

ORDINANCE #66787
Board Bill No. 98

An Ordinance adopting the International Property Maintenance Code, 2003 edition with changes, as the Property Maintenance Code of the City of Saint Louis; repealing Ordinance 65023; repealing Ordinance 65929; and containing a penalty clause; savings clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:

SECTION ONE.

Ordinance 65023, approved September 8, 2000, pertaining to the 2000 *International Property Maintenance Code* is hereby repealed. Ordinance 65929, approved June 30, 2003, which pertained to licensing is hereby repealed.

SECTION TWO.

The *International Property Maintenance Code*, 2003, as published by the International Code Council, Inc., 3 copies of which are on file in the Office of the Register of the City of Saint Louis, being marked and designated as the *International Property Maintenance Code*, be and is hereby adopted as The Property Maintenance Code of the City of Saint Louis, in the State of Missouri pursuant to this Ordinance and in conformity with Section 71.943 RSMo; for the control of the buildings and structures as herein provided; and that each and all of the regulations, provisions, penalties, conditions and terms of said *International Property Maintenance Code* are hereby referred to, adopted and made a part hereto, as if set out in this Ordinance, with the additions, insertions, deletions and changes prescribed in Section Three of this Ordinance.

SECTION THREE.

The 2003 *International Property Maintenance Code* is amended and changed in the following respects:

Change Chapter One to read as follows:

CHAPTER 1
ADMINISTRATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Saint Louis, Missouri, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to all existing residential and non-residential structures and all existing premises and shall constitute minimum requirements and standards for premises, structures, equipment and facilities for, light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. The provisions of the *National Electrical Code* as adopted by the City of Saint Louis shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.2 Gas. The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the *International Mechanical Code* shall apply to the installation, alteration, repair, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.4 Plumbing. The provisions of the *Uniform Plumbing Code* as adopted by the City of Saint Louis shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.5 Fire prevention. The provisions of the *International Fire Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

SECTION 102 APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply. Reference standards shall be permitted to be updated by rule making authority of the code official.

102.4.1 Standards and guidelines for structural evaluation. The code official shall allow structural evaluation, condition assessment and rehabilitation of buildings, structures or individual structural members based on this code's appendix chapters, referenced standards, guidelines or other approved standards and procedures.

102.4.2 Compliance with other codes, standards and guides. Compliance with the structural provisions of the *2003 International Building Code* shall be deemed exceeding or equivalent to compliance with the structural provisions of this code.

102.5 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

102.7 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code*, *Uniform Plumbing Code*, *International Mechanical Code*, *International Fuel Gas Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside

any provision of the zoning code.

102.9 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the City of Saint Louis or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

102.10 Other regulations. When the provisions specified herein for public safety, health and welfare are in conflict with other regulations, the most rigid requirements of either the Building Code or other regulations shall apply whenever they conflict. However, the code official shall not be the enforcement officer for such other ordinances or regulations unless specified in said ordinances or regulations.

102.11 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

102.12 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

SECTION 103 DIVISION OF BUILDING AND INSPECTION

103.1 Enforcement agency. The enforcement agency shall be the Division of Building and Inspection. The Division shall consist of the following sections to include, but not be limited to: Administration Section, Building Inspection Section, Central File Section, Court Section, Electrical Inspection Section, Mechanical Inspection Section, Permit Section, Plan Exam Section, Plumbing Inspection Section and Zoning Section.

103.2 Building commissioner. The head of the Division of Building and Inspection shall be known as the Building Commissioner, in accordance with Section 15, Article 13 of the Charter of the City of Saint Louis.

103.2.1 Appointment; qualifications. The Building Commissioner, also herein referred to as the code official, shall be a Missouri licensed professional architect or engineer, and shall be appointed by the Director of Public Safety, and shall possess the necessary qualifications established by the Department of Personnel of the City of Saint Louis.

103.3 Organization. The code official shall appoint such numbers of architects, engineers, technical assistants, inspectors and other employees such as clerks, typists and cashiers, as shall be necessary for the administration of the codes governed by this ordinance, and as authorized by the code official in conformance with Civil Service qualifications and regulations. The code official shall be permitted to delegate appropriate subordinates to act in the exercise of the duties of this code, and they also shall be designated as code officials. The code official is authorized to designate employees as needed who shall exercise all the powers of the code official during the temporary absence or disability of the code official.

103.4 Restriction of employees. An official or employee connected with the Division of Building and Inspection, except one whose only connection is that of a member of the Board of Appeals, established under the provisions of Section 112, shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building, or a first degree relative of the owner of the building; nor shall such officer or employee engage in any work which conflicts with official duties or with the interests of the Division of Building and Inspection.

Further, no Building Division employee shall be employed by or serve as an employee of any other division within the city service unless a formal request is made by the Building Commissioner to and approved by the appointing authority of that division.

103.5 Relief from personal responsibility. The code official or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any employee because of an act performed by that person in the lawful discharge of duties and under the provisions of this code shall be defended by the City of Saint Louis City Counselor's Office until the final termination of the proceedings. The code

official or any subordinates shall not be liable for costs or judgement in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any employee of the Division of Building and Inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

The above protection shall also extend to former employees for work performed during their period of employment with the City of Saint Louis.

103.6 Official records. An official record shall be kept of all business and activities of the department specified in the provisions of this code, and all such records shall be open to public inspection at all appropriate times.

A reasonable charge shall be established for making copies of documents. If staff time is required to assemble requested data, an estimate shall be made of personnel charges, including fringe benefits, and a signed agreement made prior to undertaking such projects. The Division of Building and Inspection is not obligated to assemble data into formats that it does not use or need in the ordinary prosecution of its work.

Further, whenever any person, firm or corporation requests a comprehensive historical investigation of the Division of Building and Inspection records relating to building or occupancy permits, an application fee of twenty-five dollars shall be charged, as specified in Section 108.2.1, in addition to all other fees as provided in other sections of this code.

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Rule making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or violating accepted engineering practice involving public safety.

104.3 Inspections. The code official shall make all of the required inspections, or the code official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. The owner shall provide such special inspections as are required by the code official.

104.5 Identification. The code official shall carry proper identification when inspecting buildings, structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall recourse to the remedies provided by law to secure entry.

104.6 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with the code.

104.7 Nuisance. The code official is authorized to enter and inspect every room, building, structure, inhabitable structure, or portion thereof which constitutes a nuisance as defined herein, within forty-eight hours of being notified by the police department that such condition exists. The police department shall notify the code official of a nuisance property within twenty-four hours of identifying such property. If the owner or occupant of said building refuses to permit an inspection, the code official shall immediately condemn

for occupancy the building or structure, or portion thereof, and issue a non-appealable order to vacate. In the event that any person refuses to leave, interferes with the evacuation of other occupants, or continues any operation within said building or structure, or portion thereof, after having been given an evacuation order by the code official, it shall be the duty of the police department to immediately remove such person from said building or structure and prevent anyone from reentering the building or structure until such time as the police department has been notified by the code official that the order to condemn for occupancy has been rescinded. The code official shall immediately rescind the condemnation order, issued herein, upon the completion of the inspection authorized by this section. For purposes of this section a nuisance shall be defined as any violation of this ordinance which if not promptly corrected will constitute a fire hazard or a serious threat to the life, health or safety of the occupants of the building, structure, or portion thereof in which the violations occur.

104.8 Liability. The code official, member of the Board of Appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the City of Saint Louis City Counselor's Office until the final termination of the proceedings. The code official or any subordinates shall not be liable for costs or judgement in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any employee of the Division of Building and Inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

The above protection shall also extend to former employees for work performed during their period of employment with the City of Saint Louis.

SECTION 105 APPROVAL

105.1 Approved materials and equipment. Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

105.1.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless they have been reconditioned, tested and placed in good and proper working condition and approved by the code official.

105.2 Modifications. Wherever there are practical difficulties involved in carrying out provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Public Safety.

105.3 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided any such alternative has been approved. An alternative material, design or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

105.3.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures. Tests shall be

performed by an approved agency. Reports of such tests shall be retained by the code official for the period required for the retention of public records.

