**

If any provision, clause, sentence, paragraph or word of this ordinance or the application thereof to any person, entity or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this ordinance are declared severable.

**SECTION ELEVEN. Emergency Clause.**

The passage of this ordinance being deemed necessary for the preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and shall become effective immediately upon its passage and approval by the mayor.

**Approved: March 16, 2010**