

St. Louis City Ordinance 63610

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 116

INTRODUCED BY ALDERMAN MARIT CLARK

An ordinance adopting the BOCA National Building Code, 1993 Edition, as the Building Code of the City of Saint Louis; repealing Sections One, Two, Three and Four of Ordinance No. 60664 which adopted the BOCA National Building Code, 1987 Edition; and containing an emergency clause.

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

Section One. An ordinance repealing Ordinance 60664, approved February 17, 1988, Ordinance 61053, approved October 25, 1988, Ordinance 61173, approved December 21, 1988, Ordinance 62492, approved December 20, 1991, and Ordinance 62609, approved April 7, 1992, all pertaining to the Building Code of the City of Saint Louis and adopting the BOCA National Building Code/1987, and enacting in lieu thereof a new Building Code and adopting the BOCA National Building Code/1993, and containing penalty clauses and an emergency clause.

Section Two. The BOCA National Building Code/1993, Twelfth Edition, as published by the Building Officials & Code Administrators International, Inc., a copy of which is filed on record in the Office of the Register of the City of Saint Louis, is hereby adopted as 'The Building Code of the City of Saint Louis, in the State of Missouri'; for the control of buildings and structures as herein provided; and that each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Building 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. That the BOCA National Building Code/1993 is amended and changed in the following respects:

Delete Chapter 1 as published in its entirety.

Add new Chapter 1 to read as follows:

CHAPTER 1 ADMINISTRATION

SECTION 101.0 SCOPE

101.1 TITLE: These regulations shall be known as the Building Code of the City of Saint Louis, hereinafter referred to as "this code."

101.2 SCOPE: These regulations shall control matters concerning new construction, or the alteration, addition, repair, removal, demolition, location, change of occupancy/use group and maintenance of all buildings, structures and/or premises, including floating structures (which are supported partially or entirely by water and are permanently moored at one location) in the City of Saint Louis; except as such matters are otherwise provided for in the Charter of the City of Saint Louis, or other ordinances, or statutes, or in the rules and regulations authorized for promulgation under the provisions of this code.

101.3 APPLICATION OF REFERENCES: Unless otherwise specifically provided in this code, all 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.

101.4 CODE INTENT: This code shall be construed to secure its expressed intent, which is to insure public safety, health and welfare insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, sanitary equipment, light and ventilation, and fire safety; and, in general, to secure safety to life and property from all hazards incidental to the design, erection, repair, removal, demolition or use and occupancy of buildings, structures or premises.

SECTION 102.0 APPLICABILITY

102.1 GENERAL: The provisions of this code shall cover all matters affecting or relating to buildings, structures and/or premises, as set forth in Section 101.0.

102.2 RESTRICTIONS: A structure shall not be constructed, extended, repaired, removed, altered or occupied in violation of these provisions, except for repairs as defined in Section 124.0, and except further that the raising, lowering or moving of a structure as a unit necessitated by a change in legal grade or widening of a street shall be permitted, provided the structure is not otherwise altered or its occupancy changed. Political subdivisions of the State of Missouri, including but not limited to, the Board of Education, Metropolitan Sewer District, the Housing Authority, Saint Louis Police Department, Planned Industrial Expansion, Land Clearance Redevelopment Authority, Land

Reutilization Authority, Saint Louis Development Corporation and the Regional Convention and Sports Complex Authority are covered under the provisions of this code for all property within the city limits.

102.2.1 EXEMPTIONS: This code is not applicable to structures owned and occupied by the United States of America or the State of Missouri. It is also not applicable to City of Saint Louis owned property located outside of the City Limits. It is also not applicable to premises or portions thereof occupied by the Circuit Courts, the Clerk of the Courts or the Jury Commissioner of the City of Saint Louis, or any other office designated as County agencies that receive their authority from State statutes. County agencies located within City-owned buildings shall be regulated by the Board of Public Service. Also exempted from this code are existing building occupancies that are licensed by the State of Missouri as home day cares, as specified in Section 310.5.2. This code is also not applicable to structures located within cemetery boundaries which are less than one thousand (1,000) square feet in area and twenty (20) feet in height, measured from grade to the highest point. Also, the laying or relaying of railroad trackage sidings and their appurtenant signals, culverts and structures are exempt from the provisions of this code.

102.3 MATTERS NOT PROVIDED FOR: Any requirements that are essential for structural, fire or sanitary safety of an existing or proposed structure, or for the safety of the occupants thereof, and which are not specifically covered by this code, shall be determined by the code official.

The code official may delegate to the Department of the President, Board of Public Service, responsibility for code compliance inspections on jobs within the City Limits let by the Board of Public Service or let as a Comptroller emergency. If such delegation is made, that office shall certify in writing to the code official at the completion of the job that they did inspect and believe the job to comply with the code.

102.4 REFERENCED STANDARDS: The standards referenced in this code and listed in Chapter 35 of the BOCA National Building Code/1993 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 may be updated by rule making authority of the code official.

102.5 CONTINUATION OF UNLAWFUL OCCUPANCY: The continuation of unlawful occupancy of a building, structure and/or premises, or a portion

thereof, contrary to the provisions of this code, shall be deemed a violation and subject to the penalties prescribed in Section 116.4.

102.6 OTHER REGULATIONS: When the provisions herein specified for public health, safety and welfare are more restrictive than 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.

102.7 BUILDINGS, STRUCTURES AND/OR PREMISES PARTLY WITHIN CITY LIMITS: When a building, structure and/or premises is constructed partly within the City and partly within County Limits, the Building Commissioner shall be authorized to enter into agreements with the adjoining code jurisdictions to avoid duplications of inspections, fees and permits.

SECTION 103.0 VALIDITY

103.1 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 thereof, which are determined to be legal; and it shall be presumed that this code would have been passed without such illegal or invalid parts or provisions.

103.2 SEGREGATION OF INVALID PROVISIONS: Any invalid part of this code shall be segregated from the remainder of the code by the court holding such part invalid, and the remainder shall remain effective.

103.3 DECISIONS INVOLVING EXISTING STRUCTURES: The invalidity of any provision in any section of this code as applied retroactively to existing structures shall not be held to affect the validity of such section in its application to structures hereafter erected.

SECTION 104.0 DIVISION OF BUILDING AND INSPECTION

104.1 SCOPE: There is hereby created the Division of Building and Inspection.

104.2 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.

104.2.1 APPOINTMENT; QUALIFICATIONS: The Building Commissioner, also herein referred to as the Code Official, shall be a registered professional

engineer or licensed architect, 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.

104.3 ORGANIZATION: The Code Official shall appoint such numbers of engineers, architects, 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 may delegate appropriate subordinates to act in the exercise of the duties of this code, and they may be also designated as code officials.

104.4 Deleted.

104.5 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 121.0, 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 plans or of specifications 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.

104.6 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 the code official or employee is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act of commission or omission 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 legal representative of the jurisdiction 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.

104.7 OFFICIAL RECORDS INVESTIGATIONS; CHARGES: 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 Building Division records relating to all building and/or occupancy permits, a special inspection fee of twenty (\$20.00) dollars shall be charged, as specified in Section 112.3.6, in addition to all other fees as provided in other sections of this code.

SECTION 105.0 DUTIES AND POWERS OF THE CODE OFFICIAL

105.1 GENERAL: The code official shall enforce all the provisions of this code and shall act on any question relative to the mode or manner of construction and the materials to be used in the erection, alteration, repair, removal, or demolition of a building or structure, or the installation of service equipment, and the location, use, occupancy and maintenance of all buildings, structures and/or premises, except as otherwise specifically provided for by statutory requirements, or as provided in Sections 105.2 through 105.7.

105.2 APPLICATIONS AND PERMITS: The code official shall receive applications for, and issue or deny permits for, the erection, alteration or occupancy of buildings, structures and/or premises, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

105.3 BUILDING NOTICES AND ORDERS: The code official shall issue all necessary notices or orders to remove illegal or unsafe conditions, to require the necessary code related safeguards during construction, to require adequate exit facilities in existing buildings and structures, and to insure compliance with all the code requirements for the health, safety and general welfare of the public.

105.4 INSPECTIONS: The code official shall make all the required inspections, or the code official shall accept reports of inspection by approved agencies or individuals; and all reports of said inspections shall be in writing and certified by a responsible officer of said 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.

105.5 IDENTIFICATION: The code official and authorized representatives shall carry proper identification of their respective office for the purpose of inspecting any and all buildings and premises in the performance of duties under this code.

105.6 RULE MAKING AUTHORITY: The code official shall have power 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; but such rules shall not have the effect of waiving structural or fire performance requirements specifically provided in this code or violating accepted engineering practice involving public safety.

105.6.1 ACCEPTED ENGINEERING PRACTICE: In the absence of provisions not specifically contained in this code or approved rules, the regulations, specifications and standards listed in Chapter 35, Referenced Standards, shall be deemed to represent accepted engineering practice in respect to the material, equipment, system or method of construction therein specified.

105.7 DEPARTMENT RECORDS: The code official shall keep official records of applications received which resulted in a permit, as well as permits and certificates issued, so long as the building, structure or occupancy to which they relate remains in existence unless otherwise provided by other regulations.

Fiscal records shall be kept until the Comptroller permits their disposal. All other citations or orders shall be kept for that period until such citation or order is found to be in compliance. Plans need not be retained after the issuance of an occupancy permit.

Original or file copies, when subpoenaed, shall be electrostatic copies certified by the Custodian of Records to be true and accurate copies of original

documents. Original documents shall remain in Building Division possession. Records relating to demolition of buildings need only be kept for five (5) years after the date of completion.

105.8 ANNUAL REPORT: The Building Commissioner shall submit to the Director of Public Safety a written annual report.

105.9 REVOCATION OF PERMITS FOR REPEAT OFFENDERS: The code official shall revoke any permit or certificate associated with a building, structure and/or premises when an owner(s) is convicted by a court of competent jurisdiction twice within a twelve (12) month period of being in violation of the same code provision on the same building, structure and/or premises.

SECTION 106.0 APPROVAL

106.1 APPROVED MATERIALS AND EQUIPMENT: All materials, equipment and devices approved for use by the code official shall be constructed and installed in accordance with such approval.