105.3.3 Research and investigations. The code official shall require that sufficient technical data be submitted to substantiate the proposed use of any material or assembly, and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, the code official shall approve its use subject to the requirements of this code. The costs of all tests, reports and investigations required under these provisions shall be paid by the applicant or owner.

SECTION 106 VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to grade for, excavate for, erect, construct, alter, extend, repair, move, remove, demolish, use or occupy any building, structure or premises, or equipment regulated by this code, or cause same to be done, in conflict with, or in violation of the provisions of this code or any decision or order of the Board of Building Appeals or the Code Official.

106.2 Notice of violation. The code official is authorized to serve a notice of violation or order on the owner, as shown in the records of the City of Saint Louis Assessor's Office, or person responsible for the grading, excavating, erection, construction, alteration, extension, repair, moving, removal, demolition, use or occupancy of a building, structure or premises in violation of the provisions of this code, or in violation of a detail statement or construction documents approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Such notice shall be permitted to be served by the United States mail. Posting of the premises shall also constitute notice. It shall be a violation of this code for any person to remove any such notice, lawfully posted pursuant to this code, unless otherwise ordered by the code official.

106.2.1 Investigation of records. Upon the receipt of a written request from the owner of the property, or the real estate agent for the property, or the attorney, architect or engineer representing the owner of the property, the permit section supervisor shall ask the various building division sections for copies of any existing violation letters concerning the property. If the request is not on the owner's letterhead, a notarized authorization from the owner must be submitted.

The response letter written by the permit section supervisor shall list any known violations and must contain the following statement: "This letter does not certify that there are no actual existing violations of the ordinances for which the Division of Building and Inspection is responsible. To determine if there are any violations of any ordinances, an application for an occupancy permit must be filed in accordance with Section 110.5 of this code and the subsequent inspections completed. This letter does certify there are no existing letters of violation on record other than those attached herein. There will be a twenty-five dollar fee charged for this service. Five working days will be allowed to respond to this request."

106.3 Prosecution of violation. If the notice of violation is not complied with promptly, the code official is authorized to request the legal counsel of the City of Saint Louis to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building, structure or premises in violation of the provisions of this code or of the order or direction made pursuant thereto.

106.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in Section Four.

106.5 Abatement of violation. The imposition of penalties as set forth in Section Four shall not preclude the legal officer of the City of Saint Louis from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct business or use of a building or structure on or about any premises.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof shall, upon conviction thereof, be subject to a fine of not more than five hundred dollars or imprisonment not exceeding thirty days; or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

**SECTION 107
NOTICES AND ORDERS**

107.1 Notice to owner or to person or persons responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections 107.2 and 107.3.

107.2 Form. Such notice prescribed in Section 107.1 shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the violation or violations and why the notice is being issued;
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code; and
5. Inform the property owner of the right to appeal.

107.3 Method of service. The notice to the owner of the building, structure or premise found to be in violation of this code by the code official, shall be directed to the owner or owners of such building, structure or premise as recorded most recently in the City of Saint Louis Assessor's Office. The notice shall be served in one of the following ways:

1. Delivered personally to owner or owners; or
2. By posting a copy of said notice upon the building, structure or premise; or
3. By mailing a copy of said notice by regular mail, postage prepaid, direct to the owner or owner's place of business or the address currently recorded in the Assessor's Office of the City of Saint Louis; or
4. By publication in a newspaper of general circulation in the City of Saint Louis.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section Four.

107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

107.6 Continuation of Violation. Any notice sent pursuant to this code or any other ordinance of the City of Saint Louis concerning the condition of a property or structure, including building, health, safety or environmental, shall run with the land and no further notices are required to be sent to any new owner, except any violation notice or condemnation of structure or property shall be in full force and effect upon transfer of property and the city is not required to reissue the notice or re-condemn the property unless 12 months have elapsed since the last notice.

**SECTION 108
UNSAFE STRUCTURES AND EQUIPMENT**

108.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, facilities, inadequate light and ventilation, or which constitutes a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the code official deems necessary and as provided

for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

108.2 Record. The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

108.3 Notice. If an unsafe condition is found, the code official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the code official acceptance or rejection of the terms of the order.

108.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

108.5 Restoration. The structure or equipment determined to be unsafe by the code official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2.

108.6 Securing structures. The code official shall be permitted to order the owner of a vacant or partially vacant building or structure that is open and unsecured, in whole or in part, to secure all openings of said building or structure in accordance with Section 118 of the Building Code.

If the owner or owners fail to comply with the order of the code official within seven calendar days, and in such a manner as provided by code, then such owner or owners shall have violated this code, and the code official may forthwith, subject to funds availability, proceed to undertake and complete the work specified in that order. Billing, liens and cost recovery shall be in accord with Section 119.5 of the Building Code.

108.7 Declaration of emergency securing. The code official may declare an emergency to exist which shall waive the required seven calendar day owner compliance period, and allow the code official to immediately cause the removal or the securing of open hazardous structures by placarding a notice on the structure and after a twenty-four hour period, causing the securing. Lien and recovery of costs shall be in accord with applicable sections of the Building Code. In extreme imminent public safety conditions, the twenty-four hour period need not be observed.

SECTION 109 EMERGENCY MEASURES

109.1 Procedure. When, in the opinion of the code official, a building, structure or premises poses an immediate or imminent danger to the public health, safety or welfare, the code official shall order the immediate evacuation and securing of said building, structure or premises, and shall be permitted to order all utilities to be disconnected without sending a notice. Each principal entrance shall be posted with a notice which reads as follows:

**DANGER
THIS PREMISES IS UNSAFE AND HAS BEEN CONDEMNED
ALL PERSONS ARE WARNED TO KEEP AWAY**

Any person who refuses to leave, interferes with the evacuation of other occupants, occupies or continues any operation after the property has been posted pursuant to this section, except such person(s) who is directed to perform work to remove a violation or unsafe condition, shall be deemed in violation of this section, and it shall be the duty of the Police Department to immediately remove such person(s) from said building, structure or premises, and prevent anyone, unless approved by the code official, from re-entering the building, structure or premises until such time that the Police Department shall have been notified that the same is in a safe condition. The code official assumes no responsibility for persons entering upon said property, and said persons proceed at their own risk and assume all liability.

109.2 Temporary safeguards. When, in the opinion of the code official, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life, the code official shall be permitted to cause the necessary work to be done to render such building or structure or part thereof temporarily safe, whether or not the legal procedure herein described has been instituted.

109.3 Closure. When necessary for public safety, the code official shall temporarily close sidewalks, streets, buildings, structures and places adjacent to such unsafe building, structure or premises, and prohibit the same from being used.

109.3.1 Catchment enclosures. If, in the opinion of the code official, it is determined that there exists an imminent structural hazard, catchment enclosures shall be erected protecting adjoining property and the public right-of-way. The cost for such catchment enclosures shall be the responsibility of the owner of record of the hazard, and the recovery of said costs will be as described in Section 119.5 of the *International Building Code*.

109.4 Emergency repairs; remedies. For the purpose of this section, the code official shall be permitted to employ the necessary labor and materials to perform the required work as expeditiously as possible. Further, when it is found that potable water is running inside a vacant building or structure, and the owner or the owner's representative cannot be contacted, and where severe structural or other damage can thus occur to adjacent properties, the Building Commissioner or the Health Commissioner shall be permitted to order the Water Division to cease the problem flow by whatever means the Water Division finds necessary. The Water Division shall comply with any order issued pursuant to this section.

109.5 Cost of emergency repairs or demolition. Costs incurred in the performance of emergency work shall be paid from the Treasury of the City of Saint Louis on certification of the code official. The legal counsel of the City of Saint Louis shall institute appropriate action against the owner(s) of the premises where the unsafe building or structure is or was located for the recovery of such costs plus a ten percent administrative fee. If such cost is not collected, a lien shall be requested to be placed upon the property by the Comptroller. The costs shall also be certified by the Collector of Revenue or other official collecting real estate taxes who shall cause a special tax bill against the property to be prepared and collected in the same manner and procedures as other real estate tax bills. Said special tax bill shall be deemed a personal debt against the property owner(s) and shall also be a lien on the property until paid.

