

**ORDINANCE #69190  
Board Bill No. 101  
Committee Substitute**

An Ordinance to repeal Ordinance No. 68708, establishing the salaries of employees in the Sheriff's Office and enacting in lieu thereof a new Ordinance fixing the annual rate of compensation of command personnel and deputies appointed to assist in the performance of the duties of the Sheriff and containing an emergency clause.

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

**SECTION ONE.** Ordinance 68708 is hereby repealed and a new ordinance is hereby enacted, to read as follows:

**SECTION TWO.** The following command personnel and deputies in the Sheriff's Office as may be appointed under provisions of Section 57.530 Missouri revised Statutes, 1978 shall be compensated not in excess of compensation as established in accordance with Section Three and subsequent sections of this ordinance.

<u>TITLE</u>	<u>GRADE</u>
Administrative Aid to the Sheriff	18G
Major	17G
Captain	16G
Lieutenant	14G
Chief Execution Deputy - Attorney	13G
Sergeant	13G
Senior Deputy	12G
Deputy Sheriff – Level 1	11G
Deputy Sheriff – Level 2	10G

**SECTION THREE. OFFICIAL PAY SCHEDULE OF GRADES.**

There is hereby adopted as the compensation schedule for all pay ranks established in Section Two beginning with the bi-weekly pay period starting with the effective date of this ordinance.

There is hereby adopted as the salary pay schedule for all classification grades of positions in Section One of this ordinance, beginning with the bi-weekly pay period concurrent with the effective date of this ordinance.

**BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
5	686	1,051
6	747	1,143
7	816	1,246
8	889	1,359
9	968	1,481
10	1,055	1,616
11	1,151	1,761
12	1,254	1,920
13	1,387	2,124
14	1,596	2,642
15	1,835	2,809
16	2,111	3,229
17	2,428	3,716
18	2,791	4,273
19	3,212	4,913
20	3,694	5,650
21	3,989	6,102
22	4,308	6,589
23	4,651	7,119

**SECTION FOUR.** (A) A shift differential compensation for certain work assignments may be paid. The Appointing

Authority shall determine the work assignments or activities performed for which shift differential compensation shall be paid.

Before shift differential compensation may be made an employee must have completed (5) hours of regular employment before 7:00 A.M. or five hours after 3:00 P.M. in twenty four hour period which begins at the employees' normal reporting time. An employee shall be paid 1.00% of the employee's regular base bi-weekly rate for each eligible shift worked in a bi-weekly pay period. An employee shall work a complete eligible shift to receive shift differential compensation.

Shift differential shall not be paid to employees who work part-time, or full-time regular employees docked for any portion of a shift. An employee shall receive shift differential for working a portion of an eligible shift. Shift differential shall only be paid for whole hours worked, providing the portion of the shift not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. An employee shall not receive shift differential compensation for any overtime worked that is not part of their regular schedule.

Employees who work on a Saturday and/or Sunday shall be paid a weekend differential. This differential shall be 1.00% of an employee's base bi-weekly rate and shall not be paid for any overtime worked that is not part of an employee's regular schedule. An employee shall receive weekend differential for working a portion of an eligible day. This differential shall only be paid for whole hours worked, providing the portion of the day not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. Weekend differential shall not be paid to employees compensated on an hourly or per-performance basis or to bi-weekly paid employees who work part-time or full-time regular employees docked for any portion of a day. The Appointing Authority may approve the payment of hiring incentives to recruit qualified personnel for positions that are difficult to fill. Hiring incentives shall be in any amount up to twenty-five percent (25%) of the annual salary of the position for which the incentive is to be paid.

An employee who is appointed to a position requiring advanced technical skills or professional qualifications may be paid at a rate up to ten (10%) higher than prescribed for the class. Such advancement shall be made solely on the basis that the employee possesses exceptional academic qualifications related to the duties of the position. The Appointing Authority may also establish other bonus, incentive, or reimbursement programs to encourage current employees to attain registration, licensure, certification, or proof of professional mastery when it is deemed to be in the best interest of the service, or when such credentials are clearly recognized as adding to the capability of individuals in that area. Incentives, bonuses, or reimbursements conveyed under such programs would not result in an employee being ruled ineligible for bonuses or salary increases permitted under other sections of this pay ordinance.

The Appointing Authority may establish a location allowance for positions which are difficult to fill at specific duty stations. This allowance shall be in an amount up to ten percent of the median of the pay range of the position for which the allowance is to be paid. The location allowance shall be considered an addition to pay and shall not change the employee's base rate.

(B) No employee shall be paid at the rate lower than the minimum or higher than the maximum of the salary range established for the class to which his/her position has been allocated, except as otherwise provided in this ordinance.

(C) When a new employee is approved under Section 57.530 Missouri Revised Statutes, 1978, the annual rate of compensation shall be twenty-six (26) times the first or lowest step within each rank or position.

(D) Deputies and assistants in the Sheriff's Office may receive such hourly, daily or other rate as may be allowed by the Circuit Court, for special services authorized by the Circuit Court, and assigned by the Sheriff, when such special services are for additional work over and above the regularly assigned working hours and payment of such special service is being taxed as costs in the particular case or circumstance and deposit of such cost is made in advance of such special services.

#### **SECTION FIVE. Starting Salary**

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the appointing authority finds that it is impossible to recruit employees with adequate Qualifications at the minimum rate.

If an advanced starting salary is necessary, the appointing authority may establish a recruitment rate for a single position or all position in a class and authorize employment at a figure above the minimum but within the regular range of salary established for the class.

#### **SECTION SIX. Promotion, Demotion, Reallocation and Transfer:**

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his or her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with higher pay grade.

(1) When an employee is promoted to a position in the General Schedule, the employee's salary shall be set at a rate which is five (5%) higher than the rate received immediately prior to promotion. The Appointing Authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position. Such salary determination shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(2) Temporary Promotions: Promotions of employees regardless of status, made for a limited duration, shall result in a salary adjustment as is Paragraph(a) (1) of this Section. Upon expiration of the temporary promotion, the employee shall be returned to his/her former rate of pay, adjusted by any increases the employee may have received in the absence of the temporary promotion.

In no case shall the employee's salary be above the maximum of the salary range.

(b) Demotion: This shall be defined as a change of an employee to a position of one class to a position of another class which has a lower pay grade.

(1) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position. The appointing authority may approve up to a ten percent (10%) salary decrease upon demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) The salary of an employee which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his or her position has been allocated or may be reallocated shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he or she remains in the class of position, except as otherwise provided by this ordinance.

(2) If the employee's position is reallocated to class in a lower pay grade and the rate of pay for the previous position is within the salary range of the new position, his or her salary shall remain unchanged.

(3) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 6 (a)(1) relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, regardless of pay schedule, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position.

#### **SECTION SEVEN. Salary Adjustment.**

(a) A decrease in the salary range for poor performance of the duties of the position or for job performance which does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(1) Exceptional performance of duties: The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may advance the employee, by not more than ten percent (10%) after twenty-six (26) weeks of employment at a rate in the salary range which may be in addition to any merit increase received.

(2) Substandard performance of duties: The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(b) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen (15%) percent of the employee's current salary rate. In

no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods, providing, however, that such decrease shall not be effective for more than twenty six (26) weeks.

(c) The Appointing Authority may establish procedures for the review and approval of within-range salary adjustments to correct or mitigate serious and demonstrable internal pay inequities. Salary adjustment under this provision shall preclude adjustments to compensate or reward employees for long-term or meritorious service.

(d) The Appointing Authority may approve a within range salary adjustment or other incentives to retain employees in positions that are difficult to fill, or because of their unique requirements. Said adjustment may only be granted once during a twenty-six (26) week period.

(e) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service as a result of vacation, sick leave, jury/witness leave, suspension, non-paid absence, leave of absence for service in the armed forces, and leaves of absence for study to improve performance of City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

#### **SECTION EIGHT. Income Sources.**

Any salary paid to an employee in the City service shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which employee may undertake or volunteer to perform.

Whenever an employee not on an approved paid leave works for a period less than the regularly established number of hours a day, days, a week, or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions, or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

#### **SECTION NINE. Conversion**

All pay schedules in Section 3 shall continue in effect until the beginning of the bi-weekly pay period starting concurrently with or after the effective date of this ordinance, and then the rates will be adjusted as follows:

(a) All maximum of the ranges have been increased by 2%

(b) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.

(c) In the event this ordinance does not become effective in time for the first bi-weekly pay period of Fiscal '13 employees will be granted a 1% increase on the first pay period following passage and a 1% pay increase beginning with the second pay period in January 2013.

#### **SECTION TEN. Changes to pay Plan**

Whenever the appointing Authority finds it necessary to add a new class to the Pay plan, the Appointing Authority shall allocate the class to an appropriate grade and schedule in this ordinance, and notify the Board of Alderman of this action.

Whenever the appointing Authority finds it necessary to change the pay schedule of an existing class within the Pay plan, the Appointing Authority shall allocate the class to the appropriate schedule in this ordinance, and notify the Board of Alderman of this action.

#### **SECTION ELEVEN. Military Leave**

(a) The City of St. Louis will follow all applicable state and federal laws on the granting of Military leave and reemployment rights.

Before military leave without pay is authorized, the employee shall present to the employee's appointing authority evidence of such military service. Upon the expiration of military leave of absence, the employee shall be reinstated to the class of position he/she occupied at the time the leave was granted without breaking continuity of service. Failure of an employee to report for duty within the time pursuant to State or Federal Law shall be just cause for dismissal. The employee's accumulated leave balance(s) shall be restored to the employee upon his/her return.

#### **SECTION TWELVE. Leave of Absence and Family/Medical Leave**

Employees may request a leave of absence for any reason under the leave policy, or may be eligible for a "Family/Medical Leave of Absence" for certain qualifying reasons under provisions of the federal "Family and Medical Leave Act of 1993" as provided in this ordinance.

(a) An appointing authority, may grant an employee in a competitive position a general leave of absence without pay for a period not to exceed twelve (12) months, whenever such leave is considered to be in the best interest of the City Service. Such non-paid leaves are granted at the discretion of the appointing authority and may be for any reason including an employee's personal illness when the circumstances do not qualify for family/medical leave, or when eligibility for family/medical leave has been exhausted.

Upon the expiration of such leave of absence, the employee shall be reinstated to the competitive position he or she occupied at the time the leave was granted provided he or she is able to perform the duties of the position. The employee shall be reinstated to the position at the same relative rate in the salary range the employee occupied at the time the leave was initiated. Failure of an employee to report for duty promptly at the expiration of the leave shall be just cause for dismissal. If necessary to the efficient conduct of the business of the City, an employee on leave other than military leave or qualifying family/medical leave may be notified by the appointing authority to return prior to the expiration of such leave. Failure of the employee to return within ten (10) days after receipt of such notice would terminate his/her leave of absence and be just cause for dismissal, subject to any applicable federal, state or local regulations.

(b) The federal "Family and Medical Leave Act of 1993" entitles eligible employees to up to 12 weeks of unpaid leave in any 12-month period for the birth, adoption or placement of a child, to care for a spouse or an immediate family member with a serious health condition, or when the employee is unable to work because of a serious health condition. While an employee is on a qualifying family/medical leave of absence, the City of St. Louis will continue to pay the employee's health care premiums, if any, during the leave period. Once the leave is concluded, the employee shall be reinstated to the same or an equivalent job.

The Appointing Authority shall establish additional rules, guidelines and procedures for the effective administration of the "Family/Medical Leave Policy." The policy shall comply with all provisions of the "Family/Medical Leave Act of 1993" and any amendments thereafter.

(c) Employees who are granted general leaves of absence and other non-paid leaves of absence, except family/medical leaves of absence, must take all accrued vacation and authorized sick leave at the start of the leave of absence. Employees who are granted a non-paid leave of absence will not accrue vacation or sick leave during the period of non-paid leave. Upon the expiration of such leaves of absence, the employee shall follow the procedures as established in this Section 12 and any other applicable regulations and procedures as established by the Appointing Authority.

(d) An appointing authority, may place an employee on investigative leave of absence without pay pending the outcome of criminal charges pending against the employee.

#### **SECTION THIRTEEN. HOLIDAYS**

The Sheriff shall grant holiday leave with pay, holiday pay, or compensatory holiday time off in lieu of pay to employees working full-time who are paid a bi-weekly rate on the following days:

<u>DATE</u>	<u>HOLIDAY</u>
January 1	New Years Day
Third Monday in January	Dr. Martin Luther King's Birthday
February 12	Lincoln's Birthday
February 18	President's Day
May 8	Truman's Birthday
Last Monday in May	Memorial Day
July 4	Independence Day

First Monday in September	Labor Day
October 8	Columbus Day
November 12	Veterans' Day
Fourth Thursday in November	Thanksgiving Day
December 25	Christmas Day

Employees working full-time and paid a bi-weekly rate whose pay is established in this compensation ordinance shall receive leave with pay, pay or compensatory time off in lieu of pay as holiday compensation in an amount that is proportionate to the number of hours the employee is regularly scheduled to work in a day or shift. For example, employees working an average of forty (40) hours a week, five (5) days a week, eight (8) hours a day shall receive eight (8) hours of compensation for the holiday; employees working an average of forty (40) hours a week, four (4) days a week, ten (10) hours a day shall receive ten (10) hours of compensation for the holiday.

When the day of observance of a holiday is changed by State or Federal law, it will be so observed by the City of St. Louis. When the day of observance of a holiday is changed by State or Federal executive action, the Mayor shall determine the day of observance by the City of St. Louis. When one of the above enumerated holidays occurs on Sunday, the following Monday shall be observed as the holiday. When one of the above holidays occurs on Saturday, the preceding Friday shall be observed as the holiday.

The Sheriff shall determine the manner of granting holidays. When full-time employees are required to work on a holiday they shall be entitled to compensation for the holiday and the hours actually worked. Compensation for the holiday shall be in an amount proportionate to the number of hours an employee is regularly scheduled to work in a day or shift.

Except as otherwise provided in this section, when a City holiday falls on an employee's regularly scheduled day off, the employee shall be entitled to have compensatory time added to his/her balance in an amount proportionate to the number of hours regularly scheduled in a day or shift.

The holiday compensation procedures established by this section shall apply to full-time employees paid a bi-weekly rate. Part-time bi-weekly paid employees shall be compensated for holidays in proportion to the percentage of time they are regularly scheduled to work. Employees paid on an hourly or per performance basis shall not be entitled to holiday compensation. In the event that the holiday schedule established in this section is revised, employees who are granted compensatory time in lieu of all holidays shall have their leave benefits adjusted accordingly.

#### **SECTION FOURTEEN. Jury and Witness Leave**

(a) Jury leave with pay shall be granted to bi-weekly paid employees working one-half (50%) time or more for such time when such employees are serving as jurors pursuant to order of the St. Louis Circuit Court or Federal District Court in St. Louis. Any bi-weekly paid employee, when so summoned for jury service, shall report such fact within seventy-two (72) hours to his/her appointing authority and display to the appointing authority the summons which the employee has received and shall give the appointing authority in writing the date and the time of such jury service. No bi-weekly paid employee shall receive any compensation from the Jury Commissioner or the Federal District Court system for jury service for days the employee receives compensation from the City. A bi-weekly paid employee may keep the jury stipend for days when the employee receives no compensation from the City (off days, docks, leaves, etc.) Upon being excused from serving as a juror by the Court or the Jury Commissioner, the employee shall report forthwith to his/her appointing authority and shall submit to his/her appointing authority a written statement from the Jury Commissioner certifying that the employee has served as a juror and the time and date so served. The appointing authority shall, upon receipt of the statement of jury service, credit the employee with paid jury leave for such service.

(b) Leave with pay shall be granted to bi-weekly paid employees for such time when the employee's presence is required by the prosecutor as a part of a grand jury procedure, a trial in prosecuting accused criminals (or for jury service in Federal Court). Any bi-weekly paid employee, when so subpoenaed as a prosecution witness or whose presence is required as a part of a grand jury inquiry, shall report such fact within seventy-two (72) hours to his/her appointing authority and shall give the appointing authority in writing the date and time his/her presence is required for such criminal prosecution. Each appointing authority shall establish controls to assure that any paid leave is actually required by the prosecuting authority. An appointing authority may require an employee to furnish satisfactory evidence of being required to be off the job and that all time off was in connection with the prosecution of the case. This procedure shall apply for employee participation in criminal prosecution in State or Federal Courts.

#### **SECTION FIFTEEN.**

The "Sheriff's Attorney" as provided under Section 57.540, Missouri Revised Statutes, 1978, shall receive in addition to

the compensation for his services as provided thereunder the sum of three thousand dollars per annum in bi-weekly installments. In no event shall the total of said salary exceed fifteen thousand dollars.

**SECTION SIXTEEN.** Passage of Ordinance

The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

**SECTION SEVENTEEN.** Previous Ordinance

Ordinance 68708 and all other ordinances or parts of ordinance conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

**Approved: July 13, 2012**

**ORDINANCE #69191  
Board Bill No. 102  
Committee Substitute**

An ordinance relating to the appointment of and salaries of certain Employees in the Collector of Revenue's Office pursuant to Section 82.610, Revised Statutes of Missouri, by repealing Ordinance 68541 (Chapter 4.44, Rev. Code, St. Louis, 1994 Anno), and adopting eleven (11) new sections and containing an emergency clause.

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

**SECTION ONE.** Ordinance 68541 (Chapter 4.44, Rev. Code, St. Louis, Anno), is hereby repealed and a new ordinance and chapter is hereby enacted, to read as follows:

**SECTION TWO.** Pursuant to Section 82.610, Revised Statutes of Missouri, the Collector of Revenue is hereby authorized to appoint and employ the following officers and employees with bi-weekly rates, in accordance with the following classification plan, to a grade with rates established in Section Three of this ordinance.

<u>Title</u>	<u>Grade</u>
Accounting Clerk	11G
Accounting Manager	15M
Accounting Supervisor	14G
Administrative Assistant	13G
Assistant Collector	17M
Assistant Collector, Finance	18M
Cashier Manager	15M
Collections Manager	15M
Collections Specialist	12G
Compliance Clerk	8G
Compliance Manager	15M
Compliance Officer	12G
Court Clerk	11G
Court Clerk Supervisor	13G
Custodian	6G
Data Processing Clerk	9G
Deputy Collector	20M
Human Resources Manager	16M
IRS Auditor	15M
Mail Clerk	8G
Office Coordinator	13G
Paralegal	12G
Payroll Clerk	10G
Processing Clerk	8G
Revenue Clerk I	8G

Revenue Clerk II	9G
Revenue Clerk III	10G
Revenue Clerk IV	11G
Revenue Clerk V	12G
Revenue Manager	15M
Special Projects Coordinator	14G
Supervisor I	12G
Supervisor II	13G
Supervisor III	14G
Supervisor, Cashier	13G
Supervisor, Mail Processing	12G
Supervisor, Taxpayer Services	13G
Supervisor Tax Revenue Auditors	15M
Support Services Manager	15M
Tax Revenue Auditor	14G
Taxpayer Cashier	9G
Taxpayer Customer Service Representative	13G
Taxpayer Specialist	9G
Technology/Data Processing Manager	15M
Technology/Website Coordinator	13G
TIF/CID Coordinator	13G
Training and Development Manager	15M

### SECTION THREE. GENERAL PAY SCHEDULE

(1) There is hereby adopted as the compensations schedule for all pay grades which are denoted by the suffix "G" and "M" in Section two of this ordinance, the following ranges of salary beginning with the bi-weekly pay period concurrent with the effective date of this ordinance.

#### BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
6	785	1,275
7	855	1,390
8	933	1,515
9	1,015	1,650
10	1,106	1,801
11	1,207	1,962
12	1,315	2,140
13	1,455	2,368
14	1,675	2,723
15	1,925	2,991
16	2,215	3,436
17	2,547	3,954
18	2,737	4,189
19	3,010	4,608
20	3,621	5,540

**SECTION FOUR.** These salaries shall be paid out of fees collected, deducted and retained by the Collector of Revenue as provided by Section 82.650 and 82.670, Revised Statutes of Missouri.

**SECTION FIVE.** (a) All pay schedules established in Ordinance 68541 shall continue in effect until the beginning of the bi-weekly pay period effective upon passage of this ordinance.

- (1) The maximum of all salary ranges have been increased by 2%.
- (2) The City of St. Louis is authorizing a 2% increase for the fiscal year 2012-2013 which begins on July 1, 2012.
- (3) At the discretion of the Collector of Revenue employees may receive a 2% salary increase effective as of the date of

their service anniversary.

#### **SECTION SIX.**

(a) An appointing authority may evaluate the performance of an employee whose salary is established in Section 3(a) of this ordinance for the purpose of a salary adjustment.

(1) Exceptional performance of duties:

The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may, advance the employee by not more than ten percent (10%).

(2) Substandard performance of an employee whose level of performance or assigned duties is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range. The granting of any such increase or decrease in salary shall be made at the beginning of a payroll period.

(b) An appointing authority may approve a within-range salary adjustment in any whole dollar increment up to ten percent (10%) of an employee's bi-weekly base.

(c) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen percent (15%) of the current salary range. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly periods.

