

ORDINANCE #65646
Board Bill No. 167

An Ordinance pertaining to asbestos inspectors and asbestos abatement contractors, repealing Ordinance 65442 requiring both asbestos inspectors and asbestos abatement contractors to obtain permits, providing for suspensions and revocations of said permits, providing for appeals from suspensions and revocations, and enacting in lieu thereof a new ordinance pertaining to the same subject matter and containing a penalty clause and an emergency clause.

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

SECTION ONE. Ordinance 65442 is hereby repealed and enacted in lieu thereof is an ordinance which shall read as follows.

SECTION TWO. No person, firm or corporation shall conduct any asbestos inspection or abatement without obtaining a permit from the Health Commissioner of the City of St. Louis. There shall be no charge for the permit.

SECTION THREE. No permit shall be issued pursuant to this ordinance to any person, firm or corporation that does not have a valid certification as an asbestos inspector or asbestos abatement contractor issued by the state and a city business license.

SECTION FOUR. All asbestos contractors shall provide a notification to, by means of guidelines established by, the Health Commissioner of any amount of regulated asbestos containing material (RACM) of at least 160 square feet or 260 linear feet or 35 cubic feet not less than 10 days prior to abatement. Each notification shall be based upon an inspection by an asbestos inspector.

SECTION FIVE. All asbestos abatement contractors prior to engaging in asbestos abatement projects shall:

(1) Use only those individuals that have been certified or trained in accordance with sections 643.225 to 643.250 of the Revised Statutes of Missouri, and

(2) Comply with Asbestos, NESHAP, and AHERA rules in (Code of Federal Regulations) 29 CFR 1926.1101, 40 CFR PART 61, and 40 CFR PART 763; the standards for worker protection promulgated by the United States Occupational and Health Administration in 29 CFR 1910.1001, 1910.1200, and 1926.58; the provisions of sections 643.225 to 643.250, RSMO (as amended); the ordinance of the City; rules and regulations and orders of the Health Commissioner as authorized by and for the implementation of this Ordinance.

SECTION SIX. In addition to any other penalty prescribed herein, the Health Commissioner may revoke or suspend, for up to 180 days, any permit issued hereunder for the violation of this ordinance or any orders of the Commissioner.

SECTION SEVEN. Any person aggrieved by a decision of the Commissioner may appeal to the Board of Air Pollution Control Appeals and Variance Review per the procedure and time frame as provided by city ordinance.

SECTION EIGHT. In addition to any action taken by the Commissioner, any person convicted of violating this ordinance shall be punished by a fine of not less than one (\$1.00) dollar, nor more than five hundred (\$500.00) dollars, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

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

Approved: October 15, 2002