109.6 Emergency demolition or removal. If, in the opinion of the code official, a building, structure, tree or premises, in whole or in part, poses an immediate and imminent danger to the public health, safety or welfare, by virtue of its condition or conditions in violation of this code, the code official shall be permitted to cause the immediate removal of said building, structure or tree without the notice set forth elsewhere in this code. Further, the code official shall have the authority to award a sole source contract for demolition of said dangerous building, structure or tree.

109.7 Demolition of party walls; responsibility. When a building or structure on one side of a party wall is demolished, the demolition contractor is required to mortar in the floor and/or roof joist pockets, and is also responsible for installing missing portions of the party wall which were not originally built. The demolition contractor shall remove any attachments to the building or structure (plaster, mortar, steps, paneling, etc.). The adjacent wall shall have an approved roofing material applied to create a coping for the wall. The demolition contractor shall also be responsible for applying an exterior sprayed-on sand and tinted cement coating or tuckpointing; these are not the responsibility of the owner of the remaining building who relies on structural support from the party wall.

SECTION 110 RIGHT TO APPEAL

110.1 Appeals. Any person aggrieved by a decision of the code official may appeal said decision to the Board of Building Appeals.

110.2 Appeals to stay proceedings; exceptions. Appeals shall stay all proceedings in furtherance of the action appealed from, unless the code official or Fire Marshal whichever shall be the case, certifies to the Board of Building Appeals, after the notice of appeal has been filed, that by reason of the facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. In addition, appeals shall not stay all proceedings when there is: unlawful occupancy; a stop work order; or construction or demolition without a permit. In such case, proceedings shall not be stayed other than by restraining order, which shall be permitted to be granted by the Board of Building Appeals on application and on notice to the code official or Fire Marshal, or by a court of competent jurisdiction.

**SECTION 111
WORKMANSHIP**

111.1 General. All work shall be conducted, installed and completed in a neat, workmanlike and acceptable manner so as to secure the results intended by this code.

Add or modify within Section 202 GENERAL DEFINITIONS as follows:

CODE OFFICIAL. The officials charged with the administration and enforcement of this code. These shall jointly be the Building Commissioner of the City of Saint Louis, or duly authorized representatives.

COMMON EXIT. An exit that serves two or more dwelling units.

OWNER. Any person, agent, operator, management firm, collector of rent, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the Assessor's Office of the City of Saint Louis as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Change Section 302.3 through 302.8 to read as follows:

302.3 Private property areas. All sidewalks, steps, driveways, parking spaces and similar paved areas on private property shall be kept in a proper state of repair, free of all snow, ice, mud, overhanging trees and shrubs which obstruct walkways, and other debris and shall be maintained free of hazardous conditions. If any sidewalk or driveway or portion thereof on private property by virtue of its state of repair shall constitute a danger to public health and safety, the sidewalk or driveway or portion thereof shall be replaced. Steps shall comply with the requirements for exterior stairs.

Whenever off-street parking is permitted in any dwelling district behind the building line, the parking area, including the driveway to said parking area shall be paved with concrete, bituminous material or an equivalent surface approved by the code official, and any new off-street parking and loading areas, including a driveway behind the building line, must be constructed to conform with the building code. Any said off-street parking areas and driveways for said parking areas existing at the date of the passage of this ordinance shall be of a surface approved by the code official. Any existing off-street parking areas that are enlarged or changed in any manner, the entire parking area and driveway shall be paved with concrete, bituminous material or an equivalent surface approved by the code official.

302.4 Weeds. Control of weeds shall be the responsibility of the Forestry Division.

302.5 Rat harborage. Control of rats and their harborage shall be regulated by the Health Department.

302.6 Exhaust vents. Location and usage of exhaust vents shall be as regulated in the City of Saint Louis Mechanical Code as listed in Chapter 8.

302.7 Accessory structures. All accessory structures, including attached and detached garages, fences and walls, shall be maintained structurally sound and in good repair. All garages opening onto an alley or street shall have doors in good repair and capable of being closed and locked.

302.8 Motor vehicles, residential areas. Except as provided in other regulations, no currently unlicensed, unregistered or uninspected, derelict or abandoned motor vehicle shall be parked on any property, and no such vehicle shall at any time be in a state of major disassembly, disrepair or shall it be in the process of being stripped or dismantled unless such work is provided in a structure or similarly enclosed area designed and approved for such purposes, except no vehicle of any type shall at any time undergo major overhaul, including body work, in a residential district unless such work is provided in a structure or similarly enclosed area designed and approved for such purposes.

Except as provided in other regulations and approved by the code official, no currently unregistered or uninspected, derelict or abandoned motor vehicle shall be permitted on any property in a nonresidential district, and no such vehicle shall at any time be in a state of major disassembly or disrepair; nor shall it be in the process of being stripped or dismantled. (Also see Ordinance 60505).

Add Section 302.10 to read as follows:

302.10 Metal structures and fixtures. All metal structures, metal fixtures appurtenant to such structures and metal fixtures attached to any property shall be free of rust and maintained weatherproof and in good condition.

Exception: Metal structures or metal fixtures which are works of art as determined by the Arts and Humanities Commission..

Change Section 303.3 to read as follows:

303.3 Premises identification. Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

If there is an alley, numbers shall also be placed on the alley elevation of the premises on which the house, building or structure is located. If there is a garage or carport fronting on an alley, house numbers shall also be placed on the alley elevation of the garage or carport.

Change Section 303.6 to read as follows:

303.6 Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portion of the walls or to the occupied spaces of the building. All exterior surface materials, including wood, composition or metal siding, shall be maintained weatherproof and shall be properly surface coated when required to prevent deterioration. Tuckpointing shall not be loose or missing.

Change Section 303.7 to read as follows:

303.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that adversely affects adjacent property.

Change Section 303.14 to read as follows:

303.14 Insect screens. During the period from April 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans are employed.

Change Section 305.1 to read as follows:

305.1 General. The control of rubbish and garbage shall be the responsibility of the Health Department and Street Department, Refuge Division.

Delete Sections 305.2 through 305.3.2. in its entirety.

Change Section 306 to read as follows:

SECTION 306 EXTERMINATION

306.1 Owner. The owner of any structure shall be responsible for extermination of rats, insects or other pests within the structure prior to renting, leasing or selling the structure. Primary enforcement of Section 306 is by the Health Department.

306.2 Single occupancy. The owner and/or occupant of a structure containing a single dwelling unit or of a single non-residential structure shall be equally responsible for the extermination of any insects, rodents or other pests in the structure or on the premises.

306.3 Continued rodent infestation. Continuing or repeated incidents of rodent infestation determined from the official records shall require the installation of rat and vermin proof walls. The rat and vermin proof walls shall be installed in accordance with the building code.

Change Section 404.4.1 to read as follows:

404.4.1 Area for sleeping purposes. Every room occupied for sleeping purposes by one occupant shall contain at least seventy square feet (6.5 m²) of floor area, and every room occupied for sleeping purposes by more than one person shall contain at least fifty additional square feet (4.6 m²) of floor area for each additional occupant thereof.

Change Section 404.5.2 to read as follows:

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is so located that it functions as a combination living room/dining room. This option is also applicable for a combination kitchen/dining room.

Add Section 503.1.1 to read as follows:

503.1.1 Partitions. Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room, partitions, enclosures or compartments for privacy between water closets and shall comply with fixture clearance requirements of the City of Saint Louis Plumbing Code for such installations.

Change Section 504.3 to read as follows:

504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate water supply, leaking water supply service line, inadequate drainage, inadequate venting, cross connection, backsiphonage, improper installation, accumulation of sewage, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

Change Section 505.1 to read as follows:

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to a public water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the City of Saint Louis Plumbing Code.