106.2 MODIFICATIONS: When there are practical difficulties involved in carrying out structural or mechanical provisions of this code, the code official is permitted to vary or modify such provisions upon application of the owner or the owner's representative, provided that the spirit and intent of the law shall be observed and public welfare and safety be assured.

106.2.1 RECORDS: The application for modification and the final decision of the code official shall be in writing, and shall be officially recorded with the application for the permit in the records of the Division of Building and Inspection.

106.3 USED MATERIALS AND EQUIPMENT: Used materials, 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.

106.4 ALTERNATIVE MATERIALS AND EQUIPMENT: The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any such alternative has been approved by the code official. An alternative material or method of construction shall be approved when 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.

106.4.1 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.

106.4.2 RESEARCH REPORTS: Supporting data, when required by the code official to assist in the approval of all materials or assemblies not specifically provided for in this code, shall consist of duly authenticated research reports from approved sources.

SECTION 107.0 APPLICATION FOR PERMIT

107.1 WHEN PERMIT IS REQUIRED: It shall be unlawful to construct, enlarge, alter, make non ordinary repairs to, remove or demolish any building or structure; or change the occupancy of a building, structure or premises from one use group to another; or to change to a prohibited use; or to install or alter any equipment for which provision is made or the installation of which is regulated by this code; or to use explosives for blasting in connection with demolition, excavation, construction or other building operation, without first filing an application with the code official in writing and obtaining the required permit therefore; except that repairs, as defined in Section 124.0, which do not involve any violation of this code, shall be exempted from this provision.

107.1.1 WHEN PERMITS ARE NOT REQUIRED: Permits are not required for the following types of work for all use groups, which shall be considered ordinary repairs or minor construction, except buildings in historic districts and landmark buildings which may require "Heritage Only" permits:

1. Tuckpointing, plastering, painting (interior and exterior), floor sanding and refinishing, floor tile and/or carpeting, replacement of flooring with like material, application of wall paper (and other wall covering material), and cabinet installation;
2. Repair or replacement of existing gutters and above grade portions of downspouts;

3. Application of pre-finished aluminum or steel (or other like materials) on soffits, fascia boards and overhangs;
4. Replacement or repair of existing windows and frames (whenever no modification is made to the opening); installation of storm windows and doors (whenever no modification is made to the opening); glazing and glass replacement;
5. Replacement or repair of exterior and/or interior doors (whenever no modification is made to the opening);
6. Sidewalks and driveways within property lines;
7. Exterior stairs and/or steps, which are on grade, not attached to the structure, and within property lines;
8. Paved areas for residential use (Four-family or less), on the same lot as the primary structure, without roofs, covers or enclosures;
9. Miscellaneous site work, landscaping, shrubbery and planting boxes, excavation or fill (creating a permanent change in property elevation less than 6" along property lines);
10. Fixed or retractable awnings that do not project over property lines, and not over 40 square feet in projected area;
11. Wall paneling of any type when directly applied to existing wall surfaces; or, if furred out, all void spaces must be filled with draftstopping materials with a flamespread of twenty-five (25) or less;
12. Ceiling tile of any type when applied to existing ceiling surfaces;
13. Installation of battery-operated smoke detectors;
14. Small accessory buildings (such as tool sheds, cabanas, "play houses", etc.) 50 square feet in area or less, provided such accessory buildings maintain the setbacks required by the Zoning Ordinance;
15. All above-ground swimming pools. Also, in-ground swimming pools less than 24" deep (water depth), and with a surface area of less than 250 square feet (Note: all pools require a permit from the City Health Department);

16. Roof replacement when done with like material; replacement of 25% or less of the roof sheathing;

17. New exterior siding. (Note: All pre-cast stone siding applied on building walls, porches, steps, and where used as screening walls, where over five feet above finish grade, shall require a building permit);

18. Replacement of existing fencing, SAME HEIGHT, MATERIAL AND LOCATION, in the rear or side yards;

19. Retaining walls 18" or less in height;

20. Radio or television antennae 12 feet or less in height, mounted on the ground (not in the front yard area), attached to, or on the roof of a building;

21. All repairs (including fire damage repairs) to a building when the building official determines the work is of a minor nature, and there is no damage or change to any part of the building structure;

22. Resealing and/or restriping an existing paved parking lot, provided any restriping is done to match the existing configuration;

23. Tents smaller than 1000 square feet, or those used for private family events on the same lot as the owner's residence.

24. Statues on private property, erected on grade, not attached to or part of a building or structure.

107.2 FORM OF APPLICATION: The application for a permit shall be submitted in such form as the code official prescribes and shall be accompanied by the required fee as prescribed in Section 112.0.

107.3 BY WHOM APPLICATION IS MADE: Application for a permit shall be made by the owner or lessee of the building or structure, or agent of either, or by the registered design professional employed in connection with the proposed work. The full names, addresses and telephone number of the owner, lessee, and applicant shall be stated in the application. Every application should have a local contact person listed. Occupancy permit applications shall be accompanied by a notarized letter of authorization or other documentation of permission from the owner of record.

107.4 DESCRIPTION OF WORK: The application shall contain a general description of the proposed work, its location, the use and occupancy of all

parts of the building or structure and of all portions of the site or lot not covered by the building or structure, and such additional information as required by the code official.

107.5 PLANS AND SPECIFICATIONS: The application for the permit shall be accompanied by at least one (1) copy of the specifications and four (4) copies of plans including plot plans drawn to scale, with sufficient clarity and detailed dimensions to show the nature and character of the work to be performed. The minimum size of any sheet shall be not less than 8 1/2" x 11" and the maximum size of any sheet shall be not greater than 36" x 48". When quality of materials is essential for conformity to this code, specific information shall be given to establish such quality and in no case shall this code be cited nor the term "legal" or its equivalent be used as a substitute for specific information. Plans containing the words "not for construction", "preliminary", "review set", or their equivalent, shall not be accepted for application. Plans marked with contractors "take off" notations shall not be accepted for application.

107.5.1 SEALED PLANS: All plans identified in Chapter 327 of the Revised Statutes of the State of Missouri which are submitted for a building permit shall be prepared by a registered design professional. All plans, specifications and computations shall bear the seal and signature of the registered design professional responsible for the preparation of such plans or documents on each sheet or page, in the manner prescribed by the State Statute. The cover sheet of all plans and documents submitted for a building permit shall bear the original ink seal(s), original ink signature(s) and the date signed by each design professional involved with the project.

107.5.2 CALCULATIONS: Properly signed and sealed calculations may be accepted by the code official as complying with the conditions of this code without the need to verify the calculations or their engineering analysis.

107.5.3 EXCEPTION: The code official may modify any of the requirements of Section 107.1 when, in the code official's opinion, the work involved is of a minor nature; or based on other provisions in the City ordinances, the code official may require other specific information for proper evaluation.

107.6 SITE PLAN: There shall also be a site plan showing to scale the size and location of all new construction and all existing structures on the site, distances from lot lines, and when necessary, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey or plat.

107.7 ENGINEERING DETAILS: The code official shall require to be filed adequate details of structural, mechanical and electrical work, including computations, loadings and structural analysis, and other essential technical data. All engineering plans and computations shall bear the signature and seal of the architect or engineer responsible for the design as required by Section 114.1.3.

107.8 AMENDMENTS TO APPLICATION: Subject to the limitations of Section 107.9, amendments to a plan, application or other records accompanying the same shall be filed before completion of the work for which the permit is sought or issued. Such amendments shall be deemed part of the original application and shall be filed therewith.

107.9 TIME LIMITATION OF APPLICATION: An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the code official may grant one (1) or more extensions of time for additional periods not exceeding one hundred eighty (180) days each if the code official deems that there is reasonable cause and if a written request is received for the extension prior to the expiration date.

SECTION 108.0 PERMITS

108.1 ACTION ON APPLICATION: The code official shall examine or cause to be examined all applications for permits and amendments thereto. If the application or the plans do not conform to the requirements of all pertinent laws, the code official shall reject such application in writing, stating the reasons therefore. If the code official is satisfied that the proposed work conforms to the requirements of this code and all City of Saint Louis laws and ordinances applicable thereto, the code official shall issue a permit. The code official may rely upon other City agencies to review for compliance with their ordinance requirements.

108.2 SUSPENSION OF PERMIT: Any permit issued shall become invalid if the authorized work is not commenced within six (6) months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work; except that the code official may grant one (1) or more extensions of time for additional periods not exceeding one hundred eighty (180) days each if the code official deems that there is reasonable cause, and if a written request is received for the extension prior to the expiration date.

EXCEPTION: No permit may be extended if, after six (6) months from issuance of said permit, no work has begun and the Board of Aldermen has passed an ordinance that would make all or part of the work thereon illegal or unlawful. When the codes adopted by the City of Saint Louis are changing from one edition to another, the work may be completed under the codes in effect when the permit for said work was originally issued.

108.3 PREVIOUS APPROVALS: Unless requirements imposed by Federal law or State statute have changed, this code shall not require changes in the plans, construction or designated use of a building for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been actively prosecuted within six (6) months after the effective date of this ordinance and which is completed with dispatch.

108.3.1 CODE TRANSITION: Unless requirements imposed by Federal law or State statute have changed, permits applied for within six (6) months of the effective date of this ordinance may be reviewed and approved under the former building code if there is written evidence of a preliminary review of the project under the former code. The cover sheet of the plans shall show under which code the project was designed.

108.4 SIGNATURE TO PERMIT: The code official's signature or a facsimile thereof shall be attached to every permit; or the code official shall authorize subordinates to affix their signatures thereto.

108.5 APPROVED PLANS: The code official shall stamp or endorse three sets of plans "APPROVED", and at least one set of such approved plans shall be retained by the code official and one set shall be kept at the building site, open to inspection of the code official or an authorized representative at all reasonable times. If additional "APPROVED" sets are required by the permittee, a charge may be made as outlined in Section 112.0.

