

ORDINANCE #65287
Board Bill No. 120
Floor Substitute

An ordinance pertaining to public nuisances, amending Section Fourteen of Ordinance 64693, allowing the Comptroller to issue a special assessment to recover the cost of any demolition or repair required to abate a public nuisance prior to the occurrence of such action by placing a lien against the property and containing an emergency clause.

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

SECTION ONE. Section Fourteen of Ordinance 64693 is hereby amended as follows:

Section Fourteen. The City may seek to recover the cost of any demolition or repair required to abate a public nuisance prior to the occurrence of such action. Upon issuance of an order by the Building Commissioner that a public safety nuisance exists and that building or structure must be demolished or repaired in order to abate the nuisance, then the Building Commissioner may solicit no less than two independent bids for such demolition or repair work, as set forth in the abatement order of the Building Commissioner, provided that the owner of the property in questions has been given the opportunity to contest such order. The amount of the lowest bid, including offset for salvage value, if any, plus reasonable anticipated costs of collection, including attorneys' fees, shall be certified to the Comptroller who shall cause a special assessment to be issued **and recorded** against the property to be prepared and collected by the Collector of Revenue. The Comptroller shall discharge the special assessment upon documentation by the property owner of the completion of the ordered repair or demolition work. Upon determination by the Comptroller that a public benefit is secured prior to payment of the special assessment, the Comptroller may conditionally discharge the special assessment upon the execution of a written document providing that upon the completion of the public benefit the special assessment shall be finally discharged. The payment of the special assessment shall be held in an interest-bearing account. Upon full payment of the special assessment, the Building Commissioner shall, within one hundred twenty days thereafter, cause the ordered work to be completed, and certify the actual costs thereof, including the cost of special assessment collection and attorneys' fees, to the Comptroller who shall, if the actual cost differs from the paid amount by greater than two percent of the paid amount, refund the excess payment, if any, to the payor, or if the actual amount is greater, cause a special assessment or assessment for the difference against the property to be prepared and collected by the Collector of Revenue. If the Building Commissioner shall not, within one hundred twenty days after full payment, cause the ordered work to be completed, then the full amount of the payment, plus interest, shall be repaid to the payor. At the request of the taxpayer the special assessment for the difference may be paid in installments over a period of not more than ten years. The special assessment for the difference from the date of its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid.

SECTION TWO. 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 meaning 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: October 8, 2001