Change Section 505.2 to read as follows:

505.2 Contamination. The water supply shall be maintained free from contamination. All water inlets for plumbing fixtures in commercial buildings and in residential buildings of over six families shall be located above the flood-level rim of the fixture. All water inlets for plumbing fixtures in residential buildings of six families or less shall be located above the overflow of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

Change Section 505.3 to read as follows:

505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks. Faucets to kitchen sinks and lavatories shall be capable of delivering a minimum of 1.5 gallons per minute.

Change Section 505.4 to read as follows:

505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than

120°F (49°C). A fuel-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless combustion air is provided according to the City of Saint Louis Mechanical Code. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

Change Section 507 to read as follows:

**SECTION 507
STORM DRAINAGE**

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that adversely affects adjacent property or creates a public nuisance.

507.2 Gutters and downspouts. All gutters and downspouts must be maintained so as to function properly and must be sewer connected where existing drain connections are provided. Primary structures and room additions with a roof area of less than five hundred fifty square feet and all accessory structures including residential garages shall not be sewer connected provided the surface drainage water does not adversely affect the adjacent property or create a nuisance. Surface drainage shall be diverted to a public right-of-way, storm sewer conveyance or other point of collection so as not to create a hazard. Lots shall be graded so as to drain water away from foundation walls.

Add Section 508 as follows:

**SECTION 508
PLUMBING MATERIALS**

508.1 Materials. The following plumbing materials and supplies shall not be used:

1. All purpose solvent cement, excluding transition glues;
2. Flexible traps and tailpieces;
3. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S 17 gauge (0.045 inch); and
4. Solder having more than 0.2% lead in the repair of potable water systems.
5. Water closets having a concealed trap seal or an unventilated space or having walls that are not thoroughly washed at each discharge in accordance with ASTM 112.19.2.
6. The following types of joints shall be prohibited:
 - 6.1 Cement or concrete joints.
 - 6.2 Mastic or hot-pour bituminous joints.
 - 6.3 Joints made with fittings not approved for the specific installation.
 - 6.4 Joints between different diameter pipes made with elasto-meric rolling "O"-rings.
 - 6.5 Solvent-cement joints between different types of plastic pipe.
 - 6.6 Saddle-type fittings unless they receive prior approval from the Plumbing Section.

508.2 Lead water service lines. Lead water service lines may not be repaired.

Add Section 509 as follows:

**SECTION 509
PLUMBING REPAIRS**

509.1 Plumbing repairs. Minor repairs or replacement of any existing plumbing system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved. Lead water lines may not be repaired.

509.2 Minimum standards for plumbing equipment, piping and appliances. In all buildings and premises the entire building or premise must meet the minimum plumbing standards as set forth in this section.

509.3 Minimum required plumbing facilities. The minimum number of plumbing facilities shall be as described in this section.

509.3.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

509.3.2 Rooming houses. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

509.3.3 Hotels. Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each five occupants, but not less than one for every four sleeping units.

509.3.4 Employees' facilities. A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

509.3.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

509.4 Minimum standards for toilet rooms. The minimum standards for toilet rooms shall be as described in this section.

509.4.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

509.4.1.1 Partitions. Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room, partitions, enclosures or compartments for privacy between water closets and shall comply with fixture clearance requirements of the City of Saint Louis Plumbing Code as amended for such installations.

509.4.2 Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

509.4.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' regular working area. The required toilet facilities shall be located not more than one story above or below the employees' regular working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or public customer facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

509.5 Plumbing systems and fixtures. Minimum standards for plumbing systems and fixtures shall be as described in this section.

509.5.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free

from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

509.5.2 Fixture clearance. Plumbing fixtures shall have adequate clearances for usage and cleaning.

509.5.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate water supply, leaking water supply service line, inadequate drainage, inadequate venting, cross connection, back-siphonage, improper installation, accumulation of sewage, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

509.6 Water system. Minimum standards for the water system shall be as described in this section.

509.6.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the City of Saint Louis Plumbing Code as amended.

509.6.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures in commercial buildings and in residential buildings of over six families shall be located above the flood-level rim of the fixture. All water inlets for plumbing fixtures in residential buildings of six families or less shall be located above the overflow of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

509.6.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

509.6.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 120°F (49°C). A fuel-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

509.7 Sanitary drainage system. Minimum standards for the sanitary drainage system shall be as described in this section.

509.7.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

509.7.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

509.8 Storm drainage. Minimum standards for storm drainage shall be as described in this section.

509.8.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that adversely affects adjacent property or creates a public nuisance.

509.8.2 Gutters and downspouts. All gutters and downspouts shall be maintained so as to function properly and shall be sewer connected where existing drain connections are provided. Primary structures and room additions with a roof area less than five hundred fifty square feet and all accessory structures including residential garages shall not be sewer connected provided the surface drainage water does not adversely effect the adjacent property or create a nuisance. Surface drainage water shall be diverted to a public right-of-way, storm sewer conveyance or other point of collection so as to not create a hazard. Lots shall be graded so as to drain surface water away from foundation walls.

Add Section 601.2.1 to read as follows:

601.2.1 Enforcement. The Health Department is the principal enforcement agency of Section 602.0.

Change 602.3 to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to April 30 to maintain a room temperatures of not less than 68°F (20°C.) in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the City of Saint Louis, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the City of Saint Louis shall be 0°F (-18°C).

Change 602.4 to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 30 to maintain a temperature of not less than 68°F. (20°C.) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operations areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Add Section 603.7 to read as follows:

603.7 Free-standing stoves. All free-standing stoves with doors or drawers shall be equipped with an anti-tip device.

Add Section 603.8 to read as follows:

603.8 Water accumulation/damage. Mechanical appliances, mechanical equipment and ductwork shall show no signs of water accumulation or damage. When signs of water accumulation or damage are evident, those areas are to be examined by a registered design professional and a detailed report on recommended repairs and prevention methods is to be made to the code official. If the recommended repairs are approved by the code official, the owner or the owner's agent shall have the recommended repairs performed in a timely manner.

Add Section 603.9 to read as follows:

603.9 Air filters. All air handling units that condition air shall be equipped with air filters.

Add Section 603.10 to read as follows:

603.10 Thermostat. All space heating and/or air conditioning units shall be controlled by a thermostat.

Add Section 603.11 to read as follows:

603.11 Commercial food heat-processing equipment. All commercial food heat-processing appliances, equipment, hoods, ducts and exhaust systems shall comply with this section.

603.11.1 Hood system required. Each existing commercial cooking appliance and domestic cooking appliance utilized for commercial purposes that produce smoke or grease vapors shall be protected with an approved Type I commercial kitchen exhaust hood and duct system.

Exceptions:

1. Cooking appliances located within a dwelling unit and not utilized for commercial purposes;
2. Completely enclosed ovens;
3. Steam tables;
4. Auxiliary cooking equipment that does not produce grease-laden vapors, including toasters, coffee makers and egg cookers; and
5. Portable equipment as defined in the City of Saint Louis Mechanical Code.

603.11.2 Hood system suppression. Each commercial kitchen exhaust hood and duct system required by Section 603.11.1 shall be protected with an approved automatic fire suppression system installed in accordance with the City of Saint Louis Mechanical Code. A portable fire extinguisher shall be installed within 30 feet of the hood.

603.11.3 Maintenance. Commercial kitchen exhaust systems shall be cleaned to remove deposits of residue and grease in the system at intervals specified in the cleaning schedule required to be submitted in accordance with the City of Saint Louis Mechanical Code. Thorough cleaning of ducts, hoods and fans shall require scraping, brushing or other positive cleaning methods.

603.11.4 Cleaning schedule. Where a cleaning schedule is not on file, the code official shall require a schedule to be submitted, indicating the method of cleaning and the time intervals between cleanings.

603.11.5 Leaks. Venting equipment for commercial food heat processing equipment shall not leak.

603.11.6 Capture test. Venting equipment for commercial food heat processing equipment shall pass a capture test.

603.11.7 Exhaust. Venting equipment for commercial food heat processing equipment shall not exhaust in a dangerous manner or where a nuisance. (i.e., less than 2 feet above the roof surface, within 10 feet of unprotected combustible materials, or onto a walkway or driveway)

Add Section 603.12 to read as follows:

603.12 Mechanical repairs. Minor repairs or replacement of any existing mechanical system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved.