108.6 REVOCATION OF PERMITS: The code official may revoke a permit or approval issued under the provisions of this code in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based. The code official may also revoke or suspend a permit upon discovery of substantial non compliance with this code or any applicable city ordinance. Permits may also be revoked as set forth in Section 112.1.

108.7 APPROVAL OF PART: The code official is authorized to issue a permit for the construction of foundations or any other part of a building or structure

before the entire plans and specifications for the whole building or structure have been submitted, provided adequate information and detailed statements have been filed complying with all the pertinent requirements of this code. The holder of such permit for the foundations or other part of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

108.8 POSTING OF PERMIT: A copy of the building permit shall be kept on the site of operations, open to inspection during the entire time of prosecution of the work and until the completion of the same.

108.9 NOTICE OF START: At least twenty four (24) hours notice of start of work under a building permit shall be given to the code official.

108.10 CONDEMNED BUILDINGS: Permits for demolition of structures and repair of buildings condemned in accordance with Section 119.0 or 120.0, and other work specifically identified by the code official, when in the best interests of the public, shall become invalid after thirty (30) days unless otherwise approved.

The code official may grant one (1) or more extensions of time for additional periods not exceeding ninety (90) days each after receiving a written request explaining the reasons for failing to commence or for suspending work, and after receipt of payment of a special inspection fee for each ninety (90) day period.

SECTION 109.0 TEMPORARY STRUCTURES

109.1 GENERAL: Pursuant to conditions required, if any, by the Board of Building Appeals under the provisions of Section 121.0, the code official shall issue a permit for temporary construction, as approved by the Board of Building Appeals. Such permits shall be limited as to time of service, but such temporary construction shall not be permitted for more than one year.

109.2 SPECIAL APPROVAL: All temporary construction shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of this code as necessary to insure the public health, safety and general welfare.

109.3 TERMINATION OF APPROVAL: The code official is hereby authorized to terminate such special approval and to order the demolition of

any such construction at his/her discretion, or as directed by a decision of the Board of Appeals.

SECTION 110.0 DEMOLITION OF STRUCTURES

110.1 SERVICE CONNECTIONS: Before a structure can be demolished or removed, the owner or agent shall notify all utilities having service connections within the structure such as water, electric, gas, sewer, etc.; and severance of same must have been completed.

110.1.1 WRECKING, DEMOLITION OR RAZING OF BUILDINGS OR STRUCTURES: No person, firm or corporation shall wreck, demolish or raze a building or other structure within the City of Saint Louis without first obtaining a permit for said demolition from the Division of Building and Inspection. Such permit shall be issued only to a person, firm or corporation certified as a demolition contractor by the City of Saint Louis, except that a permit shall be issued to the owner of record of land, or to an agency or division of the City of Saint Louis, if such building is not more than one and one half (1 1/2) stories or fifteen (15) feet in height and not more than ten thousand (10,000) cubic feet in volume or one thousand (1,000) square feet in area without a basement.

110.2 Deleted.

110.3 LOT REGULATION: Whenever a structure has been removed, the premises shall be maintained free from all unsafe or hazardous conditions.

110.3.1 LOT MAINTENANCE: Whenever a structure has been demolished and no building or construction operation has been contemplated or projected, as evidenced by the fact that no application for a building permit has been filed with the code official to replace said demolished structure, the excavation remaining after such demolition shall be immediately filled, graded and maintained in conformity with the existing grade immediately adjacent to such excavation, or as directed by the code official. The top six (6) inches of fill shall be clean top soil and shall be planted with grass seed.

SECTION 111.0 CONDITIONS OF PERMIT

111.1 PAYMENT OF FEES: A permit shall not be issued until the fees prescribed in Section 112.0 have been paid.

111.1.1 ACTION ON APPLICATION FOR PERMIT TO USE EXPLOSIVES: When it is deemed proper, safe and advisable, the code official shall, upon

receipt of application, issue blasting permits for the use of explosives for blasting in connection with demolition, excavation, construction or other building operations. Without such permit, the use of explosives for the above-mentioned purposes is hereby prohibited. Additional permits may be required under the Fire Prevention Code.

111.2 COMPLIANCE WITH CODE: The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel or set aside any of the provisions of this code, except as specifically stipulated by modification or legally granted variation.

111.3 COMPLIANCE WITH PERMIT: All work shall conform to the approved application and plans for which the permit has been issued and any approved amendments thereto.

111.4 COMPLIANCE WITH SITE PLAN: All new work shall be located strictly in accordance with the approved site plan.

111.5 CHANGE IN SITE PLAN: A lot shall not be changed, increased or diminished in area from that shown on the official plot/site plan, unless a revised plan showing such changes accompanied by the necessary affidavit of owner or applicant has been filed and approved; except that such revised plan will not be required if the change is caused by reason of an official street or alley opening, street widening or other public improvement.

SECTION 112.0 FEES

112.1 SCOPE: No permit, certificate or inspection report, as required by the provisions of this code, shall be released or issued until the fees prescribed in this section have been paid to the City of Saint Louis, as collected by the code official or designated representative; nor shall an amendment to a permit, necessitating an additional fee because of an increase in the volume or the estimated cost or an added device, be released until the additional fees have been paid. In collecting said fees, the code official is authorized to accept personal checks as payment; however, non payment by said checking account shall be considered as a violation of this code and is cause for suspension or revocation of permits, certificates or reports issued or released for such personal check payment. If a permit is suspended or revoked for non payment of a fee, or for insufficient funds, an additional twenty (\$20.00) dollars shall be collected to cover the insufficient fund check.

112.1.1 FEES OTHER THAN HEREIN PRESCRIBED: The payment of fees prescribed in this section shall not relieve the applicant or holder of any permit or any certificate of occupancy from the payment of other fees which shall be prescribed by law or ordinance for water taps, sewer connections, electrical permits, plumbing permits, mechanical permits, sprinkler permits, fire alarm permits, erection of signs and display structures, or fees for inspections or other privileges or requirements, both within and without the jurisdiction of the Division of Building and Inspection.

112.1.2 WORK STARTED SURCHARGE FEES: In case any work for which a permit is required by this code is substantially started or proceeded with prior to obtaining said permit, the total normal fees applicable shall be increased by the amount as set forth in Table 112.1.2. The payment of said surcharge fee shall not relieve any persons from fully complying with the requirements of this code for performance or execution of the work, nor from other penalties prescribed by law.

TABLE 112.1.2 SCHEDULE FOR SURCHARGE FEES

Permit Fee	Surcharge Fee
\$ 0 to \$ 50	\$ 30.00
51 to 200	90.00
201 to 500	240.00
501 to 2,000	360.00
2,001 to 10,000	480.00
over \$10,000	600.00

112.2 FEES FOR AMENDING PERMITS: After a permit has been issued and an amendment is applied for, the fee shall be as follows:

A) For each and every amendment which involves additional work not originally applied for to complete the entire project, the fee shall be the appropriate fee for the work contemplated as usually calculated, plus the special inspection fee. The minimum fee shall be as established in Table 112.4.1. To this shall be added the special inspection fee.

B) For each and every amendment not involving additional work, a minimum fee shall apply even though the project dollar value or building volume may remain the same or decrease. See Table 112.4.1. To this shall be added the special inspection fee.

112.3 BASIC CONSTRUCTION FEES: Fees for permits for construction shall be as follows:

112.3.1 TENTS, TANKS, DEVICES, ETC.: The fee for a permit for the construction, installation or erection of a tent, tank, device, equipment or other structure or facility shall be as prescribed in Table 112.4.1.

112.3.2 MISCELLANEOUS STRUCTURES AND SITE WORK: The fee for a permit for, including but not limited to, the construction of a tower, retaining wall, fence, stack and site work shall be based on the estimated cost of the construction at the rate prescribed in Table 112.4.1.

112.3.3 FLOATING STRUCTURES: For floating structures and structures of a similar nature that are permanently moored, the fee for a permit shall be based on the estimated cost of construction or alterations and shall be charged at the rate prescribed in Table 112.4.1.

112.3.4 ALTERATIONS AND REPAIRS: The fee for a permit for alterations or repairs to a building or structure shall be based on the estimated cost of said alterations or repairs and shall be charged at the rate prescribed in Table 112.4.1.

112.3.5 NEW CONSTRUCTION AND ADDITIONS: The building permit fee for new construction and additions will be based on the total estimated cost of construction, and shall be charged at the rate prescribed in Table 112.4.1 for new construction and additions. For the purpose of determining a fee, total construction costs shall include all costs for structural, interior and exterior finishes, normal site preparation (including excavation and backfill), overhead and profit, engineering and architectural fees. The following may be excluded from total construction costs: the cost to install sprinkler, standpipe and fire alarm systems; signs; and the cost to install all mechanical, plumbing and electrical systems. Final costs shall be determined by the code official, if necessary, using the current BOCA Building Valuation Data Report for New Construction, Additions, Alterations, Repairs or Rehabilitation. The code official may require the submittal of contract documents when the estimated cost is questioned.

112.3.5.1 FEES NON REFUNDABLE: The fee for a permit based upon an estimated cost that is higher than later claimed by the permittee shall not be a basis for refund. When construction does not occur, or only partially occurs, fees are not refundable.

112.3.6 SPECIAL INSPECTION/APPLICATION FEES: The fee for a special inspection of a building, structure or site, as required by Section 113.0 prior to the issuance of a permit to occupy, or for blasting, demolition, construction, enlargement, alteration, repair or change in use or occupancy, shall be as described in Table 112.4.1.

112.3.6.1 SPECIAL DEMOLITION FUND: There shall be an additional fee charged for all building permits based on the total estimated cost of construction, and shall be charged at the rate prescribed in Table 112.4.1 for the Special Demolition Fund.

112.3.7 MOVING OF BUILDINGS: The fee for a permit to move a building or structure from one lot to another, or to a new location on the same lot, shall be as described in Table 112.4.1. In the event that a building or structure is to be moved from a point within the City of Saint Louis to a point outside the City, the fee for the moving permit shall be based on the estimated cost of restoration of the original site to a safe and satisfactory condition plus that portion of the moving cost which covers the journey to the city limits. In the event that a building or structure is to be moved from the outside of the City of Saint Louis to a point inside the city limits, the fee for the moving permit shall be based on the estimated cost of the portion of the journey from the city limits to the site of re erection.