**SECTION SEVEN.** Whenever the Collector of Revenue finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the Collector shall allocate or reallocate the class to an appropriate grade in this ordinance and notify the Board of Aldermen of his action.

#### **SECTION EIGHT. HOLIDAYS**

The Collector of Revenue shall grant holiday leave with pay, holiday pay, or compensatory holiday time off in lieu of pay to employees working full-time who are paid a bi-weekly rate on the following days:

<u>DATE</u>	<u>HOLIDAY</u>
January 1	New Years Day
Third Monday in January	Rev. Martin Luther King Jr. Day
February 20	President's Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
November 12	Veterans' Day
Fourth Thursday in November	Thanksgiving Day
Fourth Friday in November	Day after Thanksgiving Day
December 25	Christmas Day

The Collector of Revenue shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section.

Employees working full-time and paid a bi-weekly rate whose pay is established in this compensation ordinance shall receive leave with pay, pay or compensatory time off in lieu of pay as holiday compensation in an amount that is proportionate to the number of hours the employee is regularly scheduled to work in a day or shift. For example, employees working an average of forty (40) hours a week, five (5) days a week, eight (8) hours a day shall receive eight (8) hours of compensation for the holiday; employees working an average of forty (40) hours a week, four (4) days a week, ten (10) hours a day shall receive ten (10) hours of compensation for the holiday.

When the day of observance of a holiday is changed by State or Federal law, it will be so observed by the City of St. Louis. When the day of observance of a holiday is changed by State or Federal executive action, the Mayor shall determine the day of observance by the City of St. Louis. When one of the above enumerated holidays occurs on Sunday, the following Monday shall

be observed as the holiday. When one of the above holidays occurs on Saturday, the preceding Friday shall be observed as the holiday.

The Collector of Revenue shall determine the manner of granting holidays. When full-time employees are required to work on a holiday they shall be entitled to compensation for the holiday and the hours actually worked. Compensation for the holiday shall be in an amount proportionate to the number of hours an employee is regularly scheduled to work in a day or shift.

Except as otherwise provided in this section, when a City holiday falls on an employee's regularly scheduled day off, the employee shall be entitled to have compensatory time added to his/her balance in an amount proportionate to the number of hours regularly scheduled in a day or shift.

The holiday compensation procedures established by this section shall apply to full-time employees paid a bi-weekly rate. Part-time bi-weekly paid employees shall be compensated for holidays in proportion to the percentage of time they are regularly scheduled to work. Employees paid on an hourly or per performance basis shall not be entitled to holiday compensation.

In the event that the holiday schedule established in this section is revised, employees who are granted compensatory time in lieu of all holidays shall have their leave benefits adjusted accordingly.

**SECTION NINE.** The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

**SECTION TEN.** Ordinance 68541 and all other ordinances or parts of ordinance conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

**Approved: July 13, 2012**

**ORDINANCE #69192**  
**Board Bill No. 106**

An ordinance relating to the employees and salaries of the Office of the Recorder of Deeds; repealing Ordinances #68744 approved pertaining to the office of the Recorder of Deeds and enacting in lieu thereof a new ordinance pertaining to the same subject matter and containing an emergency clause.

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

**SECTION ONE.** Ordinances # 68744 is hereby repealed and enacted in lieu thereof is the following.

**SECTION TWO.** Appointments and Salaries. The following positions of the Office of the Recorder of Deeds whose duties shall be those indicated by their respective titles and coded are hereby allocated as listed below and adopted as the classification plan for the Recorder of Deeds.

<b>TITLE</b>	<b>CODE</b>	<b>GRADE</b>
Recorder	R500	E
Deputy Recorder	D451	18M
Human Resource Manger	1523	18M
Internet Service Manager	1368	18M
Special Projects Manager	2382	17M
Administrative Assistant	1621	17G
Fiscal Officer	1484	16G
Public Information Officer Supervisor	1616	15G
Real Estate Records Manager I	426	14G
Records Retention Supervisor	1187	14G
Computer Programmer II	1332	14G
Historic Preservation Planner II	4193	14G
Historic Preservation Planner I	4192	13G
Auditor	1471	13G
Secretary to the Recorder Of Deeds	R333	13G
Document Specialist II	5644	12G

Document Specialist I	5643	11G
Receptionist	1161	10G
Clerk II	1113	09G
Clerk I	1112	08G

**SECTION THREE. (a) GENERAL PAY SCHEDULE:**

(1) The following biweekly pay schedule for all pay grades denoted with the suffix "G" and "M" shall become effective beginning with the start of the first bi-weekly pay period starting the effective date of this ordinance:

**BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
5	686	1051
6	747	1143
7	816	1246
8	889	1359
9	968	1481
10	1055	1616
11	1151	1761
12	1254	1920
13	1387	2124
14	1596	2442
15	1835	2809
16	2111	3229
17	2428	3716
18	2791	4273
19	3212	4913
20	3694	5650
21	3989	6102
22	4308	6590
23	4651	7119

(b) The Recorder of Deeds may approve the payment of hiring incentives to recruit qualified personnel for positions that are difficult to fill. Hiring incentives shall be in any amount up to twenty-five percent (25%) of the annual salary of the position for which the incentive is to be paid.

**SECTION FOUR.** The annual rate of employee compensation shall be twenty-six (26) times the bi-weekly scale of pay for the grade applicable to each employee's position as set out in Section 4.34.010. No employee of the Recorder of Deeds shall be paid at a rate lower than the minimum or higher than the maximum of the salary range established for the grade to which his class has been allocated. Nothing in this section shall be construed as preventing the Recorder from paying less than the maximum provided in this ordinance.

**SECTION FIVE. Starting Salary**

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the Recorder of Deeds finds that it is impossible to recruit employees with adequate qualifications at the minimum rate. If an advanced starting salary is necessary, the Recorder of Deeds may establish a recruitment rate for a single position or all positions in a class and authorized employment at a step above the minimum but within the regular range of salary established for the class.

In the event the Recorder of Deeds finds that it is difficult to secure the services of sufficient number of employees for a class or occupational series after a diligent recruitment effort, the Recorder of Deeds may establish a new maximum rate for the classes which is not more than thirty percent (30%) above the regular maximum established in this ordinance.

**SECTION SIX. Promotion, Demotion, Reallocation and Transfer**

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his/her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with a higher pay grade or a higher starting minimum salary.

- (1) When an employee is promoted to a position in the General, and Management Pay Schedule, the employee's current salary shall be increased by five percent (5%) and set to a step in the new pay range that may be equal to but not less than the adjusted current rate. An appointing authority may pay an employee up to twenty percent (20%) when such action is needed to attract experienced, qualified candidates for a position. The Recorder of Deeds shall determine the appropriate step in such instances. Such salary determinations shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(b) Demotion: This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade and a lower starting minimum salary.

- (1) If an employee is demoted for disciplinary reasons his/her rate of pay shall be established at a step within the range for the new position to be determined by the Recorder of Deeds.
- (2) If an employee accepts a voluntary demotion, his/her current rate of pay shall first be reduced by five percent (5%) and then set to a step within the lower pay range that may be equal to but not greater than the adjusted rate. Employees who are in a working test period and demote to their previous class of position or pay grade, will return to the rate received immediately prior to the promotion, plus any adjustments as otherwise provided in this ordinance. No employee shall be paid less than the minimum nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.
- (3) If an employee is demoted to his/her previous position because of failing to complete the working test period, the employees pay shall be adjusted to a rate in the pay range for the previous position to be determined by the Recorder of Deeds.

(c) Reallocation:

- (1) If the employee's position is reallocated to a class in a lower pay grade and the employee's rate of pay for the previous position is within the salary range of the new position, his/her salary shall remain unchanged.
- (2) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 6 (a)(1) relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(e) The pay of any employee may be decreased as a disciplinary action by the Recorder of Deeds to a lower rate or step within a salary range. The decrease shall not be greater than fifteen percent (15%) of the current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The Recorder of Deeds may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods

(f) Over Maximum: The salary of an employee, which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his/her position has been allocated or may be reallocated, shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he/she remains in the class of position, except as otherwise provided by this ordinance.

**SECTION SEVEN:** Salary Adjustment (1) Any employee whose salary is established in the General and Management Pay Schedule shall receive a service rating in accordance with the Recorder of Deeds Manual. The standards of performance established in the Recorder of Deeds Manual, shall determine eligibility for a step increase. The step increase shall be one step and

shall be made after fifty-two (52) weeks of continuous satisfactory service. These standards shall govern successive increases of one step for each fifty-two (52) weeks of additional continuous service thereafter until the top of the salary range is reached.

(a) Exceptional performance of duties

The Recorder of Deeds may advance an employee who demonstrates exceptional performance of duties by not more than three (3) steps after twenty-six (26) weeks of employment at the same rate in the salary range. This exceptional performance increase may be in addition to any merit increase received.

(b) Substandard performance of duties:

An employee whose level of performance is significantly diminished and no longer warrants payment at the current step of the range may have his/her salary reduced by the Recorder of Deeds provided the employee is above the minimum of the range. The granting of any such increase or decrease in salary shall be made at the beginning of a pay period.

Recorder of Deeds may approve a within range salary adjustment or other incentives to retain employees in positions that are difficult to fill, or because of their unique requirements. Said adjustment may only be granted once during a twenty-six (26) week period.

#### **SECTION EIGHT. Income Sources**

Any salary paid to an employee in the city service shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which the employee may undertake or volunteer to perform.

Whenever an employee not on an approved, paid leave works for a period less than the regularly established number of hours a day, days a week or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

#### **SECTION NINE. Conversion**

(a) All pay schedules in Ordinance #68744 shall continue in effect until the beginning of the biweekly pay period starting concurrently with or after the effective date of this ordinance, and then the rates to be paid to employee in positions of any classes for which a rate is established or changed in Section 2(a)(1) of this ordinance shall become effective and be adjusted as follows:

- (1) All maximum of the ranges have been increased by 2%. Or
- (2) Any employee may receive a service rating in accordance with the Recorder of Deeds Manual. The standards of performance established in the manual shall determine eligibility for a two percent (2%) or \$1,000.00 annually, whichever one is greater within-range increased determined by the Recorder of Deeds.

(b) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.

(c) The salary of an employee serving in a trainee position, which remains above the new trainee rate for his/her position, shall remain unchanged.

- (3) In the event this ordinance does not become effective in time for the first bi-weekly pay period of Fiscal Year '13, employees will be eligible for the increase on the first pay period following passage.

#### **SECTION TEN. Holidays**

The Recorder of Deeds shall grant Holiday leave with pay. When the day of observance of a holiday is changed by State and Federal Law, it will be observed by the City of St. Louis.

**SECTION ELEVEN. Changes to Pay Plan**

Whenever the Recorder of Deeds finds it necessary to add a new class to the Pay plan, the Recorder of Deeds shall allocate the class to an appropriate grade and schedule in this ordinance, and notify the Board of Aldermen of this action.

Whenever the Recorder of Deeds finds it necessary to change the pay schedule of an existing class within the Pay plan, the Recorder of Deeds shall allocate the class to the appropriate schedule in this ordinance, and notify the Board of Aldermen of this action.

**SECTION TWELVE. PASSAGE OF ORDINANCE**

The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

**Approved: July 13, 2012**

**ORDINANCE #69193  
Board Bill No. 107  
Committee Substitute**

An ordinance to regulate employer and employee working relationships between the City of St. Louis Medical Examiner's Office including a compensation plan, terms and conditions of employment, benefits, leaves of absence, repealing Ordinance 68710; allocating certain other employees to a grade with rate and including an emergency clause. The provisions of the sections contained in this ordinance shall be effective with the start of the first pay period following approval by the Mayor.

**BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:****SECTION ONE. ALPHABETICAL LIST OF CLASSES**

(a) Beginning with the effective date of this ordinance, the following positions in the Medical Examiner's Office with bi-weekly rates are hereby allocated as listed below in accordance with the classification plan by the Chief Medical Examiner to a grade and overtime code in the following section with rates established in Section 2 of this ordinance.

<b>GRADE/TITLE</b>	<b>CODE</b>	<b>SCHEDULE</b>	<b>OVTM</b>
Administrative Secretary	1137	13G	3
Autopsy Technician I	5411	09G	3
Autopsy Technician III	5413	12G	3
Autopsy Technician Supervisor	5414	13G	3
Computer Operator I	1323	10G	3
Computer Operator II	1324	11G	3
Computer Operator III	1325	12G	3
Computer Programmer I	1331	13G	3
Computer Programmer II	1332	14G	3
Computer Programmer III	1333	15G	3
Custodian/Courier	3711	06G	3
Document Specialist I	5643	11G	3
Document Specialist II	5644	12G	3
Executive Asst. to the Chief Medical Examiner	1735	18M	1
Executive Secretary	1136	14G	3
Forensic Office Administrator I	1621	18M	3
Forensic Office Administrator II	1622	20M	1
Forensic Office Administrator III	1623	22M	1
Medical Transcriptionist	1122	12G	3
Medicolegal Investigation Supervisor	2355	16M	2
Medicolegal Investigator I	2351	13G	3
Medicolegal Investigator II	2352	14G	3
Medicolegal Investigator III	2353	16G	3
Medicolegal Investigator IV	2354	17G	1

Morgue Attendant	5410	08G	3
Record File Clerk	1111	09G	3
Secretary	1132	10G	3
Typist Clerk I	1121	08G	3
Typist Clerk II	1122	09G	3
Typist Clerk III	1123	10G	3
Telephone Operator	1161	06G	3
X-ray Technician	5441	11G	3
Intern - Level 1	9991	00I	3
Intern - Level 2	9992	00I	3
Intern - Level 3	9993	00I	3
Intern - Level 4	9994	00I	3
Intern - Level 5	9995	00I	3
Intern - Level 6	9996	00I	3

**SECTION TWO. OFFICIAL PAY SCHEDULE FOR CLASSIFICATION GRADES**

The Chief Medical Examiner is hereby recommending as the compensation schedule for all pay grades established in Section One of this ordinance, the following ranges of salary.

(a) **GENERAL, PROFESSIONAL, AND MANAGEMENT PAY SCHEDULE:**

(1) The following bi-weekly pay schedule for all pay grades denoted with the suffix "G" or "M" shall become effective beginning with the bi-weekly pay period starting the effective date of this ordinance:

**BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
5	713	1070
6	773	1163
7	840	1239
8	912	1374
9	989	1492
10	1074	1625
11	1169	1768
12	1270	1923
13	1400	2124
14	1605	2436
15	1839	2796
16	2110	3207
17	2421	3683
18	2777	4230
19	3189	4858
20	3662	5580
21	3951	5624
22	4263	6503
23	4601	7021

(b) **SHIFT DIFFERENTIAL:** Shift differential shall be paid for certain work assignments. The Chief Medical Examiner shall determine the work assignments for which shift differential will be paid. The assignment or removal of an employee from a work assignment having a shift differential shall be determined by the Chief Medical Examiner and will not constitute a promotion, demotion, advancement or reduction in pay. The shift differential shall be added to the employee's regular bi-weekly rate.

(1) In order for an employee to be eligible for shift differential compensation for a work shift, the employee must regularly work a shift that requires the completion of four (4) hours of work between the hours of 4:00 p.m. and 8:00 a.m. the following morning. Employees who are regularly assigned to work schedules that require them to rotate among three shifts (day, evening, night) on a bi-monthly or more frequent basis shall be eligible for shift differential compensation for all three shifts worked.

For employees whose pay range is established in Section 2(a)(1) the shift differential premium shall be one percent (1%) of the employee's regular base bi-weekly rate for each eligible shift worked in a bi-weekly pay period.

(2) Except as otherwise provided in this ordinance, shift differential shall not be paid to employees compensated on an hourly or per performance basis, or bi-weekly paid employees who work part-time. Neither shall shift differential be paid to full-time regular employees docked for any portion of an eligible shift.

(3) An employee whose pay range is established in Section 2(a)(1), shall receive shift differential for working a portion of an eligible shift. Shift differential shall only be paid for whole hours worked, providing the portion of the shift not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. An employee whose pay range is established in Section 2(a)(1), shall not receive shift differential compensation for any overtime worked that is not part of their regular schedule.

(c) WEEKEND DIFFERENTIAL: When employees whose pay range is established in Section 2(a)(1), work on a Saturday and/or a Sunday they may be eligible for weekend differential. This differential shall be one percent (1%) of an employee's base bi-weekly rate and shall not be paid for any overtime worked that is not part of an employee's regular schedule. An employee shall receive weekend differential for working any portion of an eligible day. Weekend differential shall not be paid to employees compensated on an hourly or per performance basis or bi-weekly paid employees who work part-time. Neither will the weekend differential be paid to full-time regular employees docked for any portion of a day on which the differential would otherwise be paid.

(d) The Chief Medical Examiner may establish per performance rates of pay, hourly rates of pay, or rates of pay for units of work and the conditions for making of any such payments. Such per performance, hourly, or unit-of-work rates may be computed from the bi-weekly scales established in this ordinance. Per performance, hourly, or unit-of-work rates shall be established considering the nature of employment, community practices in compensating similar employment, and the purpose of the program for which the rate is established. Employees paid per performance, hourly, or unit-of-work rates of pay shall not be entitled to vacation, sick leave or holiday leave with pay or other benefits accorded employees paid a bi-weekly rate except that a manager or supervisor, with the prior approval of the Chief Medical Examiner, and when sufficient funds have been appropriated for the fiscal year, may establish a modified level or type of benefit program when the provision of such benefit is needed in order to attract and retain sufficiently qualified employees to work in specific per performance, hourly, or unit-of-work assignments.

Administrative staff is not permitted to utilize per performance and hourly employees as a method of replacing bi-weekly rate employees who would be entitled to employee benefits. Therefore, per performance and hourly employees will be limited to an equivalent of ten (10) months of full time employment per year.

(e) The Chief Medical Examiner may establish trainee rates of pay. Such trainee rates may be established on an hourly, per performance or bi-weekly basis and shall be less than the rate paid to a regular employee.

(f) The Chief Medical Examiner may establish rates and conditions under which compensation may be granted for periods of time during which an employee is away from the job site but restricted in his/her activities because of an assignment by a manager or supervisor to be available for a call to return to the work site to perform emergency duties. Pay rates and conditions established under the provisions of this Section 2(f) may include reasonable minimum pay guarantees for employees required to return to the work site to perform emergency duties.

The provisions of this Section 2(f) shall not be construed to restrict the right of any manager or supervisor to establish call back procedures for employees as an established condition of employment.

(g) The Chief Medical Examiner may authorize payment of special recruitment bonuses, travel, moving and related expenses to recruit employees for positions when funds for this purpose are appropriated to the Medical Examiner.

(h) The Chief Medical Examiner may approve the payment of hiring incentives to current employees to recruit qualified personnel for positions that are difficult to fill. Hiring incentives shall be in any amount up to twenty-five percent (25%) of the annual salary of the position for which the recruitment is made.

(i) (1) The Chief Medical Examiner, may establish cash awards or other incentives for an employee or group of employees to recognize and reward increased productivity or effectiveness. The incentives offered may include cash, paid time off, and such other reasonable incentives as the Chief Medical Examiner may determine. Cash awards shall be made from the personal services appropriation of the unit, the account from which the employee's salary is paid or from a general appropriation for this purpose.

(2) The Chief Medical Examiner may establish a program of cash awards or other incentives, not to exceed

ten percent (10%) of annual salary, paid as an addition to pay, for the purpose of providing additional compensation for employees who are fluent in a foreign language and who use this skill in the necessary and regular recurring performance of the duties of their position. Cash awards shall be made from the personal services appropriation of the unit, the account from which the employee's salary is paid or from a general appropriation for this purpose. Cash awards and incentives under this program shall be made in accordance with guidelines established by the Chief Medical Examiner.

(3) Notwithstanding any other provision in this ordinance, the Chief Medical Examiner is authorized to establish a program of incentives not to exceed twenty-four percent (24%) of the maximum of the pay range for the purpose of compensating positions which are extremely hard to fill.

(4) The Chief Medical Examiner may provide an Employee Suggestion Program, which grants cash and other awards to recognize employee suggestions, which improve Medical Examiner's Offices, operations or facilities. Cash awards to employees for suggestions resulting in tangible savings to the City shall not exceed ten percent (10%) of the annual tangible net savings. Cash awards and payments for other awards shall be made from an appropriation for a suggestion program or other appropriate account. Additionally, cash awards for suggestions shall be granted as an addition to pay, which does not change an employee's bi-weekly rate. The Employee Suggestion Program shall be administered in accordance with regulations established by the Chief Medical Examiner. The Chief Medical Examiner may establish an authority to evaluate suggestions and determine awards; the decisions of this authority shall be final.

(j) An employee who is appointed to a position requiring advanced technical skills or professional qualifications may be paid at a rate up to ten percent (10%) higher than prescribed for the class in Section 2 of this ordinance on recommendation of a manager or supervisor with the prior approval of the Chief Medical Examiner. This shall be granted as an addition to pay, which does not change an employee's bi-weekly rate. Such advancement shall be made solely on the basis that the employee possesses exceptional academic qualifications related to the duties of the position or that the employee is registered or certified by an organization or board recognized by the Chief Medical Examiner to be especially suited, considering the duties of the position, and when such academic qualification, registration, or certification is not deemed a necessary qualification for the class of position.