Change Section 604.2 to read as follows:

604.2 Service. Dwelling units shall be served by an electrical service having a rating of not less than 60 amperes. When the electrical system requires modification to correct inadequate service, the service shall be corrected to a minimum of 100- ampere, three wire electrical service. If the dwelling contains an electric range, electric clothes dryer or electric air conditioning unit, a minimum 100- ampere, three wire electrical service shall be provided.

Change Section 605.2 to read as follows:

605.2 Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded type receptacle. Every bathroom shall contain at least one receptacle that shall be Ground Fault Circuit Interrupter protected. Every kitchen shall contain at least two 20-ampere grounded appliance branch circuits.

Change Section 605.3 to read as follows:

605.3 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace

room shall contain at least one electric lighting fixture. All habitable spaces shall contain at least one switched lighting fixture or switched receptacle.

Add Section 605.4 to read as follows:

605.4 Utility rooms and basements. At least one lighting outlet and one receptacle shall be provided in utility rooms and basements where these spaces are used for storage or contain equipment requiring service.

Add Section 605.5 to read as follows:

605.5 Clearance for equipment. Clearance for electrical service equipment shall be provided in accordance with the current City of Saint Louis Electrical Code.

Add Section 605.6 to read as follows:

605.6 Electrical repairs. Minor repairs or replacement of any existing electrical system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved. Minor repairs or replacement for purposes of this code shall be defined as:

1. Replacement of a convenience outlet (replacement shall comply with the current electric code);
2. Light switch with the same current carrying capacity as the existing switch (replacement shall comply with the current electric code);
3. Light socket and holder (replacement shall comply with the current electric code),
4. Light fixture (1 maximum) installed on the same outlet box and having the same current rating (replacement shall comply with the current electric code);
5. Within a dwelling unit, a fan, blower, pump or other fractional horsepower motor of the same horsepower rating and having the same electrical characteristics and current rating as the existing, limited to 120-240 volts (replacement shall comply with the current electric code); or
6. The replacement of fuses or circuit breakers (except mains) where there is no evidence of over-fusing or tampering per applicable requirements of the electric code.

Add Section 605.7 to read as follows:

605.7 Abandoned electrical and/or communications systems. All abandoned electrical and/or communications systems shall be removed.

Change Section 607.1 to read as follows:

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of providing the required function. Recirculating and supply duct systems shall be maintained free from the accumulation of moisture.

Add Sections 608 and 609 to read as follows:

SECTION 608 ELECTRICAL REPAIRS

608.1 General. Minor repairs or replacement of any existing electrical system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved. Minor repairs or replacement for purposes of this code shall be defined as:

1. Replacement of a convenience outlet (replacement shall comply with the electric code as amended);

2. Light switch with the same current carrying capacity as the existing switch (replacement shall comply with the City of Saint Louis Electrical Code as amended).
3. Light socket and holder (replacement shall comply with the current electric code as amended),
4. Light fixture (1 maximum) installed on the same outlet box and having the same current rating (replacement shall comply with the City of Saint Louis Electrical Code as amended);
5. Within a dwelling unit, a fan, blower, pump or other fractional horsepower motor of the same horsepower rating and having the same electrical characteristics and current rating as the existing, limited to 120-240 volts (replacement shall comply with the electric code as amended); or
6. The replacement of fuses or circuit breakers (except mains) where there is no evidence of over-fusing or tampering per applicable requirements of the City of Saint Louis Electrical Code as amended.

608.2 Minimum standards for electrical equipment, wiring and appliances. In all buildings and premises the entire building or premise must meet the minimum electrical standards as set forth in this section.

608.2.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section.

608.2.2 Service. Dwelling units shall be served by an electrical service having a rating of not less than 60 amperes. When the electrical system requires modification to correct inadequate service, the service shall be corrected to a minimum of 100-ampere, three wire electrical service. If the dwelling contains an electric range, electric clothes dryer or electric air conditioning unit, a minimum 100-ampere, three wire electrical service shall be provided.

608.2.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

608.2.4 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

608.2.5 Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded type receptacle. Every bathroom shall contain at least one receptacle that shall be Ground Fault Circuit Interrupter protected. Every kitchen shall contain at least two 20-ampere grounded appliance branch circuits.

608.2.6 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, boiler room and furnace room shall contain at least one electric lighting fixture. All habitable spaces shall contain at least one switched lighting fixture or switched receptacle.

608.2.7 Utility rooms and basements. At least one lighting outlet and one receptacle shall be provided in utility rooms and basements where these spaces are used for storage or contain equipment requiring service.

608.2.8 Clearance for equipment. Clearance for electrical service equipment shall be provided in accordance with the City of Saint Louis Electrical Code as amended.

608.3 Abandoned electrical and/or communications systems. All abandoned electrical and/or communications systems shall be removed.

SECTION 609 MECHANICAL REPAIRS

609.1 General. Minor repairs or replacement of any existing mechanical system are permitted to be made in the same manner and

arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved.

609.2 Minimum standards for mechanical equipment and appliances. In all buildings and premises the entire building or premise must meet the minimum mechanical standards as set forth in this section.

609.3 Minimum standards for mechanical equipment and appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

609.4 Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

609.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

609.6 Clearances. All required clearances to combustible materials shall be maintained.

609.7 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

609.8 Free-standing stoves. All free-standing stoves with doors or drawers shall be equipped with an anti-tip device.

609.9 Water accumulation/damage. Mechanical appliances, mechanical equipment and ductwork shall show no signs of water accumulation or damage. When signs of water accumulation or damage are evident, those areas are to be examined by a registered design professional and a detailed report on recommended repairs and prevention methods is to be made to the code official. If the recommended repairs are approved by the code official, the owner or the owner's agent shall have the recommended repairs performed in a timely manner.

609.10 Air filters. All air handling units that condition air shall be equipped with air filters.

609.11 Thermostat. All space heating and/or air conditioning units shall be controlled by a thermostat.

609.12 Commercial food heat-processing equipment. All commercial food heat-processing appliances, equipment, hoods, ducts and exhaust systems shall comply with this section.

609.12.1 Hood system required. Each existing commercial cooking appliance and domestic cooking appliance utilized for commercial purposes that produce smoke or grease vapors shall be protected with an approved Type I commercial kitchen exhaust hood and duct system.

Exceptions:

1. Cooking appliances located within a dwelling unit and not utilized for commercial purposes;
2. Completely enclosed ovens;
3. Steam tables;
4. Auxiliary cooking equipment that does not produce grease-laden vapors, including toasters, coffee makers and egg cookers; and
5. Portable equipment as defined in the City of Saint Louis Mechanical Code as amended.

609.12.2 Hood system suppression. Each commercial kitchen exhaust hood and duct system required by Section 409.12.1 shall be protected with an approved automatic fire suppression system installed in accordance with the City of Saint Louis Mechanical Code as amended. A portable fire extinguisher shall be installed within 30 feet of the hood.

609.12.3 Maintenance. Commercial kitchen exhaust systems shall be cleaned to remove deposits of residue and grease in the system at intervals specified in the cleaning schedule required to be submitted in accordance with the City of Saint Louis Mechanical Code as amended. Thorough cleaning of ducts, hoods and fans shall require scraping, brushing or other positive cleaning methods.

609.12.4 Cleaning schedule. Where a cleaning schedule is not on file, the code official shall require a schedule to be submitted, indicating the method of cleaning and the time intervals between cleanings.

609.12.5 Leaks. Venting equipment for commercial food heat processing equipment shall not leak.

609.12.6 Capture test. Venting equipment for commercial food heat processing equipment shall pass a capture test.

609.12.7 Exhaust. Venting equipment for commercial food heat processing equipment shall not exhaust in a dangerous manner or where a nuisance. (i.e., less than 2 feet above the roof surface, within 10 feet of unprotected combustible materials, onto a walkway or driveway), or where the exhaust may re-enter the building through an intake or opening within 10 feet.