112.3.7.1 NEW FOUNDATIONS: Before any building or structure shall be moved to a new foundation, it shall be required, in addition to a moving permit, that a building permit be obtained for the construction of said new foundation; the fee for the permit for said foundation shall be charged in accordance with Table 112.4.1. In addition, all applicable electrical, mechanical and plumbing permits shall be obtained.

112.3.8 EXPLOSIVES: The fee for a permit for the use of explosives for blasting in connection with demolition, excavation, construction or other building operations, as set forth in Section 111.1.1, shall be as established in Table 112.4.1. When a blasting operation consists of a series of blasts at intervals of distance, such as blasting a trench for the installation of utilities, and the extent of the blasting operations exceeds two hundred and fifty (250) feet in length, the fee for a permit shall be charged for the first two hundred and fifty (250) feet of the operation with an additional fee for each additional two hundred and fifty (250) feet or any part thereof. The fee for a permit for the use of explosives shall cover the issuance of the permit and shall also cover pre blasting survey inspection and post blasting survey inspection of all property within two hundred fifty (250) feet of the blasting operation. In addition, a

separate permit shall be required under the Fire Prevention Code for the transportation, storage or use of explosives.

112.4 FEE TABLES: The code official shall cause to be collected all fees as prescribed in this code.

112.4.1 TABLE 112.4.1: Table 112.4.1 contains permit and/or inspection fees for new construction and additions, miscellaneous structures, fees for alterations and repairs to existing buildings, supplemental permits, tank permits, moving of building permits, demolition, blasting for demolition purposes, blasting for construction purposes, picnics, carnivals and circuses or traveling exhibition permits, tents, amusement park devices, workmen's hoists, special inspections and occupancies.

**TABLE 112.4.1 BUILDING PERMIT FEES FOR STRUCTURES;
BLASTING AND INSPECTION FEES**

Item	Fee	Minimum Fee	Section	Remarks and Requirements
New Construction	\$2.50/\$1,000 of estimated cost or fraction thereof	\$ 8.00	112.3.5	A \$8.00 fee will be charged for all new construction and additions to one (1) and two (2) family dwellings for up to \$2,500.00 estimated cost or fraction thereof.
Miscellaneous Structures Permits				
Structures or additions such as towers, retaining walls, floating structures, parking lots, fences, etc.	\$2.50/\$1,000 of estimated cost or fraction thereof	8.00	112.3.2	For all structures, devices, appurtenances and equipment requiring permits & not other wise provided for by this code.
Alterations & Repairs to an Existing Building Permit	\$2.50/\$1,000 of estimated	8.00	112.3.4	A \$8.00 fee will be charged for

	cost or fraction thereof			all alteration and repair work to one (1) and two (2) family dwellings for up to \$2,500.00 estimated cost or fraction thereof.
Addendum Permits				
Amendment which involves additional work	\$2.50/\$1,000 of estimated increased cost or fraction thereof	19.00	112.2	
Amendment which involves decrease or no increase in work done.	\$ 19.00	19.00	112.2	When in the opinion of the code official the amendment is of a minor nature the fee may be waived.
Tank Permits				
For any purpose	\$2.50/\$1,000 of estimated cost or fraction thereof	8.00	112.3.1	Additional permits may be required under the Fire Prevention Code.
Moving_of_Buildings_Permits				
Within City Limits	\$.60/\$100 of estimated cost or fraction thereof	\$ 12.00	112.3.7	Estimated cost of moving building to new location plus cost of restoring previous site to a safe condition.
To outside City Limits	\$.60/\$100 of estimated cost or fraction thereof	12.00	112.3.7	Estimated cost of moving building to city limits plus cost of restoring original site to a safe condition.

From outside City Limits to within City Limits	\$.60/\$100 of estimated cost or fraction thereof	12.00	112.3.7	Estimated cost of moving building from city limits to a new site.
New foundation for building	\$2.50/\$1,000 estimated cost or fraction thereof	8.00	112.3.7.1	

Demolition_Fees

PERMITS

Structure Volume (cu.ft.) exclusive Less than 10,000 cu.ft.	\$ 5.00		112.4.1	Based on volume of structure of basement or cellars.
10,000 cu.ft and over		5.00		
Blasting for Demolition	\$12.00/10,000 of estimated cost or fraction thereof	24.00	112.3.8	Includes pre and post blast survey, per building/per blast.
		100.00		
		100.00		

SPECIAL INSPECTIONS

less than 10,000 cu.ft	12.00	12.00	112.3.8	Per Site
10,000 cu.ft and over	24.00	24.00		Per Site
Blasting for Demolition	50.00	50.00	112.3.8	Per Site

Explosives

Blasting permit for trenching	\$60/250 lineal feet or fraction thereof	60.00	112.3.8	For construction, excavation or other building operation.
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Picnic/Carnival_Permit

Each Tent	\$24.00	\$24.00		Picnic/carnival operated 2-1/2 days or less by a not-for-profit organization, and operated on private ground owned by and adjacent to said
Each Amusement Booth	24.00	24.00		

organization's facilities, requires no permit (except Electrical permits shall be required). If not on ground owned by or adjacent to said organization's facilities, picnic or carnival shall require an Occupancy Permit with inspections by Building and Electrical Sections (See Occupancy Permit Fees below). Further, Zoning approval must be secured before issuance of said Occupancy Permit. Picnics/carnivals operated for any length of time by a for-profit organization on private property must secure an Occupancy Permit and approval from the Zoning Section. BPS permits required for all picnics/carnivals on City-owned

property or any public right-of-way in addition to the above requirements.

Circus_or_Traveling_Exhibition_Permit

For each tent with seats accessible to the public	12.00
per 1000 seats or fraction thereof.	\$12.00
For each tent without seats accessible to the public.	\$6.00
	\$6.00
For each tent not accessible to the public	\$6.00
For each amusement booth	

112.4.1 Circus or traveling exhibition may remain in one location not longer than 14 days.

For each structure other than a tent or amusement booth

Temporary grandstands and stadiums may remain in place not longer than 90 days

Tent_Permits

For any purpose other than a carnival, circus or traveling exhibition	\$6.00	112.3.1
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Tents smaller than 1,000 sq.ft. or for private family events on the same lot with the residence are exempt from permit. Tents shall be erected for less than 30 days maximum. Tent must be supported to withstand wind of 20 lbs. per sq. ft. minimum. Tent must stay ten (10) feet from tent walls

to buildings and to interior lot lines. Tents for 49 persons or less must have one (1) exit. Tents for 50 to 499 persons must have two (2) exits. Tents for 500 to 999 persons must have three (3) exits. Emergency lighting may be required.

Special Inspection Fees

Applicant Requests permits	\$ 24.00	112.3.6	Related to other occupancy and use requested by the applicant. A special inspection fee is an administrative charge made for processing permit applications.
	\$ 24.00		
Emergency and Specialty Inspections	24.00	112.3.6	Charge of inspections requested to be made beyond normal working hours not to exceed \$24.00 per requested inspection
For Permits with estimated cost less than \$1,000.	9.00	112.3.6	A special inspection fee for one (1) and two (2) family dwellings for permits with

				estimated cost of up to \$2,500.00 shall be not more than \$9.00.	
Applicant request for Occupancy Permit Residential & 3,500 sq.ft. or less commercial	118.6.1	Commercial over 3,500 sq.ft.	Duplicate Copy of any permit	Cost for approving additional sets of plans	1.00 per pag
Special Demolition Fund					
\$2.00/\$1,000 of estimated cost or fraction thereof	112.3.6.1	Special fund approved by the voters.			
Workmen's_Hoist					
Inspection fee per unit			3004.5.4	\$5.00/floor of rise, entire unit, or as unit is extended in height	
	5.00	20.00			

112.4.2 TABLE 112.4.2: Table 112.4.2 contains the basic building fees for signs governed by this code.

TABLE 112.4.2 SIGN PERMIT FEES

Item	Fee	Minimum Fee	Section	Remarks and Requirements
Roof				
Up to 100 square feet	\$ 30.00			
Each additional 10 square feet or fraction thereof	2.50	\$ 30.00	3102.8	
Projecting				
Up to 60 sq.ft.	12.00	12.00	3102.10	
Over 60 sq.ft to 100 sq.ft.	18.00			
	2.50 each additional 10 sq.ft. or fraction thereof			
Over 100 sq.ft				
Ground_Signs_Less_Than_50_Feet_In_Height				

Up to 100 sq.ft.	12.00	12.00	3102.7
Each additional 10 sq.ft. or fraction thereof	2.50		

Ground_Signs_Over_50_Feet_In_Height

Up to 100 sq.ft.	30.00	30.00	3102.7
Each additional 10 sq.ft. over 100 or fraction thereof	2.50		

Wall_Signs

Up to 60 sq.ft.	10.00	10.00	3102.9
Over 60 sq.ft. to 100 sq.ft.	15.00		
Each additional 10 sq.ft. over 100 or fraction thereof	2.50		

Special_or_Temporary_Display

Fee for a special sign shall be the same

as the one above which it most closely resembles.

Signs_Requiring_Permits

30.00 3102.12

NOTE: When a question arises as to what type of sign is being constructed or placed, it shall be designated as that type of sign it most closely resembles as determined by the code official. (See also Section 2900.0 and the Saint Louis Zoning Ordinance.)

112.4.3 TABLE 112.4.3: Table 112.4.3 contains the fees for filing an appeal to the Board of Building Appeals, as covered under Section 121.5 of this code, and fees for the Demolition Contractors' Certification Board, along with corresponding fees for various demolition certificates.

TABLE 112.4.3 BOARD AND COMMITTEE FEES

Item	Fee	Duration	Section	Remarks and Requirements
Board of Building Appeals Filing Fee	\$40.00	121.5		Upon the submission of an acceptable written statement certifying the applicant to be indigent, the filing fee shall be waived only upon approval from the City Counselor's Office.