The Chief Medical Examiner may also establish other bonus, incentive, or reimbursement programs to encourage current employees to attain registration, licensure, certification, or proof of professional mastery when it is deemed to be in the best interest of the Medical Examiner's Office, or when such credentials are clearly recognized as adding to the capability of individuals in that area. Incentives, bonuses, or reimbursements awarded under such programs do not result in an employee being ruled ineligible for bonuses or salary increases permitted under other sections of this pay ordinance.

(k) Temporary assignment differential will be paid for certain assignments when a vacancy exists for any reason (e.g., separations, extended vacation, leave of absence, military leave, etc.) in a position with a higher pay grade, and shall be granted for at least one (1) pay period but not more than thirteen (13) pay periods. The Chief Medical Examiner will determine the assignments for which the temporary assignment differential will be paid. The assignment or removal of an employee from said assignment having a temporary assignment differential will be determined by a manager or supervisor and will not constitute a promotion, demotion, advancement, or reduction in pay. The intended employee must meet the minimum qualifications for the position to be assigned. The temporary assignment differential shall be computed as an addition to pay and not affect the employee's regular bi-weekly rate.

For an employee whose pay range is established in Section 2(a)(1), with the prior approval of the Chief Medical Examiner, the temporary assignment differential will be ten percent (10%) of the employee's regular base bi-weekly rate added as an addition to pay for each bi-weekly period worked, not to exceed thirteen (13) pay periods.

(l) Medical Examiner employees who are required by their manager or supervisor to routinely use their personal vehicle in the performance of their duties shall be compensated with a vehicle maintenance and use allowance in accordance with guidelines approved by the Chief Medical Examiner.

### **SECTION THREE. SALARY RANGE LIMITATIONS**

No employee in the Medical Examiner's Office shall be paid at a rate lower than the minimum or higher than the maximum of the salary range established for the class to which his/her position has been allocated, except as otherwise provided in this ordinance.

### **SECTION FOUR. STARTING SALARY**

(a) The rate of pay to be paid upon original appointment to the class shall be determined by the Chief Medical Examiner for the position.

(b) Except as otherwise provided in this ordinance, the minimum rate of pay for a position shall be paid upon original appointment to the class unless the Chief Medical Examiner finds that it is difficult to secure the services of persons with minimum qualifications or experienced qualified persons at the minimum rate. The Chief Medical Examiner may appoint an individual at a step above the range minimum for the reasons stated above.

The Chief Medical Examiner may establish a recruitment rate for a single position or all positions in a class and authorize employment at an amount above the minimum but at a step within the regular range of salary established for the class. When a recruitment rate is established for an entire class, employees in such class may have their salaries adjusted to appropriate rates in the new range resulting from the establishment of the recruitment rate.

In the event that the Chief Medical Examiner finds that it is difficult to secure the services of sufficient numbers of employees for a class or occupational series after a diligent recruitment effort, the Chief Medical Examiner may establish a new maximum rate for the class(es) which will not exceed twenty-five percent (25%) above the maximum established in this ordinance and convert that extension according to existing matrix structure.

#### **SECTION FIVE. PROMOTION, DEMOTION, REALLOCATION, TRANSFER AND TEMPORARY PROMOTION**

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his/her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee in the Medical Examiner's Office from a position of one class to a position of another class with a higher pay grade or a higher starting minimum salary.

(1) When an employee is promoted to a position in the General or Management Pay Schedule, the employee's current salary shall be increased by five percent (5%) higher than the rate received immediately prior to promotion but not less than the adjusted current rate. A manager or supervisor, with the prior approval of the Chief Medical Examiner, may pay an employee up to twenty percent (20%) when such action is needed to attract experienced, qualified candidates for a position. The Chief Medical Examiner shall determine the appropriate pay in such instances. Such salary determinations shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(2) Temporary Promotion: Promotions of Medical Examiner employees whose salary ranges are established in Section 2(a)(1), regardless of status, made for a limited duration, shall result in a salary adjustment as in Paragraph (a)(1) of this Section. Upon expiration of the temporary promotion, the employee shall be returned to his/her former step, adjusted by any increases the employee may have received in the absence of the temporary promotion. In no case shall the employee's salary be above the maximum of the salary range, unless otherwise provide for in this ordinance.

(b) Demotion: This shall be defined as a change of an employee in the Medical Examiner's Office from a position of one class to a position of another class which has a lower pay grade and a lower starting minimum salary.

(1) If an employee is demoted for disciplinary reasons in accordance with the Rules of the Medical Examiner's Office and established disciplinary procedures, his/her rate of pay shall be established at a step within the range for the new position to be determined by the Chief Medical Examiner.

(2) If an employee accepts a voluntary demotion, his/her current rate of pay shall first be reduced by five percent (5%) and then set to a step within the lower pay range that may be equal to but not greater than the adjusted rate. Employees who are in a working test period and demote to their previous class of position or pay grade, will return to the rate received immediately prior to the promotion, plus any adjustments as otherwise provided in this ordinance. No employee shall be paid less than the minimum nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(3) When an employee is demoted for reasons in the best interest of the Medical Examiner's Office as determined by the Chief Medical Examiner, his/her salary shall not be reduced by reason of the new salary range and grade. If the salary of such employee is above the maximum for the new position the employee's salary shall not be increased so long as he/she remains in the position, except as otherwise provided by this ordinance.

(c) Reallocation:

(1) If the employee's position is reallocated to a class in a lower pay grade and the employee's rate of pay for the previous position is within the salary range of the new position, his/her salary shall remain unchanged.

(2) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 5 (a)(1) relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(e) Over Maximum: The salary of an employee, which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his/her position has been allocated or may be reallocated, shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he/she remains in the class of position, except as otherwise provided by this ordinance.

#### **SECTION SIX. SALARY ADJUSTMENT**

Salary adjustments for all employees in competitive positions shall be based on considerations of merit or success in fulfilling predetermined goals and objectives as herein provided.

(a) Full time positions for which salary is established in Section 2(a)(1) - General and Management Schedule:

(1) Any employee whose salary is established in the General, Professional, and Management Pay Schedule shall receive a service rating in accordance with their Service Rating Manual.

(3) A non-exempt Overtime Code 3 employee whose pay is established in Section 2(a)(1) of this ordinance who receives an Overall Rating of "Unsuccessful" as defined by the Service Rating Manual, shall have his/her salary reduced as determined by the standards established in the Service Rating Manual, but not less than the minimum of the pay grade range.

(b) As used in this ordinance, "anniversary date" means the date following fifty-two (52) weeks of continuous service from the date of original appointment or from the date of the last salary adjustment, if other than a temporary reduction in pay for disciplinary reasons, a demotion or an across-the-board ordinance increase, an increase resulting from an authorized incentive program, or an upgrade of the classification concurrent with adoption of the ordinance. Absence from service as a result of any authorized paid leave, suspensions, military leave, or family/medical leave will not interrupt continuous service. Absence from service for any other cause shall result in breaking continuity of service and establishment of a new anniversary date, except as otherwise provided in this ordinance. The Chief Medical Examiner may authorize different anniversary dates for an employee or groups of employees.

(c) A manager or supervisor may evaluate the performance of an employee whose salary is established in Section 2(a)(1) of this ordinance for the purpose of a salary adjustment only at intervals as described above except in the case of:

(1) Exceptional performance of duties:

The manager or supervisor of an employee who demonstrates exceptional performance of duties in accordance with the City's Service Rating Manual, with the prior approval of the Chief Medical Examiner, may advance the employee by not more than ten percent (10%) after twenty-six (26) weeks of employment at the same rate in the salary range, providing the manager or supervisor submits to the Chief Medical Examiner the full details and reasons for the advancement in salary, which may be in addition to any merit increase received.

(2) Substandard performance of duties:

The manager or supervisor of an employee whose level of performance is significantly diminished and no longer warrants payment at the current step of the range may have his/her salary reduced, in accordance with the Service Rating Manual provided the employee is above the minimum of the range, is not allocated to Overtime Code 1 or Overtime Code 2.

The granting of any such increase or decrease in salary shall be made at the beginning of a payroll period, as

determined by the Chief Medical Examiner, following approval of such salary action.

(d) The Chief Medical Examiner may approve, at the request of a manager or supervisor, adjustments to correct or mitigate serious and demonstrable internal pay inequities. Salary adjustments under this provision shall preclude adjustments to compensate or reward employees for long-term or meritorious service.

(e) The pay of any employee may be decreased as a disciplinary action by a manager or supervisor to a lower step within a salary range. Any such decrease shall be made in accordance with the Medical Examiner's Service Rules and established disciplinary procedures. The decrease shall not be greater than fifteen percent (15%) of the current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The Chief Medical Examiner may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods provided, however, that such decrease shall not be effective for more than thirteen (13) bi-weekly pay periods.

(f) An employee who is temporarily promoted shall be eligible for within range salary adjustments under provisions of this Section 6.

(g) The Chief Medical Examiner may approve a within range salary adjustment or other incentives to retain employees in positions that are difficult to fill, or because of their unique requirements. Said adjustment may only be granted once during a twenty-six (26) week period.

(h) All maximum of the ranges have been increased by 2%.

(i) Any employee shall receive a service rating in accordance with the Medical Examiner's Service Rating System. The rating together with the standards of performance established within the rating system shall determine eligibility for a 2% within-range (merit) increase at intervals as outlined in the Medical Examiner's Rating System or other pay regulations as determined by the Medical Examiner.

(j) In the event this ordinance does not become effective in time for the first bi-weekly pay period in Fiscal Year '13, employees whose service ratings would be due at that time and thereafter and whose rating would warrant receiving a 2% increase, will receive the increase on the first pay period following passage.

#### **SECTION SEVEN. INCOME SOURCES**

Any salary paid to an employee in the Medical Examiner's Office shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which the employee may undertake or volunteer to perform.

Whenever an employee not on an approved paid leave works for a period less than the regularly established number of hours a day, days a week or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

#### **SECTION EIGHT. CONVERSION**

(a) All pay schedules in Ordinance 68710 shall continue in effect.

(b) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.

(c) The salary of an employee serving in a trainee position, which remains above the new trainee rate for his/her position, shall remain unchanged.

(d) The Chief Medical Examiner shall establish such procedures as needed to place this ordinance into effect and interpret its provisions.

**SECTION NINE. PAYMENT OF SALARIES**

All compensation for positions in the Medical Examiner's Office shall be paid bi-weekly. The payment due each employee for service, except as otherwise provided, shall be made not later than sixteen (16) days after the end of the bi-weekly pay period. In the event that an employee is dismissed or has been employed for occasional or emergency work, the Comptroller may immediately pay the employee upon termination of service without waiting for the regular bi-weekly pay date of the Department, Division, Section, or Office where the employee worked.

**SECTION TEN. CHANGES TO CLASSIFICATION PLAN**

Whenever the Chief Medical Examiner finds it necessary to add a new class to the classification plan, the Chief Medical Examiner shall allocate the class to an appropriate grade and schedule in this ordinance, and notify the Board of Aldermen of this action.

Whenever the Chief Medical Examiner finds it necessary to change the pay schedule of an existing class within the classification plan, the Chief Medical Examiner shall allocate the class to the appropriate schedule in this ordinance, and notify the Board of Aldermen of this action.

The pay grade allocated to a class of position within the classification plan shall remain unchanged for the duration of the existing compensation ordinance. Whenever the Chief Medical Examiner considers it necessary to change the pay grade of an established class of position, such adjustment can only be made concurrent with the adoption of a new compensation ordinance. Recommendation for the allocation of a new pay grade shall be made by the Chief Medical Examiner for final approval by the Board of Aldermen.

**SECTION ELEVEN. CERTIFICATION OF PAYROLL**

The Chief Medical Examiner shall certify on each payroll or a subsidiary document that each person whose name appears on the payroll has been lawfully appointed at a salary provided by this ordinance and that the employee has actually worked the time for which he/she will be paid, subject to the provisions of this ordinance governing hours of work and leaves of absence in the Medical Examiner's Office.

**SECTION TWELVE. OVERTIME**

(a) The Chief Medical Examiner shall determine those positions in the Medical Examiner's Office of the City of St. Louis which are exempt from overtime compensation and those positions which are not exempt from overtime compensation. The overtime codes established for each class in Section 1(a) of this ordinance shall be interpreted as follows:

**OVERTIME CODE:**

- 1 These classes are primarily managerial in nature, but may also include some professional or administrative classes that are ineligible for overtime pay under all but emergency conditions as described in Section 15(d) of this ordinance.
- 2 These are supervisory, professional, and administrative classes that are exempt from overtime compensation, but which the City compensates for overtime at the straight (1.0x) time rate.
- 3 These are non-exempt classes that receive overtime compensation at the one and one-half (1.5x) time rate.

Any employee in a class which has been allocated to Overtime Code 3 (non-exempt) in this ordinance shall be compensated for overtime work in accordance with the provisions of this section. Each manager or supervisor shall designate and submit to the Chief Medical Examiner the official work week and schedule or work cycle for all non-exempt positions in the work unit. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty (80) for full-time employment. Whenever an Overtime Code 3 employee works hours in excess of the maximum established for an official work week or work cycle, usually forty (40) hours in a work week, such hours shall be paid at the one-and-one-half time (1.5 xs) rate. In addition to the actual hours worked, authorized paid time off (vacation, sick leave, compensatory time, and holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation.

Section Supervisors and Managers are prohibited from changing employee work schedules to avoid the payment of overtime.

For purposes of determining overtime pay rates for non-exempt employees, the regular hourly rate of pay shall be used.

(b) Any employee in a class which has been allocated to Overtime Code 2 in Section 1(a) of this ordinance shall be compensated for overtime by granting the employee pay or compensatory time off at the straight (1.0x) time rate. Each manager or supervisor shall designate and submit to the Chief Medical Examiner the official work week or work cycle, which is usually forty (40) hours, for all exempt (Code 2) positions in the work unit. Whenever a full-time employee in an exempt (Code 2) position is directed by management, with the approval of the manager or supervisor, to work hours in excess of the maximum established for an official work week or work cycle it shall be considered overtime. In addition to the actual hours worked, authorized paid time off (vacation, sick leave, compensatory time, and holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation. Straight time (1.0x) overtime shall be compensated at the employee's regular hourly rate of pay, or by granting the eligible employee compensatory time off at the rate of one hour for each hour of overtime worked. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty (80) for full-time employment. The regular hourly rate of pay for an exempt (Code 2) bi-weekly paid employee shall be determined by dividing the employee's regular bi-weekly rate of pay by the average number of regularly scheduled hours of work in a bi-weekly pay period.

(c) Part-time bi-weekly paid employees and employees paid on an hourly or per performance basis shall be compensated for overtime work in accordance with the overtime provisions of this section and with consideration for community practices in compensating similar employment.

(d) A manager or supervisor may compensate Overtime Code 1 employees at the straight-time (1.0x) rate, when both of the following conditions exist: 1) the Mayor of the City of St. Louis declares an emergency due to serious and protracted conditions which threaten continuous Medical Examiner's Office, preservation of public peace, health, or safety, and 2) the manager or supervisor directs an employee or group of employees to work in excess of forty (40) hours per week. The manager or supervisor shall maintain attendance records of the assignment(s) and submit such records at the request of the Chief Medical Examiner.

(e) Pay shall be the regular method of compensation for recorded overtime hours of work for employees in classes with Overtime and Code 3. A manager or supervisor may compensate a non-exempt bi-weekly paid employee for overtime work by granting the employee compensatory time off in lieu of pay only if the employee requests compensatory time.

Employees engaged in public safety, emergency response or seasonal activity may have a maximum balance of two hundred forty (240) hours of compensatory time; all other employees are allowed a maximum balance of one hundred twenty (120) hours of compensatory time. These maximum balances of compensatory time shall apply to employees working an average work week of forty (40) hours; the maximum balance of compensatory time for employees whose average work week is more or less than forty (40) hours shall be proportionate. No provision of this section establishing a maximum balance of compensatory time shall serve to cancel any compensatory time due to an employee or to deny an employee payment for recorded compensatory time earned in accordance with the provisions of the compensation ordinance in effect at the time the compensatory time was earned.

Each manager or supervisor shall establish procedures to assure that non-exempt employees are promptly granted time off when such employees request to use their earned compensatory time. Appointing authorities may not deny non-exempt employees' requests for earned compensatory time off except when such approval would create an extreme business hardship. When a manager or supervisor determines that the work schedule of the organization will not permit the granting of such time off, the manager or supervisor shall pay the employee in that same pay period for all or a portion equivalent to the time requested of the employee's accrued compensatory time. This provision requiring the prompt granting of requested time off applies only to compensatory time that is earned as a result of the employee working overtime; it does not apply to compensatory time earned as a result of an incentive program or bonus award program.

Compensatory time earned by exempt employees shall be granted to an employee at the discretion of the manager or supervisor in one of the following ways: 1) on request of the employee; 2) on termination of services with the City.

(f) Before an employee is transferred, promoted or demoted from a position under one manager or supervisor to a position under another manager or supervisor or to another unit with a different appropriation, all compensatory time shall be granted or paid. Upon the death of an employee, the person or persons entitled by law to receive any compensation due to the employee shall be paid any amount due to the employee on the date of death.

(g) Shall keep daily attendance records of employees and shall submit periodic reports of: 1) unexcused absences and leaves; 2) reports of overtime earned, granted, and paid; or 3) the nonoccurrence of same to the Chief Medical Examiner in the form and on the dates specified.

**SECTION THIRTEEN. HOLIDAYS**

The Medical Examiner shall grant holiday leave with pay, holiday pay, or compensatory holiday time off in lieu of pay to employees working full-time who are paid a bi-weekly rate on the following days:

<u>DATE</u>	<u>HOLIDAY</u>
First Day in January	New Year's Day
Third Monday in January	Rev. Martin Luther King Jr. Day
February 12	Lincoln's Birthday
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
November 11	Veterans' Day
Fourth Thursday in November	Thanksgiving Day
Friday Following the Fourth Thursday In November	Day after Thanksgiving
December 25	Christmas Day

In addition to the above enumerated holidays, full-time Medical Examiner employees shall be entitled to leave with pay, pay, or compensatory time off in lieu of pay as established by this Section 13 on any day or partial day the Mayor declares by proclamation the closing of City Offices.

The Medical Examiner shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section. At the end of FY12, the paid holiday schedule will revert back.

Employees working full-time and paid a bi-weekly rate whose pay is established in Sections 2(a)(1) of this compensation ordinance shall receive leave with pay, pay or compensatory time off in lieu of pay as holiday compensation in an amount that is proportionate to the number of hours the employee is regularly scheduled to work in a day or shift. For example: Employees working an average of forty (40) hours a week, five (5) days a week, eight (8) hours a day shall receive eight (8) hours of compensation for the holiday; employees working an average of forty (40) hours a week, four (4) days a week, ten (10) hours a day shall receive ten (10) hours of compensation for the holiday.

When the day of observance of a holiday is changed by State or Federal law, it will be so observed by the City of St. Louis. When the day of observance of a holiday is changed by State or Federal executive action, the Mayor shall determine the day of observance by the City of St. Louis. When one of the above enumerated holidays occurs on Sunday, the following Monday shall be observed as the holiday. When one of the above holidays occurs on Saturday, the preceding Friday shall be observed as the holiday.

The Medical Examiner shall determine the manner of granting holidays. When full-time employees are required to work on a holiday they shall be entitled to compensation for the holiday and the hours actually worked. Compensation for the holiday shall be in an amount proportionate to the number of hours an employee is regularly scheduled to work in a day or shift.

Except as otherwise provided in this section, when a City holiday falls on an employee's regularly scheduled day off, the employee shall be entitled to have compensatory time added to his/her balance in an amount proportionate to the number of hours regularly scheduled in a day or shift.

If an employee is docked from the payroll for one hour or more on the full scheduled workday preceding a holiday, the full scheduled work day following a holiday, or on a scheduled holiday, the employee shall not be compensated for the holiday.

The holiday compensation procedures established by this Section 13 shall apply to full-time Medical Examiner employees paid a bi-weekly rate. Part-time bi-weekly paid employees shall be compensated for holidays in proportion to the percentage of time they are regularly scheduled to work. Employees paid on an hourly or per performance basis shall not be entitled to holiday compensation, except as otherwise provided in this ordinance.

In the event that the holiday schedule established in this section is revised, employees who are granted compensatory time in lieu of all holidays shall have their leave benefits adjusted accordingly.

**SECTION FOURTEEN. VACATION**

Vacation leave with pay shall be granted to employees paid a bi-weekly rate in permanent competitive positions working fifty percent (50%) time or more. The Chief Medical Examiner may establish additional guidelines and policies to govern the

administration of vacation leave benefits in the Medical Examiner's Office.

