

ORDINANCE #68576
Board Bill No. 293
Floor Substitute

An Ordinance pertaining to rooming houses, boarding houses, dormitories or hotels; amending Section 903.1 of Chapter 25.32.480 of the Revised Code of the City of St. Louis pertaining to application and neighborhood consent petition and containing a severability and emergency clause.

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

SECTION ONE Section 903.1 of Chapter 25.32.480 of the Revised Code of the City of St. Louis is hereby amended as follows:

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 occupying premises or conducting any business on the main or surface floor of such building, the two floors immediately above the main or surface floor, and the floor immediately below the main or surface floor within the prescribed petition circle 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. After the filing of an application with the Building Division, the applicant shall be required to send a postcard addressed to "occupant" at each address within the petition circle of the proposed licensed premises, notifying them that an application has been filed and of the applicant's intent to circulate a neighborhood consent petition. The postcard shall be a preprinted form provided by the Board of Public Service and shall read substantially as follows:

" _____ has/have applied to the Board of Public Service for a rooming house, boarding house, dormitory or hotel for the premises at _____. The proposed use for these premises will include: _____. Within the next month, a petition in support of the application will be circulated, which you may either sign or refuse to sign. If a public hearing is scheduled notices will be mailed. You may support or protest the application. For information, please contact the Board of Public Service."

The applicant shall pay an application fee for all administrative costs. The applicant shall be responsible for placing addresses and postage on the pre-printed postcards and returning them to the Board of Public Service, who, if satisfied that the applicant has provided cards addressed to occupant at each address within the petition circle, shall cause the post cards to be mailed immediately by the Board of Public Service. The Board of Public Service shall not provide the applicant with neighborhood consent petition forms, and the applicant may not solicit, or have others solicit, signatures on the neighborhood consent petition, for five days following mailing of the postcards. Upon filing of an application for a rooming house, boarding house, dormitory or hotel license, the Board of Public Service shall have the premises for which a license is sought posted with a sign which contains substantially the same information as the pre-printed post card.

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.

SECTION TWO. SEVERABILITY CLAUSE.

The Sections of this Ordinance shall be severable. In the event any Section of this Ordinance is found by a Court of competent jurisdiction to be unconstitutional, the remaining Sections of this Ordinance are valid unless the Court finds the valid Sections of this Ordinance so essentially and inseparably connected with, and so dependent upon the void Section, that it cannot presume that the legislature would have enacted the valid Sections without the void ones; or unless the Court finds that the valid Sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION THREE. EMERGENCY CLAUSE.

This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the mayor.

Approved: March 9, 2010