**Demolition
Contractors'
Certification
Board**

Certificate Applications	30.00		122.4
Certification Fees:	200.00	1 year	122.4
Class I			
Class II	90.00	1 year	122.4
Temporary Certificate			
Filing Fee:	60.00		122.4
Class I	120.00	6 months	Up to 6 months
Class II	30.00	6 months	Up to 6 months

112.5 REFUNDS: No fee charged under the provisions of this code shall be refunded because of abandonment or discontinuance of any project or because of applicant error.

112.6 FEES WAIVED FOR DISASTER-RELATED PERMITS: In the event of a tornado, earthquake, flood, or any other natural disaster of such magnitude to activate the City Emergency Management Agency, the Building Commissioner is authorized to waive all permit fees normally collected by the Division of Building and Inspection for repairs, reconstruction, demolition, plumbing, electrical or mechanical work, or any other similar permits required by this Division to correct the damage caused by the heretofore mentioned disaster. These permit fees shall be waived for a period not to exceed twelve (12) months, or as otherwise determined by the Building Commissioner.

SECTION 113.0 INSPECTION

113.1 PRELIMINARY INSPECTION: Before issuing a permit, the code official shall, if deemed necessary, examine or cause to be examined all buildings, structures and sites for which an application has been filed for a permit to construct, enlarge, alter, repair, remove, demolish or change the use thereof.

113.1.1 SPECIAL INSPECTION EXCEPTION: The code official shall waive the special inspection, when in the official's judgment, the work is of a minor nature or sufficient information is available to determine permit issuance.

113.1.2 PERIODIC INSPECTIONS: The code official shall, if deemed necessary, make or cause to be made such periodic inspections of buildings, structures, devices, appurtenances, and uses as are required by and in the intervals prescribed by Table 113.1.2. In order to provide a uniform workload throughout the year, the code official may alter the intervals between periodic inspections as required to meet staffing levels.

TABLE 113.1.2 PERIODIC INSPECTION OF STRUCTURES, DEVICES AND USES

Item	Period Between Inspections	Section	Remarks and Requirements
Cornices, Entablatures, Belt Courses, Trim and Similar Decorative Features; maintenance repair and safe condition thereof (for such items projecting from the face of buildings)	3 years	3203.3 3203.4	Applies to all buildings over 5 stories or 60 ft. in height. Owners to submit report bearing the Seal of a registered professional engineer or architect to the code official every 3 years describing the condition and safety of cornices, entablatures, belt courses, etc. The code official shall waive inspection if feature does not encroach over City of Saint Louis sidewalk, street or alley.
Other annual permits, Certificates and clearances through Board of Public Service action such as Day Care Centers, Nursing Homes, Homes for the Aged, Hospitals Certification, Recertification	1 year		Applies to all other inspections of buildings or uses not otherwise provided for in this code or any City ordinance, which are made annually per the Board of Public Service Permit, and which are assigned by BPS to the Building Division for permit verification or clearances.
Passenger_Elevators_&_Manlifts	1 year	3004.3.2	

Freight_Elevators	1 year	3004.3.2
Residential_(2_passenger) Elevators	1 year	3004.3.2
Miscellaneous,_Hoisting_& Elevating_Equipment	1 year	3004.3.2
Moving_Stairways_& Moving Sidewalks	1 year	3004.3.2
Permanent_Amusement_Devices	1 year	3004.3.2
Dumbwaiters	1 year	3004.3.2
Material_Lifts	1 year	3004.3.2
Auto_Lifts	1 year	3004.3.2

113.1.3 ROUTINE INSPECTIONS OF WORK UNDER PERMIT: The code official shall conduct inspections from time to time during and upon completion of work for which the official has issued a permit.

113.1.3.1 NOTICE TO BEGIN WORK: It shall be the responsibility of the holder of a permit to notify the code official when work is ready for the various inspections required by the terms of the permit or the approved rules. Such notice shall be given within a reasonable time before the inspection is desired, but in no event shall the notice be less than the working day before. Notice given on a Friday or on a day prior to a legal holiday shall not constitute notice for inspection on a Saturday, Sunday or holiday, unless arrangements have been made under approved rules for overtime inspection on such days. Before giving such notice the holder of the permit shall first test the work and satisfy themselves that it conforms to the approved plans and specifications and the requirements of this code.

113.1.3.2 ACTION ON NOTICE: Upon receipt of notice that work is ready for inspection, the code official shall inspect, or cause the work to be inspected, as soon as reasonably practicable. However, failure of the code official to make a prompt inspection shall not be deemed justification for covering work without inspection when such work is required under the terms of the permit to be inspected before being covered.

113.1.3.3. COVERING WORK: It shall be a violation of this code to cover prior to inspection any work required to be inspected under the provisions of a permit, the approved rules, or this code, regardless of any penalties for such violation. The code official may require the holder of the permit to uncover any

such work for inspection, and the cost of uncovering such work and of replacing the cover, after the work has been satisfactorily inspected, shall be borne by the holder of the permit.

113.1.3.4 INSPECTION SEQUENCE AND APPROVAL: No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the code official or authorized representative. Approval shall be given only after an inspection has been requested and made of each successive step in the construction and all code requirements or corrections are completed, as indicated by each of the inspections required. There shall be a final inspection and approval of all buildings to be completed before occupancy, as described in Section 118.0 of this code. Failure to obtain a final inspection before occupancy will constitute a violation of the building code, subject to the penalties as described in Section 116.4. Reinforcing steel or structural framework of any part of a building or structure shall not be covered or concealed in any manner without first obtaining the approval of the code official. The code official, upon notification from a permit holder or agent, in accordance with the rules of procedure listed on the permit and posted in the office of the code official, shall make the following inspections, and shall either approve that section or portion of the construction as completed, or shall notify the permit holder or agent that they have failed to comply with the law.

113.1.3.5 SOIL INSPECTION: A soil inspection is to be made after excavation for the structure is complete and trenches for footings, column pads, spread footings, or other types of footings are ready for concrete. No concrete is to be poured without this inspection.

113.1.3.6 FOUNDATION INSPECTION: A foundation inspection shall be made after the forms and reinforcing steel are set in place and before the concrete is poured. The contractor and/or owner is/are solely responsible for the correct location of the foundation on the site.

113.1.3.7 PIER INSPECTION: Where special foundations are required such as drilled and poured in place concrete piers, driven piles of all types, caissons, and other extraordinary types, the code official shall make at least one inspection and more if the size of the job warrants it.

113.1.3.8 FRAMING OR ROUGH IN INSPECTIONS: A framing or rough in inspection shall be made after all framing, masonry walls, or fireplace vents and chimneys are completed, including the roof structure, fire stopping, draft stopping, wall bracing, sheathing, heating and cooling ductwork, or other

appurtenances and accessories which may be concealed. No mechanical, electrical or plumbing systems which are to be concealed shall be covered before this inspection has been made and approved by the code official.

113.1.3.9 LATH AND DRY WALL: The following ceiling and wall finish inspections shall be performed as specified:

(A) A lath inspection is to be made after all lathing, interior and exterior, is in place and before any plaster is applied.

(B) A dry wall inspection is to be made after drywall sheets are in place and properly nailed, before drywall taping and floating.

113.1.3.10 FINAL BUILDING INSPECTION: A final building inspection shall be made by the code official.

113.1.3.11 SUPPLEMENTAL INSPECTIONS: In addition to the required inspections hereinbefore specified, the code official shall make other supplemental inspections which in the code official's judgment are reasonably necessary due to unusual construction or circumstances. The code official shall have the authority to inspect any construction work to verify compliance with the building code and to properly enforce the rules promulgated by this code.

113.1.4 BLAST SURVEY INSPECTIONS: When a permit is issued for the use of explosives, the code official shall cause to be conducted two (2) survey inspections of all buildings within two hundred fifty (250) feet of the blasting, and a third inspection to be made after the blasting. These inspections shall indicate any settlement, cracks or other deterioration; additional or supplemental detailed survey work may be required by the code official. Such inspections or survey work, as required by the code official, must be conducted by a private individual or individuals technically competent to do such work and acceptable to the code official. Such private surveys shall be conducted at the expense of the permit applicant. The additional or supplemental survey work may be accepted by the code official in lieu of the pre blast and/or post blast survey if the survey(s) has included all areas within two hundred fifty (250) feet of the blasting site and contains the details required herein.

113.2 OTHER INSPECTIONS: The code official shall make or cause to be made such inspections of existing buildings, structures, devices and uses as the code official deems practical and necessary with regards to the applicable provisions of this code.

113.2.1 APPROVED INSPECTION AGENCIES: The code official shall accept reports of approved inspection agencies provided such agencies satisfy the requirements as to qualifications and quality assurance.

113.2.2 PLANT INSPECTION: Where required by the provisions of this code or by the approved rules, materials or assemblies shall be inspected at the point of manufacture or fabrication in accordance with Section 1703.3.3.

113.2.3 EVALUATION AND FOLLOW-UP SERVICES: Prior to the approval of a closed prefabricated assembly and issuance of a building permit, the code official shall require the submittal of an evaluation report of each prefabricated assembly, indicating the complete details of the assembly, including a description of the assembly and its components, the basis upon which the assembly is being evaluated, test results and similar information, and other data as necessary for the code official to determine conformance with this code. Acceptable reports may come from: The State of Missouri, Public Service Commission; BOCA Evaluation Services; or CABO National Evaluation Committee.

113.2.3.1 EVALUATION SERVICE: The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

113.2.3.2 FOLLOW-UP INSPECTION: Except where all assemblies and subassemblies, service equipment and accessories are readily accessible for complete inspection at the site without disassembly or dismantling, the code official shall conduct the frequency of in-plant inspections as necessary to reasonably assure conformance to the approved evaluation report, or shall designate an independent approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow-up inspection manual and a written report of inspections upon request, and the product shall have an identifying label permanently affixed to the product indicating that factory inspections have been performed.

113.2.3.3 TEST AND INSPECTION RECORDS: All required tests and inspection records shall be accessible to the code official or quality assurance agency at all times during the fabrication of the unit or subassembly and the erection of the building; or such records as the code official designates shall be filed with the code official.