- (a) Vacation shall be granted to employees with appointment date before April 23, 1989, as follows:

**PAY ESTABLISHED IN SECTION 2(a)**

Length of Cumulative Service	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	5	130
5 but less than 10 years	6	156
10 but less than 15 years	7	182
15 but less than 20 years	8	208
20 but less than 25 years	9	234

Employees employed before the passage of this ordinance whose pay is established in Sections 2(a)(1) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, twenty (20) years or twenty-five (25) years of cumulative service shall have forty (40) hours of vacation added to their accrual. Thereafter, while employed those employees whose pay is established in Sections 2(a)(1) shall accrue vacation at the rate established by Section 17(a).

- (b) Vacation shall be granted to employees with appointment date on or after April 23, 1989, as follows:

**PAY ESTABLISHED IN SECTION 2(a)**

Length of Cumulative Service	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	3	78
5 but less than 10 years	5	130
10 but less than 15 years	6	156
15 but less than 20 years	7	182
20 but less than 25 years	8	208

Employees employed before the passage of this ordinance whose pay is established in Sections 2(a)(1) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, twenty (20) years of cumulative service, or twenty-five (25) years of cumulative service shall have forty (40) hours of vacation added to their accrual. Thereafter, while employed those employees whose pay is established in Sections 2(a)(1) shall accrue vacation at the rate established by Section 16(b).

(c) All references in this ordinance to accrual rates, additions to, and accrual maximums for vacation are for employees working a scheduled work week of forty (40) hours. Vacation rates, additions and maximums shall be computed on a proportionate basis for employees whose average work week is more or less than forty (40) hours. When an eligible employee's scheduled work week is changed, the employee's rate of accrual shall be changed proportionately. All references in this ordinance to cumulative service for vacation shall mean cumulative service without a break in service of more than one year, except as provided otherwise in this ordinance. No employee who works less than fifty percent (50%) time or who is serving in a limited-term position shall be eligible to accrue vacation.

(d) The maximum vacation balance for those working an average work week of forty (40) hours shall be six hundred (600) hours. Vacation accrual maximums for those working more or less than forty (40) hours per week, but at least fifty percent (50%) time, shall be established in accordance with Section 16(c) of this ordinance.

When an employee's full-time average work week is changed, the maximum vacation balance shall be changed proportionately. In addition, the employee shall have his/her current vacation balance adjusted so that the vacation shall maintain the same position relative to the new maximum balance as existed with the employee's previous maximum balance. Accrual of vacation shall cease when an employee accumulates the maximum vacation balance established for the assigned work schedule and shall not resume until the vacation balance is less than the maximum amount.

- (e) Accrual of vacation shall begin with the first bi-weekly pay period:

- (1) of appointment;
- (2) of return to duty from leave of absence;
- (3) of restoration to employment of one-half (50%) time or more.

Vacation leave shall be granted in whole hour units. On termination of service, any fractional hour shall be made whole. The accrual of vacation leave shall cease at the beginning of terminal leave.

(f) Appointing authorities shall be responsible for establishing all vacation leave schedules, but may not discipline employees by imposing unusual vacation schedules. Vacation shall be granted to the employee at the discretion of the manager or supervisor as provided by this ordinance in one of the following ways:

- (1) When the employee requests vacation leave in accordance with departmental policies.
- (2) When directed to take paid time off by the manager or supervisor.
- (3) When an employee is terminated or resigns from the Medical Examiner's Office.

(4) When an employee whose salary is established in Sections 2(a)(1) reaches the established maximum accrual and would cease accruing vacation, the employee may notify the manager or supervisor in writing of his/her intention to schedule vacation. Such notice shall be at least seven (7) days prior to the first work day the employee intends to take off. If the manager or supervisor fails to establish a different vacation schedule, the employee may, at will and without assuming liability for disciplinary action, take the paid leave, which was proposed in writing.

(g) During the first twelve (12) months of employment, accrued vacation may be granted to an employee provided that the employee has completed six (6) months of continuous service.

When the service of an employee is terminated after twelve (12) months of continuous service, any accumulated vacation that is due the employee shall be paid. When employment is terminated before completing twelve (12) months of continuous service, any previously advanced vacation leave shall be deducted from the employee's final pay.

(h) Employees who separate from the Medical Examiner's Office, who are certified from a reemployment list, and who return to the Medical Examiner's Office within twenty-four (24) months of the separation, will be given credit for prior continuous service in determining the vacation accrual rate in accordance with Section 16(a) or 16(b) of this ordinance and based on the date of the employee's original appointment.

(i) Employees who move to the Medical Examiner's Office from the Classified Service shall be given credit for the years of service in the Classified Service in determining the vacation accrual rate in accordance with Section 16(a) or 16(b) of this ordinance and based on the date of the employee's original appointment.

(j) Employees who return to work from a "reemployment from layoff" eligible list shall be eligible to use vacation as soon as it is accrued provided the employee has completed six (6) months of continuous service prior to the layoff and with approval of the manager or supervisor. An employee who has completed less than six (6) months of continuous service will be required to complete the remaining portion of the six (6) months period before being eligible to use vacation.

Any such reemployed worker shall be given credit for prior continuous service in determining the employee's vacation accrual rate in accordance with the schedule established in Section 16(a) or 16(b) of this ordinance and based on the employee's original appointment.

(k) Appointing authorities shall be responsible for the management of their vacation schedules so as to most effectively administer their organizations and fulfill the desire of employees in the establishment of leave schedules.

(l) Accrued vacation shall be carried with an employee when transferred, promoted, or demoted from a position under one manager or supervisor to a position under another manager or supervisor without a break in service or change in method of pay. Upon the death of an employee, the person or persons entitled by law to receive any compensation due the employee shall be paid the amount due the employee for accrued vacation.

(m) With the approval of the manager or supervisor, a retiring employee may be paid on the payroll for accrued

vacation in the month prior to retirement without inclusion in the employee's final average compensation. A manager or supervisor may pay previously accrued vacation off in a lump sum to an employee whose service with the City has terminated. Such payment shall be made on the employee's last regular paycheck. The lump sum payment shall include compensation for any holidays occurring during the employee's terminal vacation leave period.

(n) Appointing authorities shall report leave with pay for vacation and such other authorized absences as the Chief Medical Examiner shall designate to the Comptroller in such form and at such time as the Chief Medical Examiner may require.

#### **SECTION FIFTEEN. SICK LEAVE**

Employees will cease accruing sick leave with the start of the first pay period following approval by the Mayor of this ordinance. Thereafter, an employee may choose, but may not be required, to use his/her sick leave in accordance with regulations established by the Chief Medical Examiner.

An active employee who is a member of the Employees Retirement System of the City of St. Louis, and who applies for retirement and immediately retires from active service, shall receive payment for his/her sick leave balance less any sick leave credited or paid to a member or used in the calculation of retirement benefits under this or any other ordinances(s). If the Employees Retirement System provides for sick leave to be credited or paid to a member or used in the calculation of retirement benefits, this payment shall be limited to a maximum of fifty percent (50%) of the value of the employee's sick leave balance.

If a member of the Employees Retirement System of the City of St. Louis who had been otherwise eligible for Normal or Early Service Retirement dies his/her estate may receive payment based on the calculation above on the employee's sick leave balance, if any. Payment shall be made in accordance with the procedures established by the Chief Medical Examiner.

#### **SECTION SIXTEEN. MEDICAL LEAVE**

(a) Medical leave with pay shall be granted to bi-weekly rate employees in permanent competitive positions working fifty percent (50%) time or more in accordance with regulations and procedures established by the Chief Medical Examiner.

(1) All employees shall accrue three (3) hours of medical leave for each bi-weekly pay period of employment. This accrual rate is established for employees working an average work week of forty (40) hours. Medical leave shall be computed on a proportionate basis for employees whose average work week is more or less than forty (40) hours. An eligible employee may be granted paid medical leave by his/her manager or supervisor after completing twenty-six (26) weeks of continuous service.

If a member of the Employees Retirement System of the City of St. Louis, who had been otherwise eligible for Normal or Early Service Retirement, dies, his/her estate may receive payment based on the calculation above. Payment shall be made in accordance with the procedures established by the Chief Medical Examiner.

(b) The Chief Medical Examiner may establish a system of cash awards, paid time off or other incentives to reward employees for perfect and near perfect attendance.

(c) When an employee is docked from the payroll under the provisions of this section, the amount deducted from his/her regular bi-weekly rate of pay shall be one times (1.0x) the regular hourly rate as defined in this ordinance for each hour of unexcused absence. If an employee is docked from the payroll for one (1) hour or less in a bi-weekly pay period, he/she will continue to accrue medical leave.

If management decides to send their employees or a group of employees' home due to inclement weather, they will not lose their medical leave accrual for that pay period.

(d) All leave with or without pay for illness, injury or physical inability to perform assigned duties (including maternity leave) shall be recorded on the payroll or a subsidiary document in the manner established by the Chief Medical Examiner. Compensation for periods of absence from work when an employee sustains an injury by accident on the job shall be governed by the provisions of Section 24 (Workers' Compensation and Disability Leave) of this ordinance.

(e) An employee who is reemployed from an authorized layoff shall have his/her prior medical leave and sick leave balance restored, provided any sick leave balance has not been credited to the employee's length of service in determining pension benefits paid to the retiree. An employee who is reemployed from an authorized layoff and who has a medical and/or sick leave balance and who completed twenty-six (26) weeks of continuous employment prior to the layoff may take approved medical and/or

sick leave upon reemployment.

(f) Each manager or supervisor shall institute procedures, in accordance with regulations established by the Chief Medical Examiner that will discourage the improper use of medical leave with pay. When an employee is removed from the payroll for absence not approved by the manager or supervisor, the employee shall be notified promptly in writing.

(g) The Chief Medical Examiner may establish or authorize the creation of "Sick Leave Bank" programs, and may issue and/or approve such regulations and guidelines as are necessary for implementation.

(h) Employees shall not receive payment for any medical leave balance and it shall not be used in the calculation of retirement benefits or payments under this or any other ordinance.

#### **SECTION SEVENTEEN. MILITARY LEAVE**

The City of St. Louis will follow all applicable state and federal laws on the granting of military leave and reemployment rights.

Before military leave without pay is authorized, the employee shall present to the employee's manager or supervisor evidence of such military service.

Upon the expiration of military leave of absence, the employee shall be reinstated to the class of position he/she occupied at the time the leave was granted without breaking continuity of service. Failure of an employee to report for duty within the time pursuant to state or federal law shall be just cause for dismissal. The employee's accumulated leave balance(s) shall be restored to the employee upon his/her return.

#### **SECTION EIGHTEEN. EDUCATION REIMBURSEMENT**

The Chief Medical Examiner, authorize salary payments, payments of tuition expenses, fees, books and related material in whole or in part to employees to permit them to attend school, visit other governmental agencies or in any approved manner to devote themselves to improvement of knowledge or skills required in the performance of the duties of their position.

The Chief Medical Examiner may establish a program to reimburse, in whole or in part, expenses incurred by employees in the pursuit of improvement of the knowledge and skills required in the performance of the duties of their positions or to improve their professional, technical or managerial knowledge or skill.

#### **SECTION NINETEEN. LEAVES OF ABSENCE AND FAMILY/MEDICAL LEAVE**

An employee may request a leave of absence, or a manager or supervisor may request a leave of absence for an employee, for any reason under the City's general leave policy, or a "Family/Medical Leave of Absence" for certain qualifying reasons under provisions of "The Family and Medical Leave Act of 1993" as provided in this ordinance and under additional provisions and regulations as determined by the Chief Medical Examiner.

(a) A manager or supervisor, with the approval of the Chief Medical Examiner, may grant an employee in a full time position a general leave of absence without pay for a period of one year, which may be extended, with the prior approval of the Chief Medical Examiner.

Upon the expiration of such leave of absence, the employee shall be reinstated to the full time position he/she occupied at the time the leave was granted provided he/she is able to perform the duties of the position. The employee shall be reinstated to the full time position at the same relative rate in the salary range the employee occupied at the time the leave was initiated. Failure of an employee to report for duty promptly at the expiration of the leave shall be just cause for dismissal. If necessary to the efficient conduct of the business of the City, an employee on leave other than military leave or qualifying family/medical leave may be notified by the manager or supervisor, with the approval of the Chief Medical Examiner, to return prior to the expiration of such leave. Failure of the employee to return within ten (10) days after receipt of such notice shall terminate his/her leave of absence and be just cause for dismissal, subject to any applicable federal, state or local regulations.

(b) The City of St. Louis will follow all applicable state and federal laws on the granting of family/medical leave.

The Chief Medical Examiner shall establish additional rules, guidelines and procedures for the effective administration of the City's "Family/Medical Leave Policy." The policy shall comply with all provisions of the

"Family/Medical Leave Act of 1993" and any amendments thereafter.

(c) In the event that emergency conditions occur which require the closing of City-operated facilities or the temporary cessation of functions carried out by Medical Examiner employees, the Mayor of the City of St. Louis may declare an emergency and require an employee or group of employees to take leaves of absence with or without pay while such emergency conditions exist. In the event that the Mayor requires that the leave of absence be without pay, an employee with vacation or accrued compensatory time may elect to take the accrued time off with pay in lieu of all or a part of such non-paid leave of absence. Such non-paid leave of absence shall not interrupt continuity of service for vacation accrual. An emergency leave of absence declared by the Mayor shall not exceed ninety (90) days.

(d) Employees who are granted general leaves of absence and other non-paid leaves of absence, including investigative leaves of absence, except family/medical leave and military leave, must take all accrued vacation at the start of the leave of absence. Employees who are granted or placed on a non-paid leave of absence will not accrue vacation and sick leave during the period of non-paid leave. Upon the expiration of such leaves of absence, the employee shall follow the procedures as established in this Section 19 and any other applicable regulations and procedures as established by the Chief Medical Examiner.

(e) A manager or supervisor, with the prior approval of the Chief Medical Examiner, may put an employee on investigative leave of absence without pay pending the outcome of criminal charges pending against the employee.

#### **SECTION TWENTY. DEATH BENEFIT**

In the event any employee of the City whose pay is established by this ordinance dies as a result of injuries arising out of and in the course of his/her employment by the City, the City shall pay compensation in accordance with the Missouri Workers' Compensation Law. The Chief Medical Examiner and the City Counselor shall establish procedures for making the payments required by the Missouri Workers' Compensation Law. The Comptroller shall designate the fund or appropriation out of which such payment shall be made. Such compensation shall be in addition to any life insurance benefits paid for by the City or by the employee which is available to the employee's beneficiaries and also in addition to any benefit provided by the Employees Retirement System of the City of St. Louis.

#### **SECTION TWENTY-ONE. WORKERS' COMPENSATION AND DISABILITY LEAVE**

(a) Any employee in the Medical Examiner's Office whose class title and grade are established in Section 1(a) and denoted by the suffix "G," or "M," of this ordinance, including employees who are compensated on a per performance or unit of work basis, who shall suffer personal injury by accident or occupational disease arising out of and in the regular course of employment while engaged in or about the premises where an employee's duties are being performed or where an employee's presence is required as part of his/her employment, shall promptly report such injury by accident or occupational disease to his/her immediate supervisor. The supervisor shall in turn report, through the manager, all facts concerning the incident to the City Counselor and the Chief Medical Examiner. The manager shall promptly provide such written information and recommendations as may be requested by the City Counselor to aid in making the determination of the period of disability.

The employee who suffers a personal injury as described in part (a) of this section, and which results in temporary disability, may elect to use sick or medical leave for the first three days of temporary disability. Thereafter, the employee will be compensated at the rate mandated by the Missouri Workers' Compensation Law. If the period of disability extends fourteen (14) calendar days or more, the three days of sick or medical leave used during the first three days of disability will be restored to the employee's sick or medical leave balance. The City Counselor shall determine the actual amount of compensation and length of time during which payments are made for such temporary disability in accordance with the Missouri Workers' Compensation Law.

(b) The City Counselor, the Chief Medical Examiner, or the manager may require an employee to undergo a physical examination and medical or surgical treatment at the expense of the City to diagnose and treat injuries or illnesses arising out of employment.

(c) The City Counselor and the Comptroller shall establish procedures for paying compensation to employees or former employees who are permanently disabled and due compensation under the Missouri Workers' Compensation Law. The Comptroller shall designate the fund or appropriation out of which such payment shall be made.

(d) The City Counselor and the Chief Medical Examiner shall be responsible for the administration of the provisions of this Section 22 and shall establish and publish procedural regulations for the administration of the program. Each manager or supervisor shall establish procedures to comply with the provisions of this section and established regulations.

**SECTION TWENTY-TWO. JURY AND WITNESS LEAVE**

(a) Jury leave with pay shall be granted to bi-weekly rate employees working fifty percent (50%) time or more for such time when such employees are serving as jurors pursuant to order of the St. Louis Circuit Court or United States District Court in St. Louis. Any bi-weekly rate employee, when so summoned for jury service, shall report such fact within seventy-two (72) hours to his/her manager or supervisor and display to the manager or supervisor the summons which the employee has received and shall give the manager or supervisor in writing the date and the time of such jury service. No bi-weekly rate employee shall receive any compensation from the Jury Commissioner or the United States District Court system for jury service for days the employee receives compensation from the City. A bi-weekly rate employee may keep the jury stipend for days when the employee receives no compensation from the City (off days, docks, leaves, etc.). Upon being discharged from serving as a juror by the Court or Jury Commissioner, the employee shall forthwith report to his/her manager or supervisor if discharged during their normally scheduled work hours and shall submit to his/her manager or supervisor a written statement from the Jury Commissioner certifying that the employee has served as a juror and the time and date so served. The manager or supervisor shall, upon receipt of the statement of jury service, credit the employee with paid jury leave for such service.

(b) Leave with pay shall be granted to bi-weekly rate employees for such time when the employee's presence is required by the prosecutor in a criminal proceeding or grand jury procedure, a trial in prosecuting accused criminals (or for jury service in Federal Court). Any bi-weekly paid employee, when so subpoenaed as a prosecution witness or whose presence is required as a part of a grand jury inquiry, shall report such fact within seventy-two (72) hours to his/her manager or supervisor and shall give the manager or supervisor in writing the date and time his/her presence is required for such criminal prosecution. Each manager or supervisor shall establish controls to assure that any paid leave is actually required by the prosecuting authority. A manager or supervisor may require an employee to furnish satisfactory evidence of being required to be off the job and that all time off was in connection with the prosecution of the case. This procedure shall apply for employee participation in criminal prosecution in State or Federal Courts.

**SECTION TWENTY-THREE. RETIREMENT**

The following provisions shall apply to the Employees Retirement System:

(a) "Final Average Compensation" is equal to one-half of the sum of (1) and (2) below:

(1) The annual compensation received by a member for the two (2) consecutive years of creditable service in which the highest compensation was received preceding the termination of his/her employment, and

(2) The balance of a member's sick leave pay as accrued on the date of retirement less sick leave hours paid to the member upon termination of his/her employment and less sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, except that said balance cannot exceed twenty-five percent (25%) of a member's total sick leave as accrued on the date of retirement.

(b) If a member has less than two (2) consecutive years of creditable service his/her final average compensation shall be equal to the sum of (1) and (2) below, divided by (3) below and then multiplied by (4) below:

(1) The sum of monthly compensation received by the member for each consecutive month of creditable service immediately preceding the termination of his/her employment, and

(2) The balance of a member's sick leave pay as accrued on the date of retirement less sick leave hours paid to the member upon termination of his/her employment and less sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, except that said balance cannot exceed twenty-five percent (25%) of a member's total sick leave as accrued on the date of retirement.

(3) The number of consecutive months of creditable service immediately preceding the termination of his/her employment, and

(4) Twelve (12).

The years of creditable service of a member shall be the number of years and completed months of service during which he/she receives compensation from the first day of the calendar month following the date of the beginning of each employment with an employer until his/her employment is terminated, subject to the provisions of this section. The years of creditable service of an employee hired after the operative date who had attained the age of sixty (60) years at initial

employment shall be the number of years and completed months of service during which he/she receives compensation from October 1, 1988, and hereafter, from the first day on or after October 1, 1988, of the beginning of each employment with an employer until his/her employment is terminated. No creditable service shall be granted for any period of employment before October 1, 1988, after the calendar month in which the member attains age seventy (70). No creditable service for prior employment shall be granted an employee who becomes a member after April 1, 1960, unless he/she was employed by an employer on April 1, 1960.

A member may elect to use his/her unused sick leave as additional creditable service for the purpose of determining eligibility for retirement benefits under any provision of this ordinance.

A member's sick leave balance at time of retirement less the sum of (a), (b), and (c) below shall be considered as additional creditable service for calculation of retirement benefits under any provision of this ordinance:

- (a) Sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, and
- (b) Sick leave hours paid to the member upon termination of his/her employment, and
- (c) Sick leave hours used in determining final average compensation.

#### **SECTION TWENTY-FOUR. SEVERABILITY**

The sections of this ordinance shall be severable. In the event that any section of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this ordinance are valid, unless the court finds the valid sections of the ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that the Aldermen would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

#### **SECTION TWENTY-FIVE. REPEAL OF PREVIOUS ORDINANCES**

Ordinance 68710 and all other ordinances or amendments, or parts thereof conflicting with the provisions of this ordinance are hereby repealed.

#### **SECTION TWENTY-SIX. EMERGENCY CLAUSE**

This ordinance being deemed necessary for the immediate preservation of the public peace, health and safety is declared to be an emergency ordinance pursuant to Article IV, Section 19 and 20 of the City Charter.