Add Section 702.1.1 to read as follows:

702.1.1 Dual exits over two stories. All habitable buildings over two stories in height containing one or more dwelling units above the second floor shall provide two separate exits from each floor above the second floor, accessible to each dwelling unit on said floor. All required exit facilities shall lead to a public thoroughfare either directly or through a court or yard, and passage to such exits shall not lead through any other dwelling unit. Dual means of exit shall consist of two interior stairs discharging directly or through a rated exit enclosure to the outside, or one interior and one exterior stair or existing fire escape accessible to all dwelling units on each floor above the second floor and discharging directly or through a court or yard to a public thoroughfare.

Exceptions:

1. Buildings permitted to have only one means of egress under the building code as amended.
2. Single Family Dwelling Units of Use Group R-3, two and one-half or three stories in height, of Type 3 (exterior masonry) construction, shall be exempt from the requirements for two exits.
3. A single exit shall be permitted from townhouse dwelling units located on the second and third floors, in buildings of Type 3 (exterior masonry) construction, provided that the exit is from the second floor, with a minimum of forty percent of the habitable space located on the second floor, and all of the following requirements are met:
 - a. Horizontal and vertical fire separation assemblies based on the Use Group classification between the first and second floor as determined under the current building code as amended. A horizontal fire separation is not required between a first floor commercial space and dwelling units above provided that an AC powered battery back-up interconnected smoke detection system is installed in the commercial space and basement with remote alarms in all dwelling units above or in the common stair and hall if audible within all dwelling units.
 - b. The building is limited to a maximum of six dwelling units and three stories in height.
 - c. An AC powered battery back-up interconnected smoke detection system is installed for each dwelling unit throughout the building including the basement. The location of the smoke detectors shall be sufficient to detect smoke in any habitable room or basement.

Change Section 702.3 to read as follows:

702.3 Locked doors. All doors in the required means of egress shall be readily openable from the side from which egress is to be made without the use of keys, special knowledge or effort, except as provided in Section 702.1.1. Exits from dwelling units, hotel

units, boarding houses, and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

Exception: Single dwelling units of Use Group R-2 or R-3.

Add Section 702.5 to read as follows:

702.5 Stairways, porches, handrails and guards. Every stair, porch, fire escape, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair. Every stair, porch and fire escape shall be maintained free of hazardous conditions such as snow, ice, mud and other debris.

Every exterior and interior flight of stairs which is more than five risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, fire escape, porch, landing or balcony which is more than 30 inches (762 mm) above the grade shall have guardrails. Handrails shall be not less than 30 inches (762 mm) nor more than 38 inches (965 mm) high, measured vertically above the nosing of the treads. Guards shall be not less than 30 inches (762 mm) high above the floor of the porch, landing or balcony. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good condition.

Change Section 704.1 to read as follows:

704.1 Smoke detectors. Smoke detectors shall be installed as per Ordinance 59376 and the City of Saint Louis Building Code.

Add Section 704.4 to read as follows:

704.4 Standpipe systems. Standpipe systems shall be in proper operating condition at all times and readily identified and fully accessible. Hose connections shall be unobstructed.

Modify Chapter 8 by adding the following:

IAPMO International Association of Plumbing and Mechanical Officials
 5001 E. Philadelphia Street
 Ontario, CA 91761-2816

Standard reference number	Title	Referenced in code Section number
UPC-03	Uniform Plumbing Code.....	102.3,201.3,505.1,602.2, 602.3

Add Chapter 9 to read as follows:

**CHAPTER 9
 LICENSED FACILITIES**

**SECTION 901
 GENERAL**

901.1 Scope. Every building used in whole or in part as a boarding house, rooming house, dormitory or hotel shall conform to the requirements of this Chapter.

901.2 Special residential uses. Shelters for the homeless, facilities for battered spouses or children, or similar uses shall be subject to all conditions of this Chapter and shall be treated as Use Group R-1 for technical code requirements.

901.3 Hazard declared. Any boarding house, rooming house, dormitory or hotel which shall fail to conform to the requirements of this code shall be deemed a hazard and detrimental to the health, safety and welfare of the inhabitants of the City of Saint Louis.

SECTION 902 DEFINITIONS

902.1 Definitions. The following words and terms shall, for the purpose of this chapter and as use elsewhere in this code, have the meanings shown herein.

BOARDING HOUSE. Residential occupancy arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit. The occupants are transient in nature. This use is classified as Group R-1.

DORMITORY. A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses. This use is classified as Group R-2.

HOTEL (including motels). Residential occupancy, other than a bed and breakfast, where the occupants are primarily transient in nature (less than 30 days). This use is classified as Group R-1

ROOMING HOUSE. Residential occupancy arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit. The occupants are not transient in nature. This use is classified as Group R-2.

902.2 Special residential uses. Shelters for the homeless, facilities for battered spouses or children, or similar uses shall be subject to all conditions of this Chapter and shall be treated as Use Group R-1 for technical code requirements.

SECTION 903 LICENSING

903.1 Permit and license required. It shall be unlawful to operate a hotel, dormitory, rooming house or boarding house without first obtaining a permit and license as hereinafter set forth. An applicant for a license to operate a dormitory, rooming house, boarding house or hotel, together with all other requirements of this Chapter, shall also file a plat or drawing showing its location or premises together with the position of the building to be used thereon and a written petition in favor of the issuance of such license signed by a majority of the persons, if any, occupying the premises or conducting any business on the main floor within the prescribed petition circle drawn by a radius of five hundred feet plus one-half of the width of the front of the premises, from the center of such premises projected to the streets. A neighborhood consent petition shall not be required for successive renewals for the same license on the same premises immediately succeeding the original licensing. No such application shall be approved wherein a church, elementary school or secondary school is located within the radius herein above described.

Exceptions:

1. Sheltered workshops and residence facilities authorized by Sections 205.968 to 205.972 of the Revised Statutes of Missouri, 2000, as amended, shall be and are hereby exempted from the plat and petition and the church and school petitions set forth herein.
2. Hotels of sixty (60) or more rooms shall be and are hereby exempted from the plat and petition requirements set forth within the areas defined herewith:
 - A. Beginning at a point, said point being the intersection of the center lines of the Poplar Street Bridge and Leonor K Sullivan Blvd; thence northwardly along said centerline of Leonor K Sullivan to the point of intersection thereof with the centerline of Biddle Street; thence westwardly along said centerline of Biddle Street to the point of intersection with the centerline of Interstate 70; thence southwardly along said centerline of Interstate 70, to the point of intersection with the centerline of Cole Street; thence westwardly along said centerline of Cole Street to the point of intersection with the center of Tucker Blvd; thence southwardly along said centerline of Tucker Blvd. to the point of intersection with the centerline of Dr. Martin Luther King Blvd.; thence westwardly along said centerline of Dr. Martin Luther King Blvd. to the point of intersection with the centerline of Jefferson

Avenue; thence southwardly along said centerline of Jefferson Avenue to the point of intersection with the centerline of Interstate 64; thence eastwardly along said centerline of Interstate 64, to the point of intersection with Leonor K Sullivan Blvd., said point being the point of beginning; and

- B. Any and all areas within two thousand (2,000) feet of an interstate highway measured from the center line of said interstate highway.

903.1.1 Notification of termination. The Director of the Saint Louis Office for Mental Retardation/ Developmental Disabilities Resources shall notify the Director of Public Safety, in writing, within ten days when the operation of any sheltered workshop or residence facility is terminated, voluntarily or otherwise. The exemption herein granted for that location shall be automatically withdrawn.

903.2 Certificate of occupancy. Upon filing the application as required by Section 903.3, the applicant shall file with the code official an application for a Certificate of Occupancy in accordance with the building code, and if the code official finds that the zoning code permits such usage in the district in which the proposed building is located, the code official shall accept the application of the applicant. If the code official finds that the comprehensive zoning ordinance does not permit such usage in the district in which the proposed building is located, the code official shall not approve the application for a rooming house, boarding house, dormitory or hotel permit. Appeals on the zoning aspects of the Certificate of Occupancy lie within the Board of Adjustment.