113.2.3.4 INSPECTION REPORTS: All inspection reports shall be in writing and shall be certified by the licensed authority, or responsible officer of the

service, or the individual when expert inspection services are accepted. An identifying label or stamp permanently fixed to the product indicating that factory inspection has been made shall be accepted in lieu of the aforesaid inspection report in writing if the intent or meaning of such identifying label or stamp is properly substantiated.

113.3 FINAL INSPECTION: Upon completion of the building or structure, and before issuance of the occupancy permit, as required in Section 118.0, a final inspection shall be made. All violations of the approved plans and permit shall be noted and the holder of the permit shall be notified of the discrepancies. The code official may issue a conditional occupancy permit for a specific period of time. Failure to comply with the conditions shall cause revocation of the permit.

113.4 RIGHT OF ENTRY: In the discharge of duties, the code official or authorized representative shall have the authority to enter at any reasonable hour any building, structure or premises in the jurisdiction to enforce the provisions of this code or any other code or ordinance of the City of Saint Louis. No person may accompany a code official onto a premises in the performance of his or her duty unless otherwise invited onto said premises by the owner or the owner's representative.

113.5 JURISDICTIONAL COOPERATION: The assistance and cooperation of the Police, Fire, Streets, Parks and Health Departments, and all other city officials, shall be available as required in the performance of duties.

113.6 PARKING: Division of Building and Inspection employees, when on official duty, shall be allowed to park without payment of fees at any parking meter or will be allowed to park contrary to posted NO PARKING ZONES. In no event will parking be allowed in front of fire plugs, mail boxes, handicap ramps, bus stops, nor within handicap parking spaces (unless vehicle is certified for the disabled).

113.6.1 PLACARDS: Each authorized individual shall display one (1) placard, approved by the Code Official, in either the front or rear window of private or city vehicles, to indicate that the individual is on official city business and is exempt from parking fees, citations, and parking tickets, in accordance with Section 113.6, during normal working hours. The Building Commissioner shall not issue such placards to any person not on the Division of Building and Inspection payroll. The Building Commissioner shall have the authority to request cancellation of parking tickets issued contrary to this ordinance.

113.7 PROFESSIONAL INSPECTION: The code official shall require owners to supply inspection reports by registered engineers or architects for any building, structure, appurtenance, or device when, in the code official's opinion, it is necessary to insure proper public safety, health and welfare.

SECTION 114.0 PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES

114.1 RESPONSIBILITIES: The provisions of this section shall define the construction controls required for buildings involving professional architectural or engineering services, and delineate the responsibilities of such professional services during construction.

Exception: Detached one- and two family dwellings and one story buildings of use groups other than A, H or I, less than ten person occupancy and 3,000 square feet in area.

114.1.1 DESIGN: All design for new construction, alteration, repair, expansion, addition or modification work involving the practice of professional architecture or engineering, as defined by the statutory requirements of the professional registration laws of the State of Missouri, shall be prepared by registered design professionals, certified by the Missouri Board for Architects, Professional Engineers and Land Surveyors. All plans, computations and specifications required for a building permit application for such work must be prepared by or under the direct supervision of a registered design professional and bear his/her signature and seal in accordance with the State's statutes and regulations governing the professional registration and certification of architects, professional engineers and land surveyors. See also Section 107.7.

114.1.2 REVIEW: The registered design professional, whose seal is on the approved plans, shall be responsible for review of shop drawings and samples, as required by the approved plans and specifications, and approval for conformance to the design concept and this code. This review process may be contracted by the owner to another registered design professional licensed by the State of Missouri, should the original design professional not desire to provide such services.

114.1.3 APPLICATION OF SEAL AND SIGNATURE: All plans, computations and specifications required for a building permit application shall bear an original embossed or inked seal and original inked signature on the cover sheet of each set of plans, computations and specifications, in addition to any mechanically reproduced seals or signatures.

Exception: Detached one- and two-family dwellings and one story buildings of use groups other than A, H or I, less than ten person occupancy and 3,000 square feet in area.

114.1.4 REPRODUCTION OF SEALED DOCUMENTS: Contract documents, plans, calculations and specifications, sealed by a registered design professional, may not be reproduced for anyone without the expressed written permission of the property owner, or the owner's attorney, or the registered design professional who sealed said documents, or as ordered by a court of law.

114.2 SPECIAL PROFESSIONAL SERVICES: When applications are filed for unusual designs or magnitude of construction which require plan review or inspection services beyond the capacity of the code official's staff, or where code reference standards in Chapter 35 require special architect or engineer inspections, the code official may require the owner to retain a properly qualified registered design professional to perform the services necessary for code compliance in addition to that provided in Section 114.1.2. This project representative shall keep daily records and submit reports as shall be required by the code official. Upon completion of the work, the registered design professional shall file a final report indicating whether or not all required inspections were performed and listing pertinent deviations from the building code requirements or from the approved plans and specifications and the source of authority for such deviations.

114.2.1 BUILDING PERMIT REQUIREMENT: The necessity for special professional services shall be determined prior to issuance of the building permit, unless waived to a later date by the code official. Refusal by the applicant to provide such services as required by the code official shall result in the denial of the permit.

114.2.2 FEES AND COSTS: All fees and costs related to the performance of special inspection services shall be borne by the owner.

114.2.3 VISITS TO SITE: When so directed by the code official, or when required by the special inspection provisions of this code, the registered design professional shall make visits to the site at intervals appropriate to the stage of the construction to observe the progress and the quality of the work; to observe construction components requiring controlled materials or construction, as specified in Chapter 35, Referenced Standards; and to determine if the work is proceeding in accordance with the documents approved for the building permit. The registered design professional shall periodically submit reports to the code official showing the results of such periodic visits.

SECTION 115.0 WORKMANSHIP

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

SECTION 116.0 VIOLATIONS

116.1 UNLAWFUL ACTS: It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, use or occupy any building, structure and/or premises, or equipment regulated by this code, or permit 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.

116.2 NOTICE OF VIOLATION: The code official shall 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 erection, construction, alteration, extension, repair, removal, demolition, use or occupancy of a building or structure and/or premises in violation of the provisions of this code, or in violation of a detail statement or a plan 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 may 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.

116.2.1 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, and the subsequent inspections completed, in accordance

with Section 118.5 of the Building Code. This letter does certify there are no existing letters of violation on record other than those attached herein. There will be a twenty dollar (\$20.00) special inspection fee charged for this service. Five (5) working days will be allowed to respond to this request."

116.3 PROSECUTION OF VIOLATION: If the notice of violation is not complied with, the code official shall 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 use of the building or structure and/or premises in violation of the provisions of this code or of the order or direction made pursuant thereto.

116.4 VIOLATION PENALTIES: 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 or structure and/or premises or equipment regulated by this code in violation of an approved plan 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 (\$500.00), or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues shall constitute a separate and distinct offense.

116.5 ABATEMENT OF VIOLATION: The imposition of the penalties herein prescribed 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 and/or premises, or to stop an illegal act, conduct business or use of a building or structure on or about any premises.

SECTION 117.0 STOP WORK ORDER

117.1 NOTICE TO OWNER: Upon notice from the code official that work on any building, structure and/or premises is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, or without permit, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the reason(s) for which the work was stopped.

117.2 UNLAWFUL CONTINUANCE: Any person who shall continue any work in or about the building, structure and/or premises after having been

served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not exceeding ninety (90) days; or by both such fine and imprisonment. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 118.0 OCCUPANCY PERMIT

118.1 NEW BUILDINGS: A building or structure hereafter erected shall not be used or occupied in whole or in part until an occupancy permit shall have been issued by the code official. The code official shall issue an occupancy permit when all the work has been completed in accordance with the approved plans and specifications.

118.2 CERTIFICATE OF SUBSTANTIAL COMPLETION: Upon the request of the holder of a building permit, the code official may issue a Certificate of Substantial Completion for a building, structure and/or premises before the entire work covered by the building permit shall have been completed, provided there are no conditions existing which would endanger life, public safety or welfare.

118.2.1 TEMPORARY OR PARTIAL OCCUPANCY PERMITS: Upon the request of an owner or an owner's representative, a temporary or partial occupancy permit may be issued for a building, structure and/or premises, provided that no conditions exist which may endanger life, public safety or welfare. Temporary or partial occupancy permits may be subject to conditions.

118.3 POSTING NOTICE OF OCCUPANCY PERMIT REQUIREMENTS: No person shall occupy any building, structure and/or premises until an occupancy permit has been applied for and issued by the City of Saint Louis. Failure to have an occupancy permit approved and issued by the code official is a violation, and both the occupant and owner shall be subject to a penalty, as provided in Section 116.4 of this code. Each day shall constitute a separate offense. It shall be the duty of the code official to post a notice on any building or portion thereof when it is found that an occupancy permit is required, as provided in Sections 118.3.1 through 118.3.3, before any occupancy may occur. This notice shall remain in plain sight and removal of same shall constitute a separate offense.

118.3.1 BUILDINGS HEREAFTER ALTERED: A building, structure and/or premises hereafter enlarged, extended or altered to change from one use group

to another, or to a different use within the same use group, in whole or in part; or a building, structure and/or premises hereafter altered for which an occupancy permit has not been heretofore issued, shall not be occupied or used until the occupancy permit shall have been issued by the code official, certifying that the work has been completed in accordance with the provisions of the approved building permit. The code official shall issue an occupancy permit when all the work has been completed in accordance with the approved plans and specifications. Any use or occupancy which was not discontinued during the alteration shall be discontinued within thirty (30) days after the completion of the alteration, unless the required occupancy permit is secured from the code official.

118.3.2 EXISTING BUILDINGS, NO CHANGE IN USE: Upon written request from the owner or tenant of an existing building, structure and/or premises, the code official shall issue an occupancy permit, provided there are no violations of law or orders of the code official pending, and it is established after inspection and investigation of the available records that the alleged use of the building, structure and/or premises has heretofore legally existed (except for high hazard and assembly uses, which will require a new inspection prior to the issuance of the occupancy permit). This code shall not require the removal, alteration or abandonment of, or prevent the continuance of, use and occupancy of a lawfully existing building, structure and/or premises, unless such use is deemed to endanger public safety and welfare. All existing buildings, structures and/or premises, where an occupancy permit has not heretofore been issued, shall be required to secure an occupancy permit indicating the current use and occupant.