**Approved: July 13, 2012**

### **ORDINANCE #69194 Board Bill No. 110**

An ordinance enacted pursuant to Section 56.540, Revised Statutes of Missouri to repeal Ordinance No. 68743 relating to the Office of the Circuit Attorney of the City of St. Louis, allocating the positions established by Section 56.540, R.S.Mo. to classes with grades and a schedule setting minimum and maximum salaries for such grades by repealing Section Two and replacing said Section with provisions of this ordinance, providing that such salaries be paid bi-weekly; providing for payment of overtime wages on an hourly basis at the bi-weekly rate when such overtime is authorized as necessary by the Circuit Attorney and containing an emergency clause.

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

**SECTION ONE.** Ordinance No. 68743 is hereby repealed and, in lieu thereof, the following provisions are enacted.

**SECTION TWO.** The following positions of the Office of the Circuit Attorney of the City of St. Louis, authorized by Section 56.540, R.S.Mo., are hereby allocated to a grade in the following Section with the rates therein established, to wit:

<b>Title</b>	<b>Code</b>	<b>Grade</b>
First Assistant Circuit Attorney	1601	21M

Chief Trial Assistant	1602	20M
Chief Warrant Officer	1603	20M
Chief Misdemeanor Officer	1604	20M
Special Assistant Circuit Attorney I	1605	15P
Special Assistant Circuit Attorney II	1606	17P
Attorney I	2361	15P
Attorney II	2362	17P
Attorney III	2363	18P
Attorney IV	2367	20M
Attorney Manager	2364	20M
Administrative Assistant	1622	14P
Administrative Secretary	1614	14G
Chief Clerk	1617	15P
Chief Investigator	1630	15P
Clerk I	1112	8G
Clerk II	1113	9G
Clerk III	1114	11G
Clerk IV	1115	13G
Computer Operations Manager	1361	15P
Computer Operations Supervisor	1327	13P
Computer Operator I	1323	10G
Computer Operator II	1324	11G
Computer Operator III	1325	12G
Investigator IA	1633	10G
Investigator I	1631	13G
Investigator II	1632	14G
Investigator III	1634	15G
Legal Secretary	1134	11G
Paralegal	2365	12G
Secretary I	1131	9G
Secretary II	1132	10G
Secretary III	1133	11G
Telephone Operator	1161	8G
Typist Clerk I	1121	8G
Typist Clerk II	1122	9G
Victim Services Counselor I	1642	13G
Victim Services Counselor II	1643	14P
Victim Services Supervisor	1644	15P

#### OFFICIAL PAY SCHEDULE FOR CLASSIFICATION GRADES

The following is hereby adopted as the allocated salary pay schedule for all classification grades of positions in Section Two of this ordinance, beginning with the biweekly pay period starting the effective date of this Ordinance. The following bi-weekly pay schedule for all grades shall become effective with the beginning of the first pay period following effective passage of this ordinance:

GRADE	MINIMUM	MAXIMUM
6	747	1143
7	816	1246
8	889	1359
9	968	1481
10	1055	1616
11	1151	1761
12	1254	1920
13	1320	2124
14	1580	2442
15	1835	2809
16	2111	3229

17	2428	3716
18	2791	4273
19	3212	4913
20	3694	5650
21	3989	6102
22	4308	6589
23	4651	7119

**SECTION THREE.** The Circuit Attorney, in making appointments to the positions authorized by Section 56.540 R.S.Mo., shall make said appointments within the classes and grades set out in Section Two of this ordinance, and to an amount of pay within a grade; provided further that the Circuit Attorney may, in her sole discretion, change the classification, grade and amount paid to a person appointed as she determines to be required. The Circuit Attorney may establish probationary rates of pay for classes of positions established in this pay ordinance. Such probationary rates may be less than the rate paid to a regular employee.

**SECTION FOUR.** The salary for grades of positions shall be paid bi-weekly.

**SECTION FIVE.** The annual rate of employee compensation shall be twenty-six (26) times the bi-weekly scale of pay for the grade applicable to the employee's position. No employee shall be paid at a rate lower than the minimum or higher than the maximum of the salary range established for the grade to which his/her class has been allocated. Nothing in this section shall be construed as preventing the Circuit Attorney from paying less than the maximum provided in this ordinance.

**SECTION SIX.** (A) Employees occupying positions allocated in Section Two to a grade of 15G or lower, or to a grade of 18P or lower, may be eligible to receive, in addition to the regular salary, pay for overtime hours authorized by the Circuit Attorney. The rate of such overtime pay shall be subject to the requirements of the Fair Labor Standards Act of 1938, as applicable, and shall be allowed on the basis of hours worked and the bi-weekly rate of pay. Compensatory time may be allowed in lieu of overtime pay as provided by law. Employees occupying positions allocated to a management grade designated by the letter "M" following the grade number are ineligible to receive additional compensation for time worked over that ordinarily required.

**SECTION SEVEN.** Emergency Clause. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meanings of Sections 19 and 20 of article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

**Approved: July 13, 2012**

**ORDINANCE #69195**  
**Board Bill No. 115**

An ordinance relating to the position classifications and salaries of the employees in the Treasurer's Office; repealing Ordinance 68709 and enacting in lieu thereof certain new sections relating to the same subject matter and containing an emergency clause.

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

**SECTION ONE.** Ordinance 68709 is hereby repealed and a new ordinance is hereby enacted in lieu thereof to read as follows:

**SECTION TWO.** Position Classes

(a) Schedule A: The following positions of the Parking Division of the Treasurer's Office whose duties shall be those indicated by their respective titles and codes, are hereby allocated as listed below and adopted as the classification of the Parking Division of the Treasurer's Office:

<b>Class Title</b>	<b>Code</b>	<b>Grade</b>
Administrative Assistant IV	1184	17M
Deputy Treasurer	1185	17M
Chief Fiscal Officer	1183	17M
Accounting Manager I	1445	15M
Investment Specialist	1182	14G
Investment Control Accountant II	1183	14G

Investment Control Accountant I	1180	13G
Account Clerk III	1159	11G
Administrative Clerk II	1162	11G
Secretary III	1133	11G
Account Clerk II	1142	10G
Secretary II	1132	10G
Cashier	1190	9G
Clerk/Secretary III	1133	9G
Administrative Clerk I	1161	9G
Clerk IV	1141	9G
Payroll Clerk	1121	9G
Secretary I	1131	8G
Account Clerk I	1193	8G
Clerk/Secretary II	1132	8G
Clerk III	1113	7G
Clerk/Secretary I	1131	6G
Clerk II	1112	6G
Clerk I	1111	5G

**SECTION THREE.** Pay Schedule.

**GENERAL, PROFESSIONAL, AND MANAGEMENT PAY SCHEDULE**

(1) The following bi-weekly pay schedule for all grades denoted with the suffix “G”, “P”, or “M” shall become effective beginning with the bi-weekly pay period starting the effective date of this ordinance.

**BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
5	706	1015
6	766	1105
7	832	1205
8	903	1313
9	980	1431
10	1064	1642
11	1157	1749
12	1258	1940
13	1387	2140
14	1590	2453
15	1821	2809
16	2090	3227
17	2397	3700
18	2750	4246
19	3158	4875
20	3626	5595
21	3912	6034
22	4222	6513
23	4556	7029

**SECTION FOUR.** Starting Salary

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the appointing authority finds that it is impractical to recruit employees with adequate qualifications at the minimum rate.

If an advanced starting salary is necessary, the City Treasurer (hereinafter referred to as the “appointing authority”) may establish a recruitment rate for a single position or all positions in a class and authorize employment at a figure above the minimum but within the regular range of salary established for the class.

**SECTION FIVE.** Promotion, Demotion, Reallocation and Transfer

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his or her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with a higher pay grade.

(1) When an employee is promoted to a position in the General and Management Schedule which is only one grade higher, the employee's salary shall be set at a rate which is five percent (5%) higher than the rate received immediately prior to promotion. An appointing authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position. Such salary determination shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position.

(b) Demotion: This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade.

(1) If an employee is demoted for disciplinary reasons his or her rate of pay shall be established at a rate within the range for the new position to be determined by the appointing authority.

(2) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position which is five percent (5%) lower than the rate received immediately prior to demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) The salary of an employee which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his or her position has been allocated or may be reallocated shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he or she remains in the class of position, except as otherwise provided by this ordinance.

(2) If the employee's position is reallocated to a class in a lower pay grade and the rate of pay for the previous position is within the salary range of the new position, his or her salary shall remain unchanged.

(3) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 5(a)(1) relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

#### **SECTION SIX. Salary Adjustment**

Salary adjustments for all employees shall be based on considerations of merit, equity, or success in fulfilling predetermined goals and objectives as herein provided:

(a) A decrease in the salary range for poor performance of the duties of the position or for job performance which does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(b) The appointing authority may adjust the salary of an employee whose salary is established in this ordinance only at intervals as described above except in the case of:

(1) Exceptional performance of duties:

The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may advance the employee by not more than ten percent (10%) after twenty-six weeks of employment at the same rate in the salary range.

- (2) Substandard performance of duties:

The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(c) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen percent (15%) of the current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods, providing, however, that such decrease shall not be effective for more than twenty-six (26) weeks.

(d) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service in the armed forces, and leaves of absence for study to improve performance of City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

#### **SECTION SEVEN. Income Sources**

Any salary paid to an employee in the city service shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which the employee may undertake or volunteer to perform.

Whenever an employee not on an approved, paid leave works for a period less than the regularly established number of hours a day, days a week or days biweekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the biweekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

#### **SECTION EIGHT. Conversion**

(a) All pay schedules in Section 3(1) shall continue in effect until the beginning of the bi-weekly pay period starting concurrently with or after the effective date of this ordinance at which time the rates to be paid to employees in positions of any class for which a rate is established or changed in Section 3(1) of this ordinance shall become effective and be adjusted as follows:

- (1) The maximum of all salary ranges have been increased by 2%.
- (2) The City of St. Louis is authorizing a 2% increase for the fiscal year which begins on July 1, 2012.
- (3) At the discretion of the Treasurer, employees may receive a 2% salary increase upon the date of their service anniversary.

(b) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.

(c) The Appointing Authority may establish a special conversion procedure for a class or position in the event that the Appointing Authority determines that a serious inequity would be created by the application of the conversion procedures established in this Section.

**SECTION NINE.** Whenever the Appointing Authority finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the appointing authority shall allocate or reallocate the class to an appropriate grade in this ordinance, and notify the Board of Aldermen of this action.

**SECTION TEN.** The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

**Approved: July 13, 2012**

**ORDINANCE #69196**  
**Board Bill No. 116**

An ordinance relating to the position classifications and salaries of the Parking Division employees, repealing Ordinance 68707 and enacting in lieu thereof certain new sections relating to the same subject matter and containing an emergency clause.

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

**SECTION ONE.** Ordinance 68707 is hereby repealed and a new ordinance is hereby enacted in lieu thereof to read as follows:

**SECTION TWO.** Position Classes.

(a) Schedule A: The following positions of the Parking Division of the Treasurer's Office whose duties shall be those indicated by their respective titles and codes, are hereby allocated as listed below and adopted as the classification of the Parking Division of the Treasurer's Office:

<b>Class Title</b>	<b>Code</b>	<b>Grade</b>
Parking Superintendent	T220	17M
Administrative Assistant IV	T624	17M
Director of Professional Services	T221	17M
Parking Facilities Manager		14M
Ass't Parking Facilities Manager		12M
Fleet Maintenance Supervisor	T421	15G
Personnel Manager	T515	14M
Parking System Analyst		14G
Internal Auditor	T471	14G
Parking Supervisor		13G
Program Analyst	T501	13G
Budget Compliance Officer	T461	13G
Communication Assistant	T185	13G
Parking Enforcement Supervisor	T192	12G
Accountant I		12G
Assistant Supervisor	T191	11G
Account Clerk III	T143	11G
Administrative Clerk II	T137	11G
Parking Enforcement Officer IV		10G
Parking Facilities Attendant IV		10G
Parking Enforcement Officer III	T203	10G
Assistant Parking Enforcement Supv.	T194	10G
Parking Crew Worker III	T165	10G
Account Clerk II	T142	10G
Parking Facilities Attendant III		9G
Administrative Clerk I	T136	9G
Clerk/Secretary III	T133	9G
Parking Enforcement Officer II	T202	8G
Parking Crew Worker II		8G
Security Officer		8G
Clerk/Secretary II	T132	8G
Account Clerk I	T141	8G
Parking Facilities Attendant II		8G
Parking Crew Worker I		7G
Security Guard		6G
Parking Enforcement Officer I	T201	6G
Clerk/Secretary I	T131	6G
Parking Facilities Attendant I		6G
Parking Assistant		6G
Custodian		5G
Parking Aide		5G

(b) Schedule B: For employees of the Parking Division in the classes set forth below, and with an appointment date on or after January 1, 1995, excepting those employees eligible for reemployment under personnel rules approved by the Parking Commission, their positions will be reallocated as specified below:

<b>Class Title</b>	<b>Code</b>	<b>Grade</b>
Parking Superintendent	T220	15M
Administrative Assistant IV	T624	15M
Director of Professional Services	T221	15M
Parking Facilities Manager		14M
Personnel Manager	T515	14M
Fleet Maintenance Supervisor	T421	14G
Parking System Analyst		13G
Internal Auditor	T185	12G

**SECTION THREE. Pay Schedule**

**GENERAL, PROFESSIONAL, AND MANAGEMENT PAY SCHEDULE:**

(1) The following bi-weekly pay schedule for all pay grades denoted with the suffix “G”, “P”, or “M” shall become effective beginning with the bi-weekly pay period starting the effective date of this ordinance:

**BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
5	706	1015
6	766	1105
7	832	1205
8	903	1313
9	980	1431
10	1064	1642
11	1157	1749
12	1258	1940
13	1387	2140
14	1590	2453
15	1821	2809
16	2090	3227
17	2397	3700
18	2750	4246
19	3158	4875
20	3626	5595
21	3912	6034
22	4222	6513
23	4556	7029

**SECTION FOUR. Starting Salary**

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the City Treasurer (hereinafter the “appointing authority”) finds that it is impractical to recruit employees with adequate qualifications at the minimum rate.

If an advanced starting salary is necessary, the appointing authority may establish a recruitment rate for a single position or all positions in a class and authorized employment at a figure above the minimum but within the regular range of salary established for the class.

**SECTION FIVE. Promotion, Demotion, Reallocation and Transfer**

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his or her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with a higher pay grade.

(1) When an employee is promoted to a position which is only one grade higher, the employee's salary shall be set at a rate which is five percent (5%) higher than the rate received immediately prior to promotion. An appointing authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position.

Such salary determination shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion.

However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position.

(b) Demotion: This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade.

(2) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position which is five percent (5%) lower than the rate received immediately prior to demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) The salary of an employee which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his or her position has been allocated or may be reallocated shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he or she remains in the class of position, except as otherwise provided by this ordinance.

(2) If the employee's position is reallocated to a class in a lower pay grade and the rate of pay for the previous position is within the salary range of the new position, his or her salary shall remain unchanged.

(3) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 5(a)(1) relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, regardless of pay schedule, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

#### **SECTION SIX. Salary Adjustment**

(a) A decrease in the salary range for poor performance of the duties of the position or for job performance which does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(1) Exceptional performance of duties:

The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may, advance the employee by not more than ten percent (10%) after twenty-six weeks of employment at the same rate in the salary range.

(2) Substandard performance of duties:

The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(b) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen percent (15%) of the current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall

be effective for a specific number of bi-weekly pay periods, providing, however, that such decrease shall not be effective for more than twenty-six (26) weeks.

(c) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service in the armed forces, and leaves of absence for study to improve performance of City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

#### **SECTION SEVEN. Income Sources**

Any salary paid to an employee in the city service shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this Ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which the employee may undertake or volunteer to perform.

Whenever an employee not on an approved, paid leave works for a period less than the regularly established number of hours a day, days a week or days biweekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the biweekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class. The Parking Division of the Treasurer's Office shall reimburse the City's General Revenue Fund from the Parking Fund \$33,000.00 annually on or about the end of each fiscal year for the Chief Fiscal Officer's services for that year.

#### **SECTION EIGHT. Conversion**

(a) All pay schedules in Section 3(1) shall continue in effect until the beginning of the bi-weekly pay period starting concurrently with or after the effective date of this ordinance at which time the rates to be paid to employees in positions of any class for which a rate is established or changed in Section 3(1) of this ordinance shall become effective and be adjusted as follows:

- (1) The maximum of all salary ranges have been increased by 2%.
- (2) The City of St. Louis is authorizing a 2% increase for the fiscal year which begins on July 1, 2012.
- (3) At the discretion of the Treasurer, employees may receive a 2% salary increase upon the date of their service anniversary.

(b) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.

(c) The Appointing Authority may establish a special conversion procedure for a class or position in the event that the Appointing Authority determines that a serious inequity would be created by the application of the conversion procedures established in this Section.

**SECTION NINE.** Whenever the Appointing Authority finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the Appointing Authority shall allocate or reallocate the class to an appropriate grade in this ordinance, and notify the Board of Aldermen or Parking Commission of his action.

**SECTION TEN.** The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

**Approved: July 13, 2012**

### **ORDINANCE #69197 Board Bill No. 120**

An ordinance to repeal Ordinance #68706 relating to the appointment and rates of compensation of certain employee's of the License Collector of the City of St. Louis and enacting in lieu thereof a new ordinance dealing with the same subject matter and containing an emergency clause.

**BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:****SECTION ONE. ALPHABETICAL LIST OF CLASSES**

The following positions of the License Collector's Office, whose duties shall be those indicated by their respective titles are hereby allocated as listed below and adopted as the classification plan for the License Collector's office:

<u>Class Title</u>	<u>Grade</u>
Accountant I	6G
Accountant II	8G
Accountant III	9G
Administrative Assistant I	6G
Administrative Assistant II	8G
Administrative Assistant III	9G
Administrative Officer I	11M
Administrative Officer II	12M
Administrative Officer III	13M
Assistant Deputy License Collector	16M
Chief Deputy License Collector	17M
Field Representative I	6G
Field Representative II	8G
Field Representative III	9G
License Clerk I	6G
License Clerk II	8G
License Clerk III	9G

**SECTION TWO. OFFICE PAY SCHEDULE**

(1) The following bi-weekly pay schedule for all pay grades denoted with the suffix G or M shall become effective with the beginning of the first pay period following approval of this ordinance:

**BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
6	747	1121
8	889	1332
9	968	1452
11	1151	1726
12	1254	1882
13	1387	2082
16	2111	3166
17	2428	3643

**SECTION THREE. Appointments**

The License Collector is authorized to appoint and employ accountants, administrative assistants, administrative officers, assistant deputy license collector, field representatives, and license clerks and such other personnel as are deemed necessary in addition to those enumerated in Section 82.390 of the Revised Statutes of Missouri; however, the salaries shall not exceed the amount as set forth in this ordinance.

**SECTION FOUR. STARTING SALARY**

The License Collector may establish a recruitment rate for a single position or all positions and authorize employment at a figure above the minimum but within the range of salary established for the grade.

**SECTION FIVE. PROMOTION, DEMOTION, REALLOCATION AND TRANSFER**

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this

ordinance, shall have his or her rate of pay for the new position determined as follows:

(a) **PROMOTION:** This shall be defined as a change of an employee from a position of one pay grade to a higher pay grade.

(1) When an employee is promoted to a position in the General or Management Schedule the employee's salary shall be set at a rate as deemed appropriate by the License Collector. However, no employee shall be paid less than the minimum rate, nor more than the maximum rate for the new position.

(b) **DEMOTION:** This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade.

(1) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position. However, no employee shall be paid less than the minimum, nor more than the maximum rate for the new class of position.

(c) **REALLOCATION:**

(1) The salary of an employee which is in excess of the maximum of the range prescribed by this ordinance for the grade to which his or her position has been allocated or may be reallocated, shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he or she remains in the class of position, except as otherwise provided by this ordinance.

(2) If the employee's position is reallocated to a lower pay grade and the rate of pay for the previous position is within the salary range of the new position, his or her salary shall remain unchanged.

(3) The salary of an employee whose position is allocated to a higher pay grade shall be determined in accordance with the provisions of this Section 5(a) (1) relating to salary advancement on promotion.

(d) **TRANSFER:** The salary rate of an employee who transfers to a different position in the same grade, or from one position to another position in same pay grade, regardless of pay schedule, shall remain unchanged, provided that no employee shall be paid less than the minimum rate, nor more than the maximum rate, for the new position.

#### **SECTION SIX: SALARY ADJUSTMENT**

Salary adjustments for all employees shall be based on considerations of merit or success in fulfilling predetermined performance factors as established by the License Collector.

(a) Any employee whose salary is established in Section 2(1), 2(2), or 2(3) - General and Management Pay Schedule, achieving an Overall Performance Rating of Meets Standards or Progressing after fifty two (52) weeks of continuous service shall be eligible to receive a merit increase. Staff members of the License Collector's Office have completed three (3) years of furloughs, two (2) years of which were voluntary. The License Collector shall have the capacity to allow a 2% raise as of July 1, 2012 or upon passage of this Board Bill # \_\_\_\_\_.