903.3 Filing application with code official required. Every applicant, before engaging in the business of conducting a boarding house, rooming house, dormitory or hotel, shall file an application with the code official and with the Secretary of the Board of Public Service when required by the Building Code.

903.3.1 Contents of application. Every applicant, before engaging in the keeping of a boarding house, rooming house, dormitory or hotel in the City of Saint Louis shall file an application with the code official stating:

1. The name, address and telephone number of the applicant;
2. The street number of the building to be used;
3. If the applicant is not a resident of the City of Saint Louis, the name and address of an agent who is a resident of the City;
4. An affidavit of resident agent of the applicant on a form approved by the code official that the agent of the applicant will accept full responsibility for the operation of the hotel, dormitory, rooming house or boarding house;
5. The height of the building in stories;
6. The number of stairways;
7. The number of rooms intended to be rented or used as sleeping rooms by paying guests;
8. The maximum number of paying guests proposed to occupy each room; in computing guest population of a structure, any child who has attained two and one-half years of age, shall be counted as a person;
9. The number of beds, cots and bunks intended to be used by the guests;
10. Whether the building has a fire escape;
11. Whether fire extinguishers or any other type of alarm, detection or fire suppression system is provided;
12. The size of the lot on which the building is located and containing such other information as the code official may require to enable it to determine whether the building conforms to the requirements of the ordinances of the City of Saint Louis.

903.4 Inspection of building. Upon filing of the application for a permit to operate a boarding house, rooming house, dormitory

or hotel, the code official shall make, or cause to be made, an inspection of such proposed building to ascertain whether the proposed use conforms to the requirements of this Chapter and to the rules and regulations of the Building Inspection Section, Health Division and Fire Prevention Bureau.

903.4.1 Report of code official. Upon the completion of the said inspection, the code official shall file such application with the Board of Public Service, together with a written report stating whether the place to be used as a rooming house, boarding house, dormitory or hotel conforms to the requirements of this Chapter and to the rules and regulations of the Building Inspection Section, Health Division and the Fire Prevention Bureau and also their recommendation as to whether or not the permit should be granted and the reason for such recommendation.

903.4.2 License collector prohibited from issuing license until permit issued. The license collector is hereby prohibited from issuing a license for the operation of a rooming house, boarding house, dormitory or hotel to any person until a permit has been issued by the Board of Public Service as herein provided.

903.5 Issuance or denial of permit. If the Board of Public Service, after receipt of the application and the report and recommendation of the code official, finds that the proposed structure conforms to the requirements of this Chapter and the rules and regulations of the Building Inspection Section, Health Division and the Fire Prevention Bureau, it shall cause to be issued a permit to the applicant. If the Board finds that the building does not conform to the requirements of this Chapter and the rules and regulations of the Building Inspection Section, Health Division and Fire Prevention Bureau, it shall deny the permit and shall notify the applicant of such denial stating the reason or reasons therefor.

903.5.1 Denial of permit - hearing. If the permit is denied, the applicant shall, upon written request, be granted a hearing before the Board of Public Service on a day designated by it for reconsideration of the denial of such permit. After considering such request and the evidence and argument, if any, submitted in support thereof, the Board may issue said permit or confirm the action in refusing to do so. If no written request for such rehearing is made by the applicant within ten days after notification of the refusal of the permit, the action of the Board of Public Service in denying the permit shall be final.

903.6 Notice of violation to violator - correction or abatement. If the code official finds any rooming house, boarding house, dormitory or hotel in violation of any of the requirements of this Chapter, the code official shall immediately notify the applicant thereof to correct or abate same. If the violation is not abated within a reasonable period, the code official shall file a report of such violation with the Board of Public Service with the code official's recommendation to revoke said permit. The Board shall notify the applicant or the applicant's resident agent of the code official's recommendation and shall within a reasonable time conduct a hearing as to whether or not the permit should be revoked. If the Board finds that the rooming house, boarding house, dormitory or hotel is being operated in violation of any of the requirements of this Chapter, the Board shall immediately revoke the permit.

903.6.1 Revocation of permit - license revocation. Should any permit issued under this Chapter be revoked, the license collector shall, immediately upon receipt of such notice of revocation, revoke the license of such applicant. Whenever a permit shall be revoked by the Board of Public Service, the Secretary of the Board of Public Service shall immediately notify the license collector of such revocation.

903.7 Change of owner - new application to be filed. Any change of ownership of a boarding house, rooming house, dormitory or hotel shall require that a new application and new neighborhood consent petition be filed as set forth in this Chapter and shall be subject to rules and regulations and ordinances in effect at the date of such application.

SECTION 904 FEES

904.1 License fees. There shall be levied by the license collector on every boarding house, rooming house, dormitory or hotel an annual fee as required by Ordinance.

904.2 Expiration of licenses. Licenses for boarding houses, rooming houses, dormitories or hotels shall expire on the anniversary date of its issuance.

904.3 Service of notice. All notices provided herein to be served upon the owner, applicant, agent of owner, or occupant, as the case may require, shall be deemed served upon such owner, applicant, agent of owner, or occupant, as the case may require, if a copy

thereof shall:

1. Be delivered to them personally; or
2. If not found, by leaving a copy at the usual place of abode, with a member of the family of sixteen or more years of age; or
3. By posting a copy in a conspicuous place in or about the dwelling affected by the notice; or
4. By sending a copy of the notice by registered letter with a return receipt requested, to the address specified in the application for a boarding house, rooming house, dormitory or hotel permit or to the last known address; or
5. If registered letter with copy is returned with receipt showing it has not been delivered to them, by posting a copy thereof in a conspicuous place in or about the dwelling affected by the notice.

904.4 Form of notice. All notices provided herein shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the reason or reasons why notice is being issued;
4. Include a description of the violations required to be abated to bring the premises into compliance with the provisions of the ordinance and any rules or regulations adopted pursuant thereto.

SECTION 905 BUILDING REQUIREMENTS

905.1 Existing licenses. All currently existing licensed rooming houses, boarding houses, dormitories and hotels shall, at a minimum, be governed by the provisions of the Building and Fire Code under which they were initially licensed.

905.2 New licenses. All new boarding houses, rooming houses, dormitories and hotels must meet the requirements as defined in this code and the current building code, as amended.

905.3 Change of ownership. All existing rooming houses, boarding houses, dormitories and hotels that have a change of ownership or an increase in number of sleeping rooms or occupants shall only need to comply with the Chapters dealing with "Means of Egress" and "Fire Protection Systems" of the current building code and all Chapters of this code, as amended.

All existing boarding houses and rooming houses that have a change of ownership or an increase in number of sleeping rooms or occupants shall also comply with the City of Saint Louis Electrical Code.

905.4 Appeals. Appeals of this Chapter shall have their jurisdiction with the Board of Building Appeals of the City of Saint Louis. An appeal shall stay all proceedings from, unless the Building Commissioner or Health Commissioner shall certify to the Board subsequent to the filing of any notice of appeal, that, by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by the order of any court of competent jurisdiction.

905.5 Master room keys. It shall be the duty of the applicant to keep available on the premises at all times, proper keys to all rooms, so that proper inspection can be made by the Building Inspection Section, Department of Health or Fire Prevention Bureau.

905.6 Room numbers. Every rooming unit in every rooming house or boarding house shall be numbered and said number to be placed on the outside of the door to such unit. No two units shall bear the same number.

905.7 Hotel register required. Every person to whom a boarding house, rooming house, dormitory or hotel permit has been issued shall at all times keep a standard hotel register within such house in which shall be inscribed the names of all occupants renting or occupying rooming units in such house. The register shall be signed by the person renting such unit. After the name or names of persons renting or occupying such unit, the applicant, or the applicant's agent, shall write the number of the room or rooms which

each person is to occupy, together with the date and hour when such room or rooms are rented. All of which shall be done before such person is permitted to occupy such room or rooms. The register shall be at all times open to inspection by the code official, Health Commissioner or Fire Marshal of the City of Saint Louis or Police Department.