118.3.3 EXISTING BUILDINGS, CHANGE IN USE: After a change of use has been made in a building or structure, the re-establishment of a prior use that would not have been legal in a new building of the same type of construction is prohibited, unless the building complies with all applicable provisions of this code. A change from one prohibited use, for which a permit has been granted, to another prohibited use, shall be deemed a violation of this code.

118.4 CONTENTS OF THE OCCUPANCY PERMIT: When a building, structure and/or premises is entitled thereto, the code official shall issue an occupancy permit within a reasonable period after written application. The occupancy permit shall certify compliance with the provisions of this code and the purpose for which the building, structure and/or premises will be used. The occupancy permit shall specify the use group, in accordance with the provisions of Chapter 3; the type of construction, as defined in Chapter 6; and any special stipulations and conditions of the building permit.

118.5 BY WHOM APPLICATION IS MADE: An application for an occupancy permit shall be made by the owner of record of the building, structure and/or premises. If an occupancy permit application is made by any person other than the owner of record, a notarized letter, or some other proof, must be presented granting permission from the owner of record to the applicant to apply for the occupancy permit for the stated use. The full names, addresses and telephone numbers of the owner, lessor and applicant shall be stated. If the building is owned by a corporation, said notarized permission letter, or other proof, shall be signed by an officer or registered agent of that corporation. If the applicant for the occupancy permit is a corporation, an officer, registered agent, or other responsible person of that corporation shall sign the application stating their position with said corporation.

118.6 FEE FOR OCCUPANCY PERMIT: There shall be no charge for the issuance of the original occupancy permit upon completion of construction in accordance with the building permit for new buildings or buildings hereafter altered with construction costs exceeding \$30,000.00.

118.6.1 FEE FOR TEMPORARY OR PARTIAL OCCUPANCY PERMIT: The fee for a temporary or partial occupancy permit shall be as listed in Table 112.4.1.

118.6.2 FEE FOR DUPLICATE COPY: Any person requesting a copy of an occupancy permit, building permit or certificate of inspection issued under this code, or the holder of any permit for similar purpose issued by the code official under any previous code or ordinance, can obtain a duplicate or re-issued copy of said permit for a fee of five dollars (\$5.00) per copy, as listed in Table 112.4.1.

118.7 REFUNDS: No fee charged under the provisions of this code shall be refunded because of abandonment or discontinuance of any project.

118.8 POSTING OF OCCUPANCY PERMIT; RESPONSIBILITIES: It shall be the duty or responsibility of the operator of every business to display a copy of a legally issued occupancy permit pertaining to the actual business in effect on the premises. It shall be the duty of the St. Louis Police Department to enforce the provisions of this section. When the code official is informed of and/or suspects any violation of this code, it shall be the duty of the holder of an occupancy permit to allow the code official to inspect the building, structure and/or premises, or any portion thereof. Violation of this section may result in revocation of said occupancy permit, and shall be subject to penalties as provided in Section 116.4.

118.9 OCCUPANCY PERMIT APPLICATION ABANDONMENT:

Occupancy permit applications shall be abandoned sixty (60) days after initial application if, in the opinion of the code official, the occupancy permit is not diligently pursued.

EXCEPTION: Those buildings acquired from Land Reutilization Authority, in which case said occupancy permit applications shall be abandoned one hundred eighty (180) days after initial application is filed.

SECTION 119.0 CONDEMNATIONS

119.1 INTENT TO CONDEMN: Whenever the code official shall find any building, structure, premises, or portion thereof or appurtenance thereto to be in an unsafe and dangerous condition from any cause whatsoever, it shall be the duty of the code official to at once notify the owner of said building, structure, premises, or portion thereof or appurtenance thereto, in writing, stating the cause of the unsafe and dangerous condition. This notice will give the owner, as recorded most recently in the City of Saint Louis Assessor's Office, seven (7) days from the date of notice to correct unsafe and dangerous conditions. If the conditions have not been corrected by the date listed in the notice, the building, structure, premises, or portion thereof or appurtenance thereto will be condemned and may be required to be vacated and secured.

119.1.1 CONDEMNATION: After serving of notice of intent to condemn, and the conditions noted in the letter to the owner have not been corrected within seven (7) days, the code official shall file in the office of the code official a detailed written report of the findings of said inspection and examination. This report will be known as a Condemnation and will be available for public inspection and copying. Possible defects may be one or more of the following:

- A. The building or structure is in a condition which endangers either the lives or safety of persons, whether occupants or otherwise, or other property;
- B. The situation of the building or structure by reason of the making of an excavation on the lot on which it is located, or any adjoining lot, endangers either the lives or safety of persons, whether occupants or otherwise, or other property;
- C. The building, structure and/or premises is a fire hazard for any reason, including without limitation: obsolescence, dilapidation, deterioration, damage, lack of sufficient fire resisting qualities, poor sanitation, or faulty electrical wiring, gas connections or heating apparatus;

D. The building or structure lacks safe or adequate facilities for means of egress in case of fire or panic;

E. The building or structure has any one or more of the following conditions: improperly distributed loads upon the floors or roof, overloaded floors or roofs, or insufficient strength to be reasonably safe for its actual or intended use;

F. Any portion of the building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause, that the building or structure is no longer safe or suitable for its actual or intended use;

G. Any interior or exterior portion, member, appurtenance, ornamentation or any other component of the building or structure is likely to fall or collapse, or become detached or dislodged, and thereby injure persons or damage property;

H. Any portion of the building or structure has racked, warped, buckled or settled to such an extent that its walls or other structural portions have insufficient resistance to fire, earthquake, wind, flood or similar perils;

I. Part or all of the building or structure is in danger of collapsing as a result of any cause, including without limitation any one or more of the following causes: dilapidation, deterioration or decay; faulty construction; removal, movement or instability of any portion of the ground necessary to support such building or structure; or deterioration, decay or inadequacy of its foundation;

J. The building or structure has exterior walls or other vertical structural members which list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle one third (1/3) of the base;

K. The building, structure and/or premises, or any portion thereof is, for any reason, unsafe for its actual or intended use;

L. The building or structure, exclusive of the foundation, has either thirty three (33) percent or more damage or deterioration of its supporting member or members, or fifty (50) percent or more damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings;

M. The building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause, or has become so dilapidated, deteriorated or decayed as to come within any one or more of the following categories: (1) the building or structure may attract and result in harm

to children, notwithstanding that the building or structure is not an "attractive nuisance", as that term is defined by statute or decisional law; (2) the building or structure is, or is likely to become, a harbor for vagrants, criminals or immoral persons; or, (3) the building or structure enables persons to resort thereto for the purpose of committing unlawful or immoral acts;

N. The building, structure or premises has been constructed, exists, or is being maintained in violation of any provisions of this code, or of any law of the City of Saint Louis;

O. The building or structure has, in any nonsupporting part or portion, less than fifty (50) percent, or in any other supporting part, member or portion, less than sixty six (66) percent of the strength, fire resisting qualities or weather resisting qualities required by this code for newly constructed buildings of like area, height and occupancy in the same location;

P. The building, structure, or premises is used or intended to be used for purposes that are likely to injure the health, morals, safety or welfare of persons who occupy or may occupy said building or structure by reason of any one or more of the following conditions: inadequate maintenance, dilapidation, deterioration or decay, damage, faulty construction or arrangement, inadequate light, ventilation or sanitation facilities, absence of the amenities essential to decent living, or the building, structure or premises is being used for any illegal or immoral purposes;

Q. The building or structure is in such condition as to constitute a "public nuisance", as that term is defined by statute or common law;

R. Any portion of the building or structure has been left remaining on a site after its demolition or destruction;

S. The building or structure is vacant for a period in excess of six (6) months, and because of its condition, it is unsafe or unsanitary, or it endangers property or the health, morals, safety or welfare of persons;

T. The building or structure is only partly constructed and construction has stopped for a period in excess of six (6) months, and because of its condition, affects the health, safety and welfare of the adjacent properties, and may constitute an attractive nuisance.

119.1.2 EVACUATION ORDER; FAILURE TO COMPLY: Any person who refuses to leave, interferes with the evacuation of other occupants, or continues

any operation after having been given an evacuation order by the code official, 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 whereupon it shall be the duty of the Police Department to immediately remove such person from said building, structure or premises and prevent anyone from re-entering the building, structure or premises until such time that the Police Department shall have been notified by the Building Division that the same is in a safe condition.

119.1.3 DANGEROUS CONDITIONS: Whenever the code official shall find any building, structure or premises in such a condition that may present a safety hazard, but not dangerous enough to warrant condemnation and demolition, and repair is relatively small in relation to the building as a whole, the code official shall post a sign on the premises which reads as follows:

WARNING

ALL PERSONS ARE WARNED TO

USE EXTREME CAUTION IN OR

AROUND THESE PREMISES

Additionally, a letter shall be posted indicating those conditions in violation of this code, and a copy of said letter shall be mailed to the owner(s) of said building, structure or premises.

119.1.4 PENALTIES FOR VIOLATION OF SECTION 119.1.2: Any person who shall violate any provision of Section 119.1.2 shall be guilty of a misdemeanor and subject to the penalties as provided in Section 116.4 of this code.

119.2 NOTIFICATION: If upon making an inspection and examination, the code official finds that a building, structure or premises has one or more of the defects described in paragraphs A through T, inclusive in Section 119.1.1 above, the code official shall notify in writing the owner or owners of said building, structure or premises, as recorded most recently in the City of Saint Louis Assessor's Office, and as provided in Section 119.4 of this code, of the defects found in said building, structure or premises, and shall order them to proceed to properly demolish, repair, and secure or correct all conditions causing condemnation of said building, structure or premises within seven (7) days. This document is to be known as a Notice of Condemnation.