(b) Any employee, whose salary is established in Section 2(1), 2(2), or 2(3) - General and Management Pay Schedule, achieving an Overall Performance Rating of Below Standards after fifty two (52) weeks of continuous service shall not receive a merit increase and must agree to a Mandatory Improvement Plan.

The License Collector may authorize different anniversary dates for an employee or groups of employees.

The granting of any such increase or decrease in salary shall be made at the beginning of a payroll period following approval of such salary action, by the License Collector,

#### **SECTION SEVEN. INCOME SOURCES**

Any salary paid to an employee of the License Collector shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the License Collector in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which

employee may undertake or volunteer to perform.

Whenever an employee not on an approved paid leave works for a period less than the regularly established number of hours a day, days a week, or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions, or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

#### **SECTION EIGHT. CONVERSION**

All pay schedules in Ordinance 68706 shall continue in effect.  
The License Collector shall establish such procedures as needed to place this ordinance into effect and interpret its provisions.

#### **SECTION NINE. HOLIDAYS**

(1) The License Collector shall grant holiday leave with pay, holiday pay, or compensatory holiday time off in lieu of pay to employees working full-time who are paid a bi-weekly rate on the following days:

<u>DATE</u>	<u>HOLIDAY</u>
January 1	New Years Day
Third Monday in January	Rev. Martin Luther King Jr. Day
Third Monday February	Presidents' Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Day in September	Labor Day
November 11	Veteran's Day
Fourth Thursday in November	Thanksgiving Day
Day after Thanksgiving	Day after Thanksgiving
December 25	Christmas Day

The License Collector shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section.

Employees working full-time and paid a bi-weekly rate whose pay is established in this compensation ordinance shall receive leave with pay, or compensatory time off in lieu of pay as holiday compensation in an amount that is proportionate to the number of hours the employee is regularly scheduled to work in a day of shift. For example, employees working an average of forty (40) hours a week, five (5) days a week, eight (8) hours a day shall receive eight (8) hours of compensation for the holiday; employees working an average of forty (40) hours a week, four (4) days a week, ten (10) hours a day shall receive ten (10) hours of compensation for the holiday.

When the day of observance of a holiday is changed by State or Federal Law, it will be so observed by the City of St. Louis. When the day of observance of a holiday is changed by State or Federal executive action, the Mayor shall determine the day of observance by the City of St. Louis. When one of the above enumerated holidays occurs on Sunday, the following Monday shall be observed as the holiday. When one of the above holidays occurs on Saturday, the Preceding Friday shall be observed as the holiday.

The License Collector shall determine the manner of granting holidays. When full-time employees are required to work on a holiday they shall be entitled to compensation for the holiday and the hours actually worked. Compensation for the holiday shall be in an amount Proportionate to the number of hours and employee is regularly scheduled to work in a day or shift.

Except as otherwise provided in this section, when a City holiday falls on an employee's regularly scheduled day off, the employee shall be entitled to have compensatory time added to his/her balance in an amount proportionate to the number of hours regularly scheduled in a day or shift.

The holiday compensation procedures established by this section shall apply to full-time employees paid a bi-weekly rate. Part-time bi-weekly paid employees shall be compensated for holidays in proportion to the percentage of time they are regularly scheduled to work. Employees paid on an hourly or per performance basis shall not be entitled to holiday compensation.

In the event that the holiday schedule established in this section is revised, employees who are granted compensatory time in lieu of all holidays shall have their leave benefits adjusted accordingly.

**SECTION TEN. VACATION**

Vacation leave with pay shall be granted to bi-weekly paid employees in permanent positions working one-half (50%) time or more. The License Collector may establish additional guidelines and policies to govern the administration of vacation leave benefits.

**SECTION ELEVEN. MEDICAL LEAVE**

Sick leave with pay shall be granted to bi-weekly paid employees in permanent positions working one-half (50%) time or more in accordance with regulations and procedures established by the License Collector.

**SECTION TWELVE. CLASSIFICATION**

Whenever the License Collector finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the License Collector shall allocate or reallocate the class to an appropriate grade in this ordinance and notify the Board of Aldermen of his action.

**SECTION THIRTEEN. PASSAGE OF ORDINANCE**

By the enactment of this ordinance, Ordinance #68706, is hereby repealed.

**SECTION FOURTEEN. EMERGENCY CLAUSE**

The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health, and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

**Approved: July 13, 2012**

**ORDINANCE #69198  
Board Bill No. 71**

An Ordinance recommended by the Planning Commission repealing a part of Section Five of Ordinance 62588 relating to signs at carry-out restaurants and motor fuel pumping stations, designated as Section 26.40.026(B)(1)(b) and Section 26.40.027(B)(2), respectively, in the Revised Code of the City of St. Louis; and repealing Ordinance 68849, which is codified as Section 26.68 of the Revised Code of the City of St. Louis and designated as Comprehensive Sign Control Regulations, and enacting a new Ordinance on the same subject matters; containing a substitution clause, severability clause, savings clause and an emergency clause.

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

**SECTION ONE.** Section Five of Ordinance 62588, designated as Section 26.40.026(2)(A)(2), [codified as Section 26.40.026(B)(1)(b) in the Revised Code of the City of St. Louis] and Section 26.40.027(2)(B) [codified as Section 26.40.027(B)(2) in the Revised Code of the City of St. Louis] is hereby repealed.

**SECTION TWO.** Enacted in lieu thereof is the following new section pertaining to signs at carry-out restaurants and motor fuel pumping stations:

**26.40.026(B)(1) Site requirements for carry-out restaurants.**

b. The carry-out restaurant does not have more than one freestanding sign. Said sign shall not exceed 25 feet in height nor exceed on all faces a total of 150 square feet of sign copy and shall be a minimum of 50 feet from any existing residential use or dwelling district.

**26.40.027(B) Site requirements for motor fuel pumping stations.**

2. Not more than one free-standing sign shall be permitted; said sign shall not exceed 25 feet in height nor exceed on all faces a total of 150 square feet of sign copy and shall be a minimum of 50 feet from any existing residential use or dwelling district.

**SECTION THREE.** Ordinance 68849 is hereby repealed.

**SECTION FOUR.** Enacted in lieu of Ordinance 68849 is the following new Chapter:

**COMPREHENSIVE SIGN  
CONTROL REGULATIONS**

- 26.68.010 Scope of chapter.
- 26.68.015 Purpose.
- 26.68.020 Definitions.
- 26.68.030 Repealed
- 26.68.050 Repealed.
- 26.68.055 Signs on vacant City or Land Reutilization Agency-owned properties.
- 26.68.060 Permits required in all districts.
- 26.68.070 Signs in historic districts.
- 26.68.080 Signs in zone districts A, B, C, D and E.
- 26.68.090 Signs in zone district F.
- 26.68.100 Signs in zone districts G and H.
- 26.68.110 Signs in zone districts J and K.
- 26.68.120 Signs in zone districts I and L
- 26.68.130 Outdoor general advertising devices.
- 26.68.135 Prohibited use of signs.
- 26.68.140 Signs for and by nonconforming use in all zone districts.
- 26.68.150 Nonconforming signs.
- 26.68.160 Signs in chapter 353 development plans, in signage plan overlay districts and signs with special provisions.
- 26.68.170 Prohibited signs.
- 26.68.175 Board-up signage prohibited.
- 26.68.180 Removal of signs within or on public right-of-way or easement.
- 26.68.190 Substitution clause.

**26.68.010 Scope of chapter.**

These regulations shall govern and control the erection, remodeling, enlarging, moving, operation and maintenance of all signs by conforming uses within all zoning districts. Nothing herein contained shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinances and/or applicable regulations shall comply with all such ordinances and regulations.

**26.68.015 Purpose.**

In interpreting and applying the provisions of the sign regulations of the zoning code, they shall be held to the minimum requirements for the promotion of the public health, traffic safety and convenience, comfort, prosperity, aesthetics and general welfare.

**26.68.020 Definitions.**

For the purpose of this chapter the following terms, phrasing, words and their deviations shall have the meaning given herein:

1. **Animation or Animated Sign.** "Animation or Animated sign" means any sign or part of a sign which changes physical position by any movement or rotation, including electronic and video display changed by remote or automatic means.

2. **Area of Sign.** The area of a sign shall be measured in conformance with the regulations as herein set forth provided that the structure or bracing of a sign shall be omitted from measurement unless such structure or bracing is made part of the message or face of the sign. Where a sign has two faces at a right angle to the building or street, the area of one face shall determine the area of the sign. Where a sign has two faces not at a right angle to the building or street or has three or more faces, the area of all faces shall determine the area of the sign.

a. **Sign With Backing.** The area of all signs with backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, nonstructural trim or other component parts not otherwise used for support.

b. **Signs Without Backing.** The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each work, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.

c. **All Other Signs or Combinations Thereof.** The area of any sign having parts both with and without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle of any combination thereof constituting the smallest single continuous perimeter enclosing the extreme limits of any of the following combinations: the display surface or face of the sign including all frames, backing, face plates, nonstructural trim or other component parts not otherwise used for support for parts of the sign that have backing and each words, written representation (including any series of letters), emblems or figures or a similar character including all frames, face plates, nonstructural trim or other component parts not otherwise used for support for parts of the sign having no backing.

3. **Building Front.** "Building front" means that exterior wall of a building facing the front line of a premises.

4. **Display Surface or Face.** "Display surface or face" means the area made available by the sign structure for the purpose of displaying the message.

5. **Distance of Sign Projection.** "Distance of sign projection" means the distance from the exterior wall surface of the building to the display face of a wall sign.

6. **Electronic Message Center.** "Electronic message center" means a sign or device capable of displaying letters, numbers, words, symbols, figures or images, including graphics, that can be electronically, digitally or mechanically changed by remote or automatic means. This definition includes what is commonly referred to as a "digital" sign or device.

7. **Exterior Wall Surface.** "Exterior wall structure" means the most exterior part of a wall, sun screen or any screening or material covering a building.

8. **Flashing Signs.** "Flashing sign" means any directly or indirectly illuminated sign either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever, including blinking, fluctuating scrolling or fading.

9. **Ground Sign.** "Ground sign" means a sign supported by poles, uprights or braces extending from the ground or an object on the ground but not attached to any part of any building. Height measurement for ground signs shall be from the grade level or the

level of the abutting roadway whichever is higher.

10. **Illuminated Sign.** "Illuminated sign" means a sign lighted by or exposed to artificial lighting either by lights on the sign or within the sign or directed towards the sign.

a. **Concealed Light Source.** Internal and external lighting, such as neon tubing, flood lights, thin line and gooseneck reflectors are permitted provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed toward any person facing such sign or device upon any public way or street and shall not be of such intensity so as to cause glare or impair the vision of any person upon any public way or street or adjoining premises. Neon tubing shall be enclosed in channels or covered by plastic faces.

b. **Exposed Light Source.** Internal and external lighting, such as neon tubing and lamps are permitted, provided the intensity of such lighting shall not cause glare or impair the visions of any person, facing such sign or device, upon any public way, street or adjoining premises.

11. **Joint Identification Sign.** "Joint identification sign" means a sign which serves as a common or collective identification for two (2) or more businesses or industrial uses on the same premises.

12. **Marquee Sign.** "Marquee sign" means a sign on or attached to a permanent overhanging shelter that projects from the face of a building and is supported entirely by the building and which sign is painted on or erected against the marquee. Said such signs shall not exceed seven (7) feet in height nor shall they project below the face of the marquee nor lower than ten (10) feet above the sidewalk. A marquee sign may extend the full length but in no case shall it project beyond the ends of the marquee.

13. **On-premises Signs.** "On-premises sign" means a sign relating to products, goods, services or uses which are conducted, sold, manufactured, produced, offered or occurs on the same premises as the sign.

14. **Outdoor General Advertising Device.** "Outdoor general advertising device" means a device maintained by advertising agencies which advertises products of their customers or clients, and all business signs individually or privately owned which are not on the premises of the owner or place of business to which they apply, including wall signs and those otherwise attached to buildings and structures or devices, as well as those not attached to buildings and supported by uprights or braces on the ground.

15. **Projecting Sign.** "Projecting sign" means a sign attached to a building at an angle, provided:

- a. There is no more than one such sign for each entrance door to a business establishment;
- b. It projects no more than five (5) feet from the building;
- c. The sign advertises a use which occupies at least eighteen (18) feet of sign frontage;
- d. The bottom of the sign is at least ten (10) feet from grade and its top is no higher than whichever of the following is highest: forty (40) feet above grade, or the height of the building at the building line; and
- e. No support for a sign shall extend above the cornice line of a building to which it is attached.

16. **Roof Line.** "Roof line" means the highest point on any building where an exterior wall encloses usable floor area including floor area provided for housing mechanical equipment.

17. **Roof Sign.** "Roof sign" means an on-premises sign which projects above the roof line or is located on the roof of a building or structure.

18. **Sign.** "Sign" means any object or device or part thereof situated outdoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images.

19. **Sign with Backing.** "Sign with backing" means any sign that is displayed upon, against or through any material or color surface or backing that forms an integral part of such display and differentiates the total display from the background against which it is placed.

20. **Sign without Backing.** "Sign without backing" means any word, letter, emblem, insignia, figure or similar character or group thereof, that is neither backed by, incorporated in or otherwise made part of any larger display area.

21. **Sign Frontage.** "Sign frontage" means the length along a ground floor building front, facing a street or a private way accessible from a street, which is occupied by a separate and distinct use or by the same use which occupies the front of said building.

22. **Street Front.** "Street front" means any boundary line of a premises or parcel of land that runs parallel to and within twenty (20) feet of the right-of-way of a street or highway designated and assigned an individual name or number by the legislative action of the municipality.

23. **Street Property Line.** "Street property line" means a common boundary between private property and a dedicated street or alley.

24. **Temporary Sign.** "Temporary sign" means any exterior sign or advertising display constructed of cloth, canvas, fabric, plywood, metal or other material intended to be displayed for a short period of time not in excess of six (6) months.

25. **Wall Sign.** "Wall sign" means a sign attached to, painted on, or erected against a wall or parapet wall of a building or structure which extends no more than twenty-four (24) inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building to which the sign is attached.

26. **Wind Sign.** "Wind sign" means any sign in the nature of a series of two (2) or more banners, flags, pennants or other objects or material which call attention to a product or service fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

27. **Window Sign.** "Window sign" means a sign which is applied or attached to, or located within three (3) feet of the interior of a window, which sign can be seen through the window from the exterior of the structure.

26.68.030 **Repealed.**

26.68.050 **Repealed.**

26.68.055 **Signs[RW1] on vacant City or Land Reutilization Authority of the City of St. Louis-owned properties.**

A. Notwithstanding to the contrary any ordinance, statute, or legal authorization from the City or Land Reutilization Authority, respectively, the placement of any sign on any building or structure owned by the City or the Land Reutilization Authority which is vacant or unoccupied, on any traffic control device or signal or on any utility pole is prohibited.

B. **Notification of Violation--Removal Required.** Upon receiving a complaint from any person that a sign or advertisement has been placed in violation of this ordinance, the Building Commissioner shall issue a notice to the person, partnership or corporation whose name appears on such sign or advertisement requiring such person, partnership or corporation to remove the signage within fifteen (15) days of the date of the notice. Failure to remove the signage with this period of times shall constitute a violation of this section.

D. **Penalty for Violation.** Any person who is found guilty or who enters a plea of guilty to a violation of this section shall be punished by a fine of not more than \$500.00 or by imprisonment of not more than ninety (90) days or by both a fine and imprisonment.

26.68.060 **Permits required in all districts.**

No person shall erect a sign not described herein above until a building permit for said sign has been issued by the Building Commissioner stating that said proposed sign complies with the rules and regulations described herein below relating to signs. In addition to other information with regard to said sign as may be required by the Building Commissioner, the applicant must provide a glossy 8" x 10" photograph(s) of the premises where the sign is proposed which adequately shows all existing signs on the premises, and all pertinent information needed to properly review the application as requested by the Building Commissioner. If said sign complies with the herein below rules and regulations, the permit may be issued by the Building Commissioner if said sign also complies with all applicable provisions of the Building Code of the City; if said sign fails to comply with the rules and regulations set out herein below said permit shall not be issued, regardless of whether said sign complies with all provisions of the Building Code of the City.

**26.68.070 Signs in historic districts.**

No sign shall be erected within a district which has been zoned an historic district, unless said sign meets and satisfies an requirements of the applicable historic district ordinance and accompanying development plan, which ordinance has been approved by the Board of Aldermen and the Mayor of the City.

**26.68.080 Signs in zone districts A, B, C, D, and E.**

A. **General.** On premises signs may be erected, altered and maintained only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use and shall be clearly incidental, customary as commonly associated with the operation of the conforming use provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling.

B. **Permitted Contents.** Identification by letter, numeral, symbol or design of the conforming use by name, use, hours of operation, services offered and events.

C. **Permitted Sign Types.** Wall, window and ground.

D. **Permitted Maximum Number.** One (1) sign for each front line of the premises on which the conforming use is located.

E. **Permitted Maximum Sign Area.**

1. **Hotel and Motel.** No one sign shall exceed thirty (30) square feet.

2. **All other uses.** Total signage shall not exceed thirty (30) square feet.

F. **Permitted Maximum Height.**

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.

2. **Ground Signs.** Six (6) feet above grade.

G. **Permitted Location.**

1. **Wall and Window Signs.** Shall be set back from the boundary lines of the premises on which they are located, the same distance as a building containing a conforming use; provided, however, wall signs may project into the required setback space the permitted depth of the sign;

2. **Ground Signs.** Shall be set in at least ten (10) feet from every boundary line of the premises or shall be set in on a line parallel with the exterior line of any building on the said premises.

H. **Permitted Illumination.** May be illuminated but only from a concealed light source, shall not remain illuminated between the hours of 12:00 a.m. and 6:00 a.m., and shall not flash, blink, fade, scroll or fluctuate.

I. **Animation.** Shall not be animated.

**26.68.090 Signs in zone district F.**

A. **General.** On premises signs may be erected, altered or reconstructed only for and by a conforming use in the district in which the signs are located; shall be located on the same property as the conforming use and shall be clearly incidental, customary and commonly associated with the operation of the conforming use; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs identifying home occupations.

B. **Permitted Contents.** Identification by letters, numeral, symbol or design of the conforming use, by name, use, hours of operation, services offered and events.

C. **Permitted Sign Types.** Wall, window, ground, marquee and roof signs are permitted. Projecting signs that comply with the provisions in the definition section, designated as Section 26.68.020(15)(a-e), are permitted[RW2].

**D. Permitted Maximum Sign Area.**

1. **Hotel and Motel.** No one sign shall exceed two hundred (200) square feet.

2. **All Other Uses.** The total area in square feet of all on-premises signs on a sign frontage, except for free-standing signs shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
Less than 100	2*
100—399	4
400 and over	5

\* Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of on-premises signs.

3. The distance of a sign on or under a canopy, marquee or awning from the center line of an abutting street shall be constructed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.

4. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.

5. If a building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.

6. If the ground sign has two (2) faces the area of each face shall not exceed seventy-five (75) square feet; if a ground sign has more than two (2) faces the total of all faces shall not exceed one hundred fifty (150) square feet. A premise with a front line of two hundred (200) feet or more may have two (2) ground signs.

**E. Permitted Maximum Height.**

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.

2. **Ground Signs.** Shall not exceed thirty (30) feet above grade.

3. **Roof Signs.** Including the supporting structures fifty percent (50%) of the building height on which they are erected but a maximum height of five (5) feet above roof line, or parapet wall if it is higher than the roof line. Further, there must be a clear space of not less than four (4) feet between the lowest part of the sign and roof level, except for necessary structural supports, if sign is over one hundred (100) square feet in size. If such clearance is necessary said sign cannot exceed nine (9) feet above roof line or parapet wall. If sign is less than one hundred (100) square feet no such clearance is necessary.

**F. Permitted Location.**

1. **Wall and Window Signs.** Shall be set in from the boundary lines of the premises on which it is located, the same distance as a building containing a conforming use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.

2. **Ground Signs.** Shall be set in at least three (3) feet from every boundary line of the premises.

**G. Permitted Illumination.** Concealed or exposed light source. No sign shall be illuminated that it interferes with the effectiveness of an official traffic sign, signal or device; illumination shall not flash, blink, fade, scroll or fluctuate.

**H. Animation.** Shall not be animated.

**26.68.100 Signs in zone districts G and H.**

A. **General.** On premises signs may be erected, altered or reconstructed only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use; and shall be clearly incidental, customary and commonly associated with the operation of the conforming use.

B. **Permitted Contents.** Identification by letter, numeral, symbol and design of the conforming use by name, use, hours of operation, services and products offered, events and prices of products and services.

C. **Permitted Sign Types.** Wall, window, ground, marquee and roof signs are permitted. Projecting signs that comply with the provisions in the definition section, designated as Section 26.68.020(15)(a-e), are permitted[RW3].