905.7.1 False registration prohibited. No person shall knowingly write or cause to be written in any rooming house, boarding house, dormitory or hotel register any other or different name than the true name of such person or the name by which such person is generally known.

SECTION 906 POWERS AND DUTIES

906.1 Power of health commissioner to make rules. The Health Commissioner shall have power to make such rules and regulations as in the Health Commissioner's opinion may be reasonably necessary for carrying out the provisions of this part insofar as they relate to the public health. Such rules and regulations shall be in writing and a copy filed with the code official.

906.2 Duty of code official. It shall be the duty of the code official to make or cause to be made semi-annual inspections of all boarding houses, rooming houses, dormitories and hotels. It shall also be the duty of the code official to investigate changes in the use group and building classification and require a new Occupancy Permit where necessary.

906.3 Cooperation of other agencies. The Fire Prevention Bureau and Department of Health shall promptly make requested inspections and forward information to the Building Division. No separate fees shall be required.

SECTION 907 CONDEMNATION

907.1 Procedures for condemning. The designation of boarding houses, rooming houses, dormitories and hotels as unfit for human habitation and the procedure for the condemnation and the placarding of such unfit boarding houses, rooming houses, dormitories and hotels shall be carried out in compliance with the following requirements.

907.2 Conditions requiring condemnation. The code official shall condemn as unfit for human habitation any boarding house, rooming house, dormitory or hotel, or portion thereof which:

1. Is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe or vermin-infested that it creates a hazard to the safety, health or welfare of the occupants or of the public; or
2. Lacks illumination, ventilation or sanitary facilities adequate to protect the safety, health, or welfare of the occupants or of the public; or
3. Because its general condition or location is unsanitary or otherwise dangerous to the safety, health, or welfare of the occupants or the public;
4. Any condition listed as such in the building code as adopted.

907.3 Notice of condemnation to owner. Whenever the code official has condemned a boarding house, rooming house, dormitory or hotel, or portion thereof, as unfit for human habitation, the code official shall immediately give notice to the owner, or applicant or resident agent thereof, of such condemnation and of the intent to placard such boarding house, rooming house, dormitory or hotel as unfit for human habitation. Such notice shall:

1. Be in writing;
2. Contain a description of the real estate sufficient for identification;
3. Contain a statement of the grounds of such condemnation as unfit for human occupancy;
4. Contain a description of the violations;

5. Contain a statement informing the owner of their right to appeal such action to the code official within ten days after same is served.

907.4 Hearing before board of appeals. Any owner or applicant affected by notice relating to condemnation of a boarding house, rooming house, dormitory or hotel as unfit for human habitation may request and shall be granted a hearing before the Board of Building Appeals; provided, that such person shall file in the office of the code official a written petition requesting such hearing and setting forth a statement of the grounds therefore within ten calendar days after the date of the notice. Within ten calendar days after receipt of such petition, the code official shall set the time and place of such hearing and shall give the petitioner written notice thereof.

907.4.1 Time of hearing. At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should be modified or withdrawn. The hearing shall be scheduled not later than forty-five calendar days after the date on which the petition was filed; provided, that upon written application of the petitioner to the code official, the code official may postpone the date of the hearing for a reasonable time beyond such forty-five day period, if, in the official's judgment, the petitioner has submitted a good and sufficient cause for such postponement.

907.5 Posting notice of condemnation. If no appeal has been taken within the ten calendar day period, or if after such hearing, the Board of Building Appeals affirms the decision to condemn said premises, the code official shall post, in a conspicuous place or places upon the affected building, a placard or placards bearing the following words, "Condemned as unfit for human habitation" or the words "Condemned for Occupancy" which shall have the same meaning.

907.6 Vacation of condemned building. Any boarding house, rooming house, dormitory or hotel which has been condemned and placarded as unfit for human habitation by the code official, shall be vacated within a reasonable time as required by said official. No owner or applicant shall let to any person for human habitation and no person shall occupy said rooming house, boarding house, dormitory or hotel which has been condemned and placarded by the code official after the date on which the code official has required the affected structure to be vacated.

907.7 Correction of premises. No boarding house, rooming house, dormitory or hotel which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the code official. The code official shall remove such placard whenever the defect or defects upon which the condemnation and placard action was based shall have been eliminated. The code official may require permits for the corrective work.

907.7.1 Removal of placard unlawful. No person shall deface or remove any placard from any boarding house, rooming house, dormitory or hotel which has been condemned as unfit for human habitation and placarded as such, except as provided in Section 907.7.

Add Chapter 10 to read as follows:

CHAPTER 10 INSTITUTIONAL USES

SECTION 1001 SPECIAL DEFINITION

1001.1 Scope. For the purpose of this Chapter, the following special definition shall apply:

INSTITUTIONAL USES. This definition shall be as found in the current building code, and shall include Day Care Facilities, which shall include more than five persons more than two and one-half years of age for less than twenty-four hours per day, which is classified as Use Group E, and shall be subject to all the requirements of this ordinance.

The following types of facilities when accommodating persons of the above description shall be classified as an I-1: Facility board and care, half-way house, group house, social rehabilitation facility, alcohol and drug center and convalescent facility, residential care I and II facility, adult day care also known as day nurseries, houses for the care of aged persons, nursing and convalescent homes.

Use Group I-2 facilities shall include buildings or parts thereof used for medical, surgical, psychiatric, nursing or custodial care on a twenty-four hour basis of six or more persons who are not capable of self-preservation, to include hospital, nursing homes (both intermediate care and skilled nursing facility) mental hospital and detoxification facility, child care facility which accommodates five or more children two and one-half years of age or less shall be in these groups.

SECTION 1002 GENERAL

1002.1 Scope. All currently existing licensed institutional uses shall be governed by the provisions set forth by the building code, as amended.

1002.2 New uses. All new institutional uses must meet the requirements as defined in the current building code and this code.

1002.3 Change of ownership. All existing institutional uses that have a change of ownership or an increase in occupants shall conform to the current building code and this code.

1002.4 Duty of code official. It shall be the duty of the code official to make or cause to be made annual inspections of all institutional uses. It shall also be the duty of the code official to investigate changes in the use group and building classification and require a new Occupancy Permit where necessary.

SECTION 1003 APPEALS

1003.1 General. Any person aggrieved by a decision of the code official may appeal said decision to the Board of Building Appeals.

1003 Appeals to stay proceedings; exceptions. Appeals shall stay all proceedings in furtherance of the action appealed from, unless the code official or Fire Marshal whichever shall be the case, certifies to the Board of Building Appeals, after the notice of appeal has been filed, that by reason of the facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. In addition, appeals shall not stay all proceedings when there is: unlawful occupancy; a stop work order; or construction or demolition without a permit. In such case, proceedings shall not be stayed other than by restraining order, which shall be permitted to be granted by the Board of Building Appeals on application and on notice to the code official or Fire Marshal, or by a court of competent jurisdiction.

SECTION 1004 PERMITS

1004.1 Permit required. From and after the effective date of this ordinance, no person, firm or corporation shall operate or maintain in the City of Saint Louis any institutional type use without first obtaining a permit to do so from the Board of Public Service based on a certificate of the code official showing compliance with the provisions of this ordinance.

1004.2 Revocation. Unless any such institution as hereinbefore mentioned has complied with the provisions of this ordinance, the Board of Public Service is hereby authorized, after a hearing upon notice, to revoke any permit which it has issued for the operation thereof.

SECTION FOUR....PENALTY CLAUSE

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter, extend, repair, remove, demolish, use or occupy any building, structure or premises or equipment regulated by this code in violation of an approved construction document or directive of the code official or the Board of Building Appeals, or of a permit or certificate issued under the provisions of this code, and shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars, or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION FIVE....SAVINGS CLAUSE

That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending

in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION SIX....EMERGENCY CLAUSE This being an ordinance necessary for the immediate preservation of the public safety, it is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

SECTION SEVEN....CODIFIED It is the intent of the Board of Aldermen that Section Two and Section Three of this ordinance be codified in the Revised Code of the City of Saint Louis.

Approved: August 1, 2005