119.2.1 FAILURE TO COMPLY; AUTHORITY TO ENTER INTO CONTRACTS: If the owner or owners fail to comply with the order of the code official by the date indicated in the Notice of Condemnation, and in such a manner, as provided for in this code, that can be approved by the code official, then such owner or owners shall have violated this code, and the code official may forthwith proceed to undertake and complete whatever work necessary to eliminate the dangerous condition. The Building Commissioner shall have the authority to enter into contracts with no other review, signature or approval (except for insurance) from any other City agency. Such contracts may include, but not be limited to, demolition, environmental investigation, remedial work, professional or contractual services. Competitive bids shall not be required for emergency situations where there is a danger to life or property. The cost of such work performed by the code official, under the provisions of Sections 119.0 or 120.0 of this code, shall be paid for by the City of Saint Louis. The code official shall certify to the Comptroller the cost of such work, including the administrative costs incurred by the Division of Building and Inspection in performing said work, but in no event shall such administrative costs exceed ten percent (10%) of the contract price incurred by the Division of Building and Inspection in performing such work. The Comptroller, upon certification by the code official of the cost expended for said work, shall prepare bills for such work against the owner or owners of said building, structure or premises. In case said bills are not paid upon presentation, they shall be referred to the City Counselor, who shall proceed to collect same, by suit and/or lien if necessary, and the amounts when collected shall be credited to a special revolving fund for the purposes herein designated.

119.2.2 SECURED BUILDINGS: For a building or structure to be "secured" in those cases in which securing is specifically required by this code, a covering shall be placed over all doors, windows or other openings at the first floor level, and all doors and windows that may be accessible from any porch, service stair or fire escape, and all basement or cellar windows, consisting of not less than three-eighths (3/8) inch plywood or other such material approved by the code official attached to the framing of all such doors and windows by wood screws, or any other material approved by the code official, of a minimum length of one and one half (1 1/2) inches, placed not more than twelve (12) inches on center. Such plywood or other such material approved by the code official shall be painted with a minimum of two (2) coats of exterior grade paint of a brick red or other color which is approved by the code official. It shall be the duty and responsibility of the code official to re-enter any premises or building or portion thereof that has previously been secured and boarded either by the City of Saint Louis or any other party, when, in the opinion of the code official,

there is reason to believe that there may be new or additional violations of this code. The code official shall not be held responsible for any damage to the building, structure or premises caused by the act of securing.

119.3 REMOVAL OF DECAYED OR UNSAFE TREES: Whenever it shall come to the knowledge of the Forestry Commissioner that any tree on a private property is in such a decayed or dangerous condition as to endanger the lives of persons, or is likely to cause immediate injury to the property of others, the Forestry Commissioner shall cause said tree to be removed or cause such dangerous condition to be remedied at the cost of the owner of the property whereon it is situated. The powers and duties of the Forestry Commissioner in respect to any such tree, the notice to the owner of the property whereon it is located, the cost of its removal or remedying the dangerous condition caused thereby, the lien of such cost, the method of its collection, the penalties to be incurred by the owner, and the procedure to be followed by the Forestry Commissioner shall, as nearly as practicable, be those prescribed by this section in respect to the code official's procedures for buildings and other structures which are in a dangerous condition. If the Forestry Commissioner cannot secure such removal of the dangerous tree by Forestry forces, or by response of the owner to the Forestry Division notice, the Forestry Commissioner may request the assistance of the code official in condemning the tree and securing such removal after emergency or public bid by private contractors, resulting in a City of Saint Louis contract to remove the tree.

The condemnation, if appealed to the Board of Building Appeals, shall require the defense testimony of Forestry Division personnel knowledgeable about trees.

The Building Division may make available for tree removal contracts on private property a sum not to exceed five (5) percent of the first two hundred thousand dollars (\$200,000.00) of general fund demolition monies appropriated in a fiscal year, in addition to not more than three (3) percent of any appropriated amount over two hundred thousand dollars (\$200,000.00). The Forestry Division will prepare bid specifications, receive, process and award such contracts billable to the Building Division demolition account subject to the dollar limits above. This procedure is for dead/dangerous trees on private property only and is not for encroachments, trimming, pruning or other concerns.

119.4 SERVICE OF NOTICE: The notice to the owner of the building, structure or premises 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 premises,

as recorded most recently in the City of Saint Louis Assessor's Office. The notice shall be served in one of the following ways:

A. Deliver direct to owner or owners.

B. Posting by posting a copy of said notice upon the building, structure or premises.

C. Mailing by mailing a copy of said notice by regular mail, postage prepaid, direct to owner or owner's place of business or the address currently recorded in the Assessor's Office of the City of St. Louis.

D. Publication by publication in a newspaper of general circulation in the City of Saint Louis.

119.4.1 POSTING COPY: In case such building, structure or premises is in the occupancy of a tenant or tenants, in addition to the above notice, it shall be the duty of the code official to post a copy of such notice upon said building, structure or premises. 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.

119.5 BUILDING NOT TO BE RENTED OR LEASED: No owner, or agent of the owner, of any building, structure or premises shall, after notice from the code official that such building, structure or premises is unsafe or dangerous, rent or lease the same or any part thereof, or collect any rent therefore, until such building, structure or premises shall be placed in a safe and secure condition. The code official may require an occupancy permit to be issued prior to occupancy or re-occupancy (See Section 118.0). Any person found guilty of violating the provisions of this section shall be subject to the penalties listed in section 119.9 regarding fine and imprisonment. Each day that violation shall continue shall constitute a separate and distinct offense.

119.6 COST; METHOD OF PAYMENT; LIEN; PENALTY: The code official shall have the authority to require all persons to correct, remove or abate any condition caused or permitted by them in violation of this code; and the code official may, upon their failure to comply with the requirements of this code, when the public interest may so require, correct, remove or abate the same. For all emergency condemned buildings or structures, the code official shall have the authority to receive and publicly open bids and award the contract to the lowest qualified bidder meeting the specifications, without first sending said contract to the Comptroller. These contracts shall be signed by the Building

Commissioner and countersigned by the Director of Public Safety, and shall have the full effect of a City contract. All costs attending such action in such cases shall be paid from the appropriate fund, as provided in Section 119.2.1 of this code, and then collected from the party offending as therein provided. A lien for such costs shall be placed against the property whereon such violation was permitted to exist. The cost shall also be certified to 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 and shall also be a lien on the property until paid. These bills or liens shall not be forgiven except by the City Counselor, who shall, in writing, instruct the building official to forgive such bills or liens. Further, demolition and/or board-up bills may be waived when ownership of said property, for which the bill or lien was issued, is accepted by Land Reutilization Authority, Saint Louis Development Corporation or any other City agency. Any person, firm or corporation, who shall refuse or neglect to comply with the provisions of this section, or who shall violate any of the provisions thereof, shall be subject to the penalties fixed in Section 116.4. In addition, any payments deemed to be in arrears shall be subject to interest charges at a rate set by the Comptroller.

119.6.1 PROHIBITED EXPENDITURES: The code official shall not expend any moneys for demolition of buildings owned by Land Reutilization Authority, Impact, Saint Louis Development Corporation, Port Authority or any other governmental agency, except in emergency situations where immediate action is required to preserve public safety and welfare.

119.7 VACATION OF BUILDINGS; DUTIES OF POLICE; EXCEPTIONS; PENALTY: Upon effecting condemnation of any building, structure or premises by the code official, as set forth in this code, it shall be unlawful for any person to enter or remain in/on such building, structure or premises until such time as the Police Department shall have been notified in writing by the code official that the same is in a safe condition. It shall be the duty of the Police to remove any person from such building, structure or premises so condemned and to prevent any person from entering same until such time as the Police Department shall have been notified in writing by the code official that such building, structure or premises is in compliance with this code. The provisions of this section shall not apply to licensed security guards or persons directly employed in securing the building, structure or premises, or otherwise abating the conditions causing the condemnation. Any violation of this section of the code shall be subject to the penalties fixed in Section 116.4.

119.8 APPEAL: Any person aggrieved by the decision of the code official, pursuant to Sections 119.1 through 119.7 inclusive of this code, may appeal such decisions to the Board of Building Appeals within ten (10) calendar days of the date on the Notice of Condemnation. The Condemnation Committee of the Board of Building Appeals, selected by the chairman, shall hear said appeal and render its decision affirming, modifying or reversing the decision of the code official, and to such end, shall possess all the powers on appeal granted the code official under Sections 119.1 through 119.7 inclusive of this code. Such decision shall be subject to the procedures and review provided by the Review Act of the State of Missouri. Filing of an appeal of any portion of Sections 119.1 through 119.7 of this code does not stay any action provided in Sections 119.1 through 119.7 of this code.

119.9 PENALTIES FOR VIOLATIONS OF SECTION 119.1.1: If the owner or owners fail to repair, demolish, or otherwise comply a building, structure or premises, as ordered by the Notice of Condemnation of the code official, pursuant to Section 119.2 of this code, either within the seven (7) day period specified in Section 119.2, or within ten (10) days after any appeal from said notice, as provided in Section 119.8 of this code, is finally adjudicated adversely to said owner or owners, then said owner or owners shall be guilty of a violation of this section and shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment for not more than ninety (90) days, or by both such fine and such imprisonment. Each day that any violation shall continue shall constitute a separate and distinct offense.

119.10 RESPONSIBILITY OF OWNERSHIP:

A. DISCLOSURE:

It shall be unlawful for any seller or grantor to convey, give or transfer property to any buyer or grantee without first disclosing in writing to the buyer or grantee the existence of all Notices of Condemnation or any other violations of this code. The grantor shall keep and make available for inspection by the code official such disclosure signed by the grantee for a period of one (1) year from the conveyance, gift or transfer.

B. LIABILITY TO PROSECUTION AND CONVICTION:

Any person may be prosecuted and convicted for violation of Section 119.9, notwithstanding that said person has not been given the notice specified in Section 119.2, provided that the building, structure or premises in question had one or more of the defects described in Section 119.1.1 during the period that said person was responsible for said building, structure or premises as owner,

corporate officer, partner or otherwise, and provided further that said prosecution is commenced during the one year period after said person ceased to be so responsible.

C. LIABILITY TO SUIT AND JUDGMENT:