**D. Permitted Maximum Sign Area.**

1. **Hotels and Motels.** On premises having a linear street frontage of one hundred (100) feet or less: one hundred (100) square feet; on premises having a linear street frontage of more than one hundred feet: one (1) square foot of street front; provided, however, computations shall be made and sign area shall be made and sign area shall be determined on each street front separately, and provided, further, that in no event shall more than three hundred (300) square feet of sign area be applied to any one (1) street front and no sign shall exceed three hundred (300) square feet in size.

2. **All Other Uses.** The total area in square feet of all on-premises signs on a sign frontage, except for free-standing signs, shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
Less than 100	3*
100—399	4
400 and over	5

\* Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of on-premises signs.

3. The distance of a sign on or under a canopy, marquee and awning from the center line of an abutting street shall be construed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.

4. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.

5. If a building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.

6. If the ground sign has two (2) faces the area of each face shall not exceed one hundred (100) square feet; if a ground sign has more than two (2) faces the total of all faces shall not exceed two hundred (200) square feet. A premises with a front line of two hundred (200) feet or more may have two (2) ground signs.

**E. Permitted Maximum Height.**

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.

2. **Ground Signs.** Shall not exceed thirty (30) feet above grade.

3. **Roof Signs.** Including the supporting structures fifty percent (50%) of the building height on which they are erected but a maximum height of ten (10) feet above roof line, or parapet wall if it is higher than the roof line. Further, there must be a clear space of not less than four (4) feet between the lowest part of the sign and the roof level, except for necessary structural supports, if sign is over one hundred (100) square feet in size. If such clearance is necessary said sign cannot exceed fourteen (14) feet above roof line or parapet wall. If sign is less than one hundred (100) square feet no such clearance is necessary.

F. **Permitted Location.** Ground signs shall be set in at least three (3) feet from every boundary line of the premises.

Provided, however, wall signs may project into the required setback space the permitted depth of the sign.

**G. Permitted Illumination.** Concealed or exposed light source. No sign shall be illuminated that it interferes with the effectiveness of an official traffic sign, signal or device. Illumination shall not flash, blink, fade, scroll or fluctuate.

**H. Animation.** May be animated unless the Building Commissioner shall determine that animation will constitute a distraction to traffic or a source of undue annoyance to adjoining uses.

**I. Joint Identification Signs.** Subject to the conditions hereinafter set forth and upon application to and issuance by the Building Commissioner of a sign permit therefor, joint identification signs are permitted for three (3) or more conforming uses on the same premises as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

1. **Permitted Sign Types of Joint Identification Signs.** Wall and ground.
2. **Permitted Maximum Number of Joint Identification Signs.** One (1) sign for each front line of the premises.
3. **Permitted Area of Joint Identification Signs.** The greater number of the following: (1) one hundred (100) square feet or (2) two (2) square feet of sign area for each linear foot of street frontage on the premises; provided, however, that the total area of all signs on each front line of the premises shall not exceed two hundred (200) square feet.
4. **Permitted Maximum Height Above Grade of Joint Identification Signs.** Thirty-five (35) feet.
5. **Permitted Location of Joint Identification Signs.** Shall be set in at least three (3) feet from every boundary line of the premises.
6. **Permitted Illumination of Joint Identification Signs.** May be illuminated but shall not flash, blink, fade, scroll or fluctuate and shall only be illuminated by a concealed or exposed light source.
7. **Animation of Joint Identification Signs.** Shall not be animated.

#### 26.68.110 Signs in zone districts J and K.

**A. General.** On premises signs may be erected or altered and reconstructed only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use and shall be clearly incidental, customary and commonly associated with the operation of the conforming use.

**B. Permitted Contents.** Identification by letter, numeral, symbol or design of the conforming use by name, use, hours of operation, services and products offered, events and prices of products and services.

**C. Permitted Sign Types.** Wall, window, roof, projecting, marquee ground and electronic message center signs, provided such electronic message center signs meet the following criteria;

1. The sign shall not flash, blink, fade, scroll, fluctuate or have animation and shall only be illuminated by a concealed or exposed light source.
2. Each message on the sign shall be displayed for a minimum of five (5) minutes.
3. The sign shall not be located within five hundred (500) feet of any premises used as a dwelling unit or zoned residential.
4. Only one (1) such sign shall be allowed and the electronic message center portion of such sign size shall not exceed ten (10) square feet per side and no letter or numeral on any sign shall exceed ten (10) inches by 14 (fourteen) inches in size. No sign shall have more than two sides.

**D. Permitted Maximum Sign Area.** The total area in square feet of all on premises signs on a sign frontage, except for free-standing signs shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
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Less than 100	4*
100—399	5
400 and over	6

\*Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of permanent signs.)

1. The distance of a sign on or under a canopy, marquee or awning from the center line of an abutting street shall be construed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.

2. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.

3. If a building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.

4. If the ground sign has two (2) faces the area of each face shall not exceed one hundred twenty-five (125) square feet; if a ground sign has more than two (2) faces the total of all faces shall not exceed one hundred fifty (150) square feet. A premise with a front line of two hundred fifty (250) feet or more may have two (2) ground signs.

5. Roof signs shall be limited to one (1) per building except in the case of a group of buildings under the same ownership, one (1) per building group.

#### E. Permitted Maximum Height.

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.

2. **Ground Signs.** Fifty (50) feet above grade.

3. **Roof Signs.** Including the supporting structures fifty percent (50%) of the building height on which they are erected but a maximum height of thirty-five (35) feet above roof line, or parapet wall if it is higher than the roof line. Further, there must be a clear space of no less than four (4) feet between the lowest part of the sign and the roof level, except for necessary structural support, if sign is over one hundred (100) square feet in size. If such clearance is necessary said sign cannot exceed thirty-nine (39) feet above roof line or parapet wall. If sign is less than one hundred (100) square feet no such clearance is necessary.

#### F. Permitted Location.

1. **Wall and Window Signs.** Set back from the boundary lines of the premises on which it is located, the same distance as a structure containing a conforming use provided, however, wall signs may project into the required setback space and permitted depth of the sign.

2. **Ground Signs.** Any location provided that the sign is at least three (3) feet from any boundary line of the premises on which the conforming use is located.

**G. Permitted Illumination.** May be illuminated but shall not flash, blink, fade, scroll or fluctuate and shall be illuminated by a concealed or exposed light source.

#### 26.68.120 Signs in zone districts I and L.

**A. General.** Signs may be erected, altered and maintained only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use and shall be clearly incidental, customary and commonly associated with the operation of the conforming use.

**B. Permitted Contents.** Identification by letter, numeral, symbol or design of the conforming use by name, use, hours of operation, services and products offered, events and prices of products and services.

**C. Permitted Sign Types.** Window signs; wall signs other than wall signs which are painted on the side of a building. Ground signs which denote names, entrances, exits, rates and hours of operation for parking lots. Projecting signs that comply with the provisions outlined in the definition section—Section 26.68.020(15)(a-e[RW4]).

**D. Permitted Maximum Sign Area.** The total area in square feet of all on premises signs on a sign frontage, except for freestanding signs, shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
Less than 100	3*
100—399	4
400 and over	5

\* Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of on-premises signs.

1. The distance of a sign on or under a canopy, marquee or awning from the center line of an abutting street shall be construed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.

2. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.

3. If the building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.

4. A parking lot ground sign in zone district I or L shall have no more than two (2) faces and the area of each face shall not exceed thirty (30) square feet.

**E. Permitted Maximum Height.**

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.

2. **Ground Signs.** Twenty (20) feet above grade.

**F. Permitted Location.**

1. **Wall and Window Signs.** Shall be set back from the boundary lines of the premises on which it is located, the same distance as a structure containing a conforming use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.

2. **Ground Signs.** Any location.

**G. Permitted Illumination.** May be illuminated by a concealed or exposed source but shall not flash, blink, fade, scroll or fluctuate.

**H. Animation.** Shall not be animated.

**26.68.130 Outdoor general advertising devices.**

**A. Prohibited.** The erection and maintenance of outdoor general advertising devices (device) are non-conforming and prohibited in all districts except as may be allowed pursuant to the provisions of this chapter.

**B. Nonconforming.** Any device lawfully existing prior to March 11, 1988, or prior to the effective date of this ordinance, but could not be erected in accordance with the provisions herein shall be deemed nonconforming, but may continue in accordance with the following conditions.

1. **Destruction, Damage or Obsolescence.** The right to maintain any non-conforming device shall terminate and

shall cease to exist whenever the device is damaged over 60% of its value or destroyed, from any cause whatsoever, or became obsolete or substandard under any ordinance regulating such devices to the extent that the device becomes a hazard or a danger.

## 2. Changes.

a. **Message.** The message of the device may be changed or modified without a permit, subject to all other provisions herein, provided the area of the device is not enlarged, the height or depth of the sign increased or any portion of the device structurally altered.

b. **Maintenance.** Permits shall be obtained pursuant to applicable City ordinance(s) for any alterations (other than changing or modifying the message), electrical work or repairs.

c. **Damage.** Any device that is damaged in excess of 60% of the device shall be deemed unlawful and shall be immediately removed. If the device is not damaged more than 60%, then it may be maintained and repaired pursuant to the maintenance provisions above.

3. **Ownership.** There may be a change in tenancy, ownership or management of a nonconforming device provided there is no change in the area or height of such device.

4. **By Discontinuation.** Discontinuation of a device shall mean the absence of any commercial advertisement or public information message and the discontinuation of any device for a period of sixty days or more regardless of any intent to resume or not to abandon such use or device shall be considered abandonment of use and that device for rent is not considered a continued use under this subsection.

5. **By Relocation.** Unless it is a device under a settlement agreement with the City of St. Louis, any device that is moved or relocated for any reason for any distance whatever, shall become an unlawful device and shall be removed immediately. Devices that are subject to the terms of a settlement agreement with the City of St. Louis may be relocated pursuant to the terms of the agreement and if the relocation site is a conforming site with the State of Missouri as of March 15, 2011.

6. **By Violation of Law.** Any violation of ordinance, state or federal statute shall terminate immediately the right to maintain such device.

7. **Replacement.** A nonconforming device may be replaced with a permit if the replacement device is at the exact same location, of the same kind/type of device, operates in the same manner, has no greater area, no greater height, and has the same or less number of faces than the existing nonconforming device. This provision shall not apply to devices that have been discontinued, per §26.68.130(B)(4) of the City of St. Louis Revised Code, and those discontinued devices shall be removed and shall not be replaced.

8. **Removal.** Any device that loses its nonconforming status shall be removed within seven (7) days of such loss of nonconforming status by the owner of the device or the owner of the property on which the device is located. If the device is not removed within said seven (7) days, the Building Commission may remove said device and charge the owner of the device for said removal and the City of St. Louis may also place a lien on the property on which the device is located.

## C. Exemptions.

The following devices are hereby exempted from the provisions of this chapter:

1. All on-premises signs;
2. Repealed.
3. Repealed.
4. Notice of any judicial or public proceeding posted by public officers or employees in the performance of their duties pursuant to laws, ordinances, orders of the court, regulations, policies and procedures;
5. Repealed.

- 6. Signs required or specifically authorized for a public purpose by a law, statute, regulation or ordinance;
- 7. Signs of government, public utility, public service, railroad companies, or their contractors which aid safety, indicate installations or repairs, or which show the location of underground facilities[RW5];
- 8. Devices that encroach the public right-of-way that have been lawfully erected;
- 9. Repealed;
- 10. Pursuant to Sections 226.500 to 226.600, RSMo., Cum. Supp. 1993, any lawfully erected or proposed device located within six hundred sixty feet of the nearest edge of the right-of-way of any interstate or primary highway in areas zoned commercial or industrial subject to the following regulations which are consistent with said Missouri statutes and customary use in the City of St. Louis:

- a. The City of St. Louis shall not issue a permit to allow a device to be newly erected without having the requisite permit issued by the Missouri Highways and Transportation Commission,

- b. Lighting;

- i. No revolving or rotating beam or beacon of light that simulates an emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date, or temperature, or similar information, will be allowed; trivision, electronic, digital, projection or other changeable message signs or devices shall not be allowed, except as provided herein;

- ii. The lighting on an outdoor general advertising device shall not exceed the level of 0.3 footcandles over ambient lighting levels using a footcandle meter at a preset distance based on sign size as follows:

<u>Billboard Dimension</u>	<u>Measurement Distance</u>
11x 22	150'
10.5' x 36'	200'
14' X 48	250'
20' X 60	350'

If the state or federal government adopts more restrictive lighting standards then the more restrictive regulations shall apply;

- iii. Signs or devices may not have message surfaces made entirely or partly of light emitting diodes (LEDs) or similar lighting technology. Any sign or general outdoor advertising device with one or more LED message surfaces, trivision display or projection display that was permitted prior to April 16, 2010, shall be considered a nonconforming general outdoor advertising device and shall be allowed to continue in operation and be maintained in accordance with the provisions herein.

- iv. External lighting, such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign or device and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or federal-aid primary highway and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle; provided the light source is effectively shielded so as to prevent beams or rays of light from shining onto any lot which is used or zoned residential,

- v. No sign or device shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal,

- vi. No sign or device shall emit scent, odor, amplified sound, noise, radio frequencies or visible matter with the exception of light.

- vii. No sign or device shall use interactive technology that allows electronic communications with the viewers of the sign except for communication necessary for repairs.

viii. The duration of each message on changeable message devices shall be no less than eight (8) seconds. If the state or federal government adopts more restrictive duration standards then the more restrictive regulations shall apply.

**c. Size of Signs/Devices.**

i. The maximum area per face for any one sign shall be one thousand two hundred square feet, inclusive of border and trim but excluding the base of apron, supports, and other structural members,

ii. The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, or in V-type construction with not more than one display to each facing,

iii. The maximum height of any sign shall be no more than thirty-five feet from the highest point on the device to the grade of the highway from which the sign is intended to be read,

**d. Spacing and Location of Signs.**

i. No sign structure shall be erected within five hundred feet of an existing sign on the same side of the highway,

ii. No sign structure shall be erected within three hundred feet of any lot which is used or zoned residential, nor shall any sign structure be located:

a. Within fifty feet of any property line of the lot on which the sign structure is located,

b. Within thirty feet from the nearest building,

c. Within one hundred feet of any on-premise sign,

d. In or within 300 feet of any park, playground, school, library, hospital, church, historic district, landmark, an area on the National Register of Historic Places or the Jefferson Memorial District,

e. The spacing between structure provisions of subsection (10)(d)(i) of this section do not apply to signs which are separated by buildings, natural surroundings, or other obstructions in such manner that only one sign facing located within such distance is visible at any one time. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or those which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions,

f. No sign shall be located in such manner as to obstruct or otherwise physically interfere with effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic,

g. The measurements in this section shall be the minimum distances between outdoor advertising sign structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to outdoor advertising sign structures located on the same side of the highway involved,

h. No sign shall be located adjacent to or within five hundred feet of an interchange, intersection at grade, or safety rest area. Such distances shall be measured from beginning or ending of the pavement widening at the exit from or entrance to the main traveled way,

i. No sign shall be located on the roof of a building or non-sign structure.

11. Signs located within the redevelopment project area established pursuant to Ordinance No. 65668, approved October 18, 2002.

**26.68.135 Prohibited use of signs.**

It shall be unlawful to allow any sign to fall into non-use by failing to display a message or public information message for a period of sixty (60) days or more. If any such sign shall fall into such non-use its removal and dismantling shall be ordered by the Building Commissioner of the City whether or not said sign is a nonconforming sign. Failure to obey the Building Commissioner's said order by removal of said sign or by renewing the use of said sign by placement of a new advertising message or public information message within seven (7) days of receipt of said order shall be unlawful and shall subject the owner of said sign to a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00) for each week subsequent to such order which passes without compliance with said order.

**26.68.140 Signs for and by nonconforming use in all zone districts.**

**A. General.** Signs may be erected, altered and maintained for and by a nonconforming use in any zone district under the following restrictions:

1. **Nonconforming Uses in Zone Districts A and B.** Signs may be erected, altered and maintained for and by a nonconforming use in zone districts A and B subject to all of the restrictions concerning signs for and by conforming uses in zone districts A, B, C, D and E as set out herein above in Section 26.68.080.

2. **Nonconforming Uses in Zone Districts C, D and E.** Signs may be erected, altered and maintained for and by a nonconforming use in zone districts C, D and E subject to all of the restrictions concerning signs for and by conforming uses in zone districts C, D and E as set out herein above in Section 26.68.080.

3. **Nonconforming Uses in Zone District F Local Business.** Signs may be erected, altered and maintained for and by a nonconforming use in zone district F subject to all of the restrictions concerning signs for and by conforming uses in zone district F as set out herein above in Section 26.68.090.

4. **Nonconforming Uses in Zone Districts G and H.** Signs may be erected, altered and maintained for and by a nonconforming use in zone districts G and H subject to all of the restrictions concerning signs for and by conforming uses in zone districts G and H as set out herein above in Section 26.68.100.

5. **Nonconforming Uses in Zone Districts I, J, K and L.** Signs may be erected, altered and maintained for and by a nonconforming use in zone districts I, J, K and L subject to all of the restrictions concerning signs for and by conforming uses in zone districts I, J, K and L as set out herein above in Sections 26.68.110 and 26.68.120.

**26.68.150 Nonconforming signs.**

**A. Declaration of Public Policy.** A nonconforming sign may be maintained and repaired. If reconstructed (not meaning to restyle or reword), the sign must conform to the regulations in the district in which it is located.

**B. Definition of Nonconforming Signs.** A nonconforming sign shall be any sign which:

1. On the effective date of this ordinance was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior zoning ordinance but which sign does not conform to the limitations established by this ordinance in the district in which the sign is located; or

2. On or after the effective date of this ordinance was lawfully maintained and erected in accordance with the provisions of this ordinance but which sign, by reason of amendment to this ordinance after the effective date thereof does not conform to the limitations established by the amendment to this ordinance in which the sign is located.

3. **Continuance of Nonconforming Signs.** Subject to the termination hereinafter provided, any nonconforming sign may be continued in operation and maintained after the effective date of this ordinance; provided, however, that no such sign shall be changed in any manner that increases the noncompliance of such sign with the provisions of this ordinance established for signs in the district in which the sign is located; and, provided, further that the burden of establishing a sign to be nonconforming under this Section rests entirely upon the person or persons, firm or corporation claiming a nonconforming status for a sign.

**4. Termination of Nonconforming Signs.**

a. **By Abandonment.** Abandonment of a nonconforming sign shall terminate immediately the right to maintain such sign.

b. By Violation of the Title. Any violation of this title shall terminate immediately the right to maintain a nonconforming sign.

c. By Destruction, Damage or Obsolescence. The right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the sign is damaged over sixty percent (60%) of its value or destroyed, from any cause whatsoever, or becomes obsolete or substandard under any applicable ordinance of the municipality to the extent that the sign becomes a hazard or a danger.

#### 26.68.160 Signs in chapter 353 development plans, in signage overlay plan districts and signs with special provisions.

##### A. Chapter 353 Development Plans.

Any urban redevelopment corporation ("Developer") formed, existing and in good standing under Chapter 353 of the Revised Statutes of Missouri that has obtained approval by ordinance adopted by the Board of Aldermen for the City for a development plan ("Development Plan") in accordance with Chapter 11.06 of the Revised Code of the City of St. Louis may, with respect to the area described in the Development Plan ("Development Area") promulgate uniform sign standards for the development area with respect to the placement, location, size, type and appearance of signs erected or caused to be erected and placed by or on behalf of the Developer in connection with its redevelopment activities in the development area including access within the public right-of-way. Such uniform sign standards and any amendments thereto shall be immediately effective upon the approval of such standards by resolution of the Board of Aldermen and shall terminate upon expiration of the agreement approved and authorized by the ordinance approving the Development Plan, as amended or modified; provided, however, that prior to the adoption of any such resolution by the Board of Aldermen, any such standards shall have been reviewed and favorably recommended by the Planning Commission which may delegate said review to the Director of the Planning & Urban Design Agency; and provided further that no authority is given to any Developer to regulate or restrict the placement, location, size, type or appearance of signs indicating that any real estate is "for sale" or "for lease"; and provided further that no authority is given to any Developer to regulate, restrict placement, location, size, type or appearance of signs as set forth and provided in Section 26.68.130.

##### B. Signage Plan Overlay Districts.

1. A Signage Plan Overlay District may be created by Ordinance to promulgate uniform sign standards for a designated district allowing for flexibility in the size, height, type, placement and number of allowed signs. A Signage Plan District provides a means for defining common sign regulations for unique areas of the City, to encourage a creative incentive and latitude in the design and display of signs for the Signage Plan Overlay District.

2. An applicant may apply for the establishment of a Signage Plan Overlay District for any property or project area zoned "F" Neighborhood Commercial District or higher with a minimum of two (2) acres of area and in accordance with other regulations to be established by the Planning Commission.

3. A Signage Plan Overlay District may be approved by Ordinance by the Board of Aldermen of the City of St. Louis after a recommendation from the Planning Commission.

4. Notwithstanding the foregoing, any redevelopment project area established pursuant to Ordinance No. 65668, approved October 18, 2002, shall hereby be deemed to be a Signage Plan Overlay District, provided that the developer(s) designated for such redevelopment project area promulgate(s) uniform sign standards with respect to the placement, location, size, height, type and number of signs within such redevelopment area. Such uniform sign standards and any amendments thereto shall be immediately effective upon approval by resolution of the Board of Aldermen.

##### C. Kiel Center Arena – Special Provisions.

Notwithstanding the provision of Ordinance 60704, approved March 11, 1988, Ordinance 60364, approved June 18, 1987, Ordinance 62121, approved December 17, 1990, the zoning code of the City of St. Louis, a building sign including off-premise outdoor advertising may be erected, maintained and operated on the new Kiel Center Arena located in City Blocks 209 and 210 south subject to the following conditions:

1. Said device shall display no more than five logo signs; and
2. Said device may contain any information or advertising and an electronic message board; and
3. Said device may be either a wall or window type; and

4. Said device may be installed no less than two hundred feet from any other off-premise outdoor general advertising device on the same side of the highway existing at the time of the erection; and

5. Said device may not exceed (a) two hundred feet in length, (b) ten feet in height, and (c) sixty-five feet above grade on Clark Avenue as measured to the bottom of the device.

Except as herein provided, the device shall be subject to all other provisions of the ordinances of the City of St. Louis.

**26.68.170 Prohibited signs.**

Any sign not specifically permitted by this title shall be deemed prohibited. These prohibited signs include, but are not limited to the following:

A. Signs which emit any odor, noise, amplified sound, radio frequencies or visible matter, other than light.

**26.68.175 Board-up signage prohibited.**

A. The application, by stencil or other similar means, of any words, letters, numbers, or graphic advertising designs on the plywood or other material used to secure openings in vacant or occupied buildings is prohibited.

B. The City of St. Louis and the Land Reutilization Authority shall be exempt from the provisions of this section.

C. **Penalty for Violation.** Any person violating the provisions of this ordinance shall, upon conviction, be punished by a fine of not more than five hundred dollars, or by imprisonment of not more than ninety days, or by both fine and imprisonment.

**26.68.180 Removal of signs within or on public right-of-way or easement.**

A. No person, partnership, corporation or organization shall place, erect, attach or set up a prohibited sign, as defined in Chapter 26.68 of the Revised Code, within or on a public right-of-way or a public easement.

B. The Refuse Commissioner is hereby authorized to remove and dispose of any signs which are placed within or on a public right-of-way or a public easement and which are specifically prohibited by Chapter 26.68 of the Revised Code.

C. **Penalty for Violation.** Any person violating the provisions of this chapter shall be subject to a fine of not more than five hundred dollars or by imprisonment of not more than ninety days, or by both fine and imprisonment.

**26.68.190 Substitution clause.**

Any device, display, or sign allowed under this Ordinance may contain in lieu of any other copy, any otherwise lawful noncommercial message including any political message, that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this Ordinance.

**SECTION FIVE. Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION SIX. Savings clause.**

Any act done or right vested or accrued, or any proceeding, suit or prosecution had or commenced in any cause before the effective date of the ordinance codified in this title shall not be affected by this title; but every act done, or right vested or accrued, or proceeding, suit or prosecution had or commenced shall remain in full force and effect to all intents and purposes as if prior law had remained in full force and effect. No offense committed and no liability or penalty incurred prior to the effective date of said ordinance, shall be discharged or affected by this title; but prosecutions and suits for such offenses, liabilities or penalties shall be instituted and proceeds with in all respects as if this ordinance had not taken effect.

**SECTION SEVEN. Emergency Clause.** The passage of this ordinance being deemed necessary for immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist within the meaning of Section 20 of Article IV of the

Charter, and this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

**Approved: July 18, 2012**

**ORDINANCE #69199**  
**Board Bill No. 79**

An Ordinance recommended by the Planning Commission pertaining to form-based districts, creating a new zoning overlay district in the Zoning Code, Chapter 26.82, to be designated as Form-Based Districts, providing a purpose, definitions, criteria for formation, minimum requirements, optional regulatory subjects, procedures for approval, procedures for amending and administering districts; amending Section Three of Ordinance 69084, relating to fees for zoning services provided by the Zoning Section of the Building Division, by adding a fee of five hundred dollars (\$500) for the application to establish a form-based district; and containing a severability clause and an emergency clause.

**WHEREAS**, the City's Strategic Land Use Plan (hereafter "Plan") was adopted by the Planning Commission on January 5, 2005 as a guide for future activities which will occur over a long period of time at the initiative of neighborhood residents and City businesses and in response to interest from developers; and

**WHEREAS**, the Plan is intended to improve the quality of life for those who live and work in the City by encouraging appropriate types of development and preservation in clearly defined areas; and

**WHEREAS**, the Plan is intended to be the basis for additional planning and development initiatives, including detailed neighborhood-level plans and tailored rezonings; and

**WHEREAS**, the Plan acknowledged that existing zoning designations are continually problematic in the City and anticipated that, upon the adoption of the Plan, zoning designations would be modified to conform to the Plan and "overlay districts" might be developed and adopted that are specific to the character of individual neighborhoods and development areas; and

**WHEREAS**, form-based zoning has been identified as a viable option or supplement to conventional zoning (the primary distinction being a focus on physical form -- rather than land uses); and

**WHEREAS**, the City has established the benefits of historic districts that identify areas in the City with character to be encouraged through means identified in City ordinances in order to promote the general welfare of and improve the quality of life in the City; and

**WHEREAS**, the use of redevelopment plans and architectural standards adopted by City ordinance that establish controls over exterior architectural features in City historic districts have demonstrated effectiveness in retaining character and sense of place, stabilizing property values, and strengthening investment in distinctive portions of the City; and

**WHEREAS**, the architectural standards adopted for historic districts regulate new construction in terms of setback and siting, scale, height, materials, and the articulation of public facades, the type of regulation proposed in the Building Envelope Standards and Building Development Standards components of form-based zoning implementation would be comparable to the type of character-defining regulation of new construction that has existed and proven effective in the City's historic districts.

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

**SECTION ONE. Purpose.** The purpose for the creation of a Form-Based District as a zoning overlay district shall be to encourage sustainable growth and to establish areas of a particular desired scale and siting relationships. The Form-Based Districts will promote the health, safety, morals or general welfare of the community by effectively regulating improvements and enhancing the vibrancy and atmosphere of a neighborhood or a commercial corridor by providing a cohesive urban form and character. A Form-Based District is designed to assist in the implementation of the Strategic Land Use Plan, as well as planning and development initiatives, such as detailed neighborhood-level plans and commercial district plans and development projects. A Form-Based District is also intended to reinforce the character of existing City historic districts and not purposely alter the character of any existing National Register historic district.

**SECTION TWO. Definitions.** For purposes of this chapter, the following terms, phrasing, words and their deviations shall have the meaning given herein. Any term not herein defined shall be construed as defined in Chapter 26.08 of the Zoning Code.

- a. "Architectural Standards" – Regulations controlling external architectural materials and quality.

- b. “Building Development Standards” - Regulations regarding building types, frontage types and architectural standards.
- c. “Building Envelope Standards” - Regulations controlling the configuration, features, and functions of buildings.
- d. “Building Type” – A structure defined by the combination of configuration and placement (e.g., detached single-family dwelling, rowhouse).
- e. “Build-To Line” – A line parallel to the property line where the facade of a building is required to be located.
- f. “Frontage Type” – The architectural element of a building between the public right-of-way and the building located on the abutting private property (e.g., porch, balcony).
- g. “Regulating Plan” – A plan or map of the regulated area designating the locations (also referred to as zones) where different building envelope standards apply.
- h. “Sustainability Standards” – Regulations controlling issues such as stormwater drainage and infiltration, tree protection and solar access.
- i. “Thoroughfare Standards” – Regulations regarding the design of different types of thoroughfares (e.g., pavement width, number and width of traffic lanes, bicycle lanes and parking lanes, landscape type and sidewalks).
- j. “Zoning Overlay District” – A designation for a physical area with mapped boundaries that are superimposed over the City’s official Zoning District Map’s underlying zoning districts and text detailing requirements that are either added to, or in place of, those underlying zoning districts’ regulations.

**SECTION THREE. Criteria.** Only those areas that meet the following criteria shall be eligible to become a Form-Based District.

- a. A minimum geographic area consisting of at least 15 contiguous acres. Land may be under common or multiple ownership.
- b. Identification and documentation of a specific attribute or rationale of form-based zoning that would help the area to develop into its full potential and that is currently unavailable in the City’s existing Zoning Code.

In addition, a Form-Based District shall document that the proposed area exhibits at least one of the following characteristics:

- a. An area that is experiencing inappropriate development (e.g., development of automobile-oriented commercial uses along a traditional neighborhood commercial street).
- b. An area that is expecting or experiencing significant change in terms of development activity (e.g., an area primarily consisting of vacant land and vacant buildings for which a substantial development is proposed).
- c. A desire to encourage a transformation of an area or to make general improvements to an area (e.g., a focus on transit-oriented development or a more pedestrian- and bicyclist-friendly environment).

**SECTION FOUR. Minimum Requirements.** No Form-Based District shall be approved unless at minimum it contains the following items:

- a. A Regulating Plan in graphic form, as specified by the Planning Commission, which designates a specific classification (Building Envelope Standards) for every parcel in the Form-Based District. The Regulating Plan shall include one or more zones where different Building Envelope Standards apply.
- b. Building Envelope Standards that include graphics that clearly indicate for each classification of property allowable encroachments, build-to lines, setbacks, building forms, building heights, building types and parking.
- c. An indication as to how the proposed Regulating Plan, Building Envelope Standards and Building Development Standards would be reconciled with any applicable existing historic district standards for City historic

districts adopted by ordinance.

- d. A written statement of purpose outlining the goals and objectives for the Form-Based District.
- e. Identification of the area for which the Form-Based District will apply, including a generalized metes and bounds legal description of the area.
- f. Documentation of a planning process that was used to establish the plan or vision for the Form-Based District.
- g. Documentation of adequate public participation during the planning process.
- h. Support of the alderman or aldermen representing the proposed area.
- i. Documentation of meeting the required criteria listed in Section Three.
- j. Additional information as needed to ensure the proposed Form-Based District contains sufficient material for adequate review by the Planning Commission.

**SECTION FIVE. Optional Regulatory Subjects.** In addition to the minimum requirements, a Form-Based District may also include Building Development Standards, use regulations, provisions that address non-conforming uses (which may include reducing the time period for discontinuing a non-conforming use to a period of time not less than thirty days), thoroughfare standards, sustainability standards, signage regulations, and any other regulations that would promote the goals of the Form-Based District. A Form-Based District will only serve as an overlay code on the subject matters specified in each Form-Based District and regulatory subjects not included in a Form-Based District will continue to be regulated by the existing Zoning Code.

**SECTION SIX. Procedures for Approval of a Form-Based District.** A Form-Based District is established by ordinance initiated by one of the following two procedures -- initiation by the Planning Commission or a formal application process by an applicant.

- a. The Planning Commission may on its own initiative propose the enactment of a Form-Based District for any portion of the City of St. Louis.
- b. Prior to the filing of an application for approval of a Form-Based District with the Planning Commission, the applicant shall schedule a pre-application meeting with the City's Director of Planning and the Zoning Administrator. The purpose of the meeting is to allow the Director of Planning and the Zoning Administrator to inform the applicant of all applicable ordinances, rules, regulations, plans, existing historic districts, policies, standards and procedures that may affect the applicant's planning and development initiative. This consultation would also allow the applicant to present a general concept of the proposed planning and development initiative prior to the preparation of any detailed plans and associated development standards. The applicant shall submit at the pre-application meeting a preliminary application, which shall include the following information:
  - i. Identification of the applicant and contact person, as well as contact information;
  - ii. Preliminary identification of the Form-Based District's boundaries;
  - iii. A preliminary written statement of purpose outlining the applicant's intentions for the Form-Based District;
  - iv. Conceptual-level sketch plans and ideas regarding proposed uses, building forms and densities;
  - v. Identification of professional planners, architects or others working on the plan;
  - vi. A plan for public participation in the planning process;
  - vii. Support from the alderman or aldermen representing the proposed area;
  - viii. Preliminary documentation that the area meets the required criteria listed in Section Three; and

- ix.. Any additional information as determined by the Director of Planning and the Zoning Administrator;
- c. After meeting with the Director of Planning and the Zoning Administrator, an applicant may prepare its application on a form to be provided by the Zoning Administrator. The applicant may submit to the Planning Commission its application for the proposed Form-Based District, as defined in Sections Four and Five, along with a non-refundable application fee, payable in cash, check or money order to "City of St. Louis", as provided for under the Fee Schedule in Chapter 26.98 of the Zoning Code, for those proposed Form-Based Districts following a formal application process. The Planning Commission shall have ninety (90) days from the time of submittal to approve or disapprove the Form-Based District. Upon receipt of the recommendation of the Planning Commission or the expiration of ninety (90) days from the date of first filing such application, an ordinance may be enacted into law pursuant to the provisions of Chapter 26.92 of the Revised Code of the City of St. Louis prescribing procedures for amendments or changes to the boundaries or regulations in the zoning laws of the City of St. Louis.

**SECTION SEVEN. Amendments.** Any amendment or change in the boundaries or regulations of an established Form-Based District shall follow the procedures under Chapter 26.92 of the Zoning Code.

**SECTION EIGHT. Administration of Form-Based Districts.** An approved Form-Based District is intended to exist as a zoning overlay district with the City's existing Zoning Code. The overlay district shall represent and be depicted as a mapped geographic area on the City's official Zoning District Map. The overlay district may be applied over any zoning district and may encompass one or more zoning districts. Upon approval of an ordinance establishing a specific Form-Based District:

- a. Administration of the Form-Based District shall be conducted by the office of the Zoning Administrator. The Building Commissioner may, with the approval of the Director of Public Safety, appoint one (1) or more additional members of his department, as well as members of other City departments who have a particular skill or competence to act for the Zoning Administrator. The term "Zoning Administrator" as elsewhere used in this zoning ordinance shall be deemed to include such appointees.
- b. Minor waivers regarding an established Form-Based District may be granted or denied by the Zoning Administrator, as referenced in Section 26.88.020.I.1.-7. of the Zoning Code.
- c. Appeals regarding a Form-Based District shall be heard by the Board of Adjustment.

**SECTION NINE.** Section Three of Ordinance 69084 is hereby amended to include a form-based district application fee of five hundred dollars (\$500) for each application.

**SECTION TEN. Severability Clause.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION ELEVEN. Emergency Clause.** The passage of this ordinance being deemed necessary for immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist within the meaning of Section 20 of Article IV of the Charter, and this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

**Approved: July 18, 2012**

**ORDINANCE #69200  
Board Bill No. 93**

AN ORDINANCE AMENDING ORDINANCE NO. 68874 PERTAINING TO THE ISSUANCE AND DELIVERY OF TAX INCREMENT REVENUE NOTES FOR THE GRAND CENTER REDEVELOPMENT PROJECT AND AUTHORIZING A THIRD SUPPLEMENTAL TRUST INDENTURE RELATING THERETO; PRESCRIBING OTHER MATTERS RELATING THERETO; AND CONTAINING A SEVERABILITY CLAUSE AND AN EMERGENCY CLAUSE.

**WHEREAS,** the City is authorized and empowered under the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, inclusive, of the Revised Statutes of Missouri, as amended (the "Act" or the "TIF Act"), to issue bonds, notes or other obligations for the purpose of providing funds to finance the costs of certain redevelopment projects and to pay certain costs related to the issuance of such bonds, notes or other obligations; and

**WHEREAS**, the Mayor (the “**Mayor**”) approved Ordinance No. 65703 on December 2, 2002, which (i) designated a Redevelopment Area known as the Grand Center Redevelopment Area, as further described in Exhibit A attached thereto (the “**Redevelopment Area**”), (ii) approved a plan for redevelopment titled “Tax Increment Blighting Analysis and Redevelopment Plan” dated August 2, 2002, as amended (as may be further amended, the “**Redevelopment Plan**”), (iii) approved a series of Redevelopment Projects (collectively, the “**Redevelopment Projects**”) with respect thereto, (iv) adopted tax increment financing for the Redevelopment Area, and (v) established the Special Allocation Fund (as defined in the Redevelopment Plan); and

**WHEREAS**, Grand Center, Inc., a Missouri nonprofit corporation (the “**Developer**”), in response to the solicitation of proposals for redevelopment of the Redevelopment Area, submitted its proposal dated June 28, 2002 (the “**Redevelopment Proposal**”); and

**WHEREAS**, pursuant to Ordinance No. 65857, approved by the Mayor on February 25, 2003, the Board of Aldermen (the “**Board of Aldermen**”) (i) affirmed the approval and adoption of the Redevelopment Plan, Redevelopment Projects and the designation of the Redevelopment Area, and (ii) authorized the City to enter into the Redevelopment Agreement dated April 24, 2003 (as amended from time to time, the “**Redevelopment Agreement**”) between the City and the Developer, whereby the Developer agreed to carry out the Redevelopment Plan with respect to the Redevelopment Area; and

**WHEREAS**, on March 22, 2006, the Mayor approved Ordinance No. 67060, which authorized the issuance of certain tax increment revenue notes for the purposes of financing implementation of the Redevelopment Plan pursuant to a Trust Indenture dated as of November 1, 2006 (as amended by the hereinafter defined First Original Supplement, the “**Original Indenture**”) between the City and UMB Bank, N.A., as trustee (the “**Trustee**”); and

**WHEREAS**, on November 24, 2008, the Mayor approved Ordinance No. 68180, which authorized the First Supplemental Trust Indenture dated as of November 26, 2008 between the City and the Trustee (the “**First Original Supplement**”); and

**WHEREAS**, on February 22, 2011, the Board of Aldermen adopted Ordinance No. 68874, which authorized the Amended and Restated Trust Indenture dated as of June 1, 2011 between the City and the Trustee (as amended by the hereinafter defined First Supplement and Second Supplement, the “**Indenture**”), which amended and restated the Original Indenture; and

**WHEREAS**, pursuant to the Indenture, the City and the Trustee entered into and executed the First Supplemental Trust Indenture dated as of December 1, 2011 (the “**First Supplement**”); and

**WHEREAS**, pursuant to the Indenture, the City and the Trustee entered into and executed the Second Supplemental Trust Indenture dated as of [May 1,] 2012 (the “**Second Supplement**”); and

**WHEREAS**, the City now desires to amend the Indenture by entering into a Third Supplemental Trust Indenture between the City and the Trustee (the “**Third Supplemental Indenture**”), which authorizes the issuance of certain Tax-Exempt Tax Increment Revenue Notes, Excluded Project Series 2012B (Sweetie Pie’s Restaurant & Banquet Center Project) (the “**Excluded Project Series 2012B Notes**”); and

**WHEREAS**, Section 208(c)(7) of the Indenture requires, as a condition precedent to the issuance of the Excluded Project Series 2012B Notes, a copy of an ordinance approving the issuance of the Excluded Project Series 2012B Notes and authorizing the execution and delivery of the Supplemental Indenture relating thereto be delivered to the Trustee; and

**WHEREAS**, it is hereby found and determined that it is necessary and advisable and in the best interest of the City and of its inhabitants to enact this Ordinance to amend Ordinance No. 68874 in order to authorize the issuance and delivery of the Excluded Project Series 2012B Notes, to be issued and secured pursuant to the terms of the Indenture and the Third Supplemental Indenture.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. LOUIS, MISSOURI AS FOLLOWS:**

**SECTION ONE.** Authority and Direction to Execute and Deliver the Excluded Project Series 2012B Notes and the Third Supplemental Indenture. The City hereby authorizes and directs the Mayor and the Comptroller of the City to execute and deliver the Excluded Project Series 2012B Notes and the Third Supplemental Indenture in forms that are consistent with the provisions of this Ordinance, as such documents are approved by the Mayor and the Comptroller with the advice of the City’s financial advisor and as are approved as to form by the City Counselor, with the respective signatures of such officials thereon to be evidence of the approval of the City; and the Register of the City is hereby authorized and directed to affix the corporate seal of the City to the Excluded Project Series 2012B Notes and the Third Supplemental Indenture and to attest the same.

**SECTION TWO.** Issuance of the Notes. The Board of Aldermen hereby finds and determines that it is necessary and advisable and in the best interest of the City and of its inhabitants to issue its Excluded Project Series 2012B Notes, as permitted by the TIF Act and in accordance with the terms of the Indenture and the Third Supplemental Indenture. The Excluded Project Series 2012B Notes shall bear a fixed rate of interest of not more than 10% per annum. The terms and provisions of the Excluded Project Series 2012B Notes shall be as provided in the Third Supplemental Indenture.

**SECTION THREE.** Further Authority. The Mayor, the Comptroller, the Register, and other appropriate officials, agents, and employees of the City are hereby authorized to take such further actions and execute such other documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance, and to carry out, comply with and perform the duties of the City with respect to the Excluded Project Series 2012B Notes and the Third Supplemental Indenture.

**SECTION FOUR.** Severability. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

**SECTION FIVE.** Governing Law. This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

**Approved: July 18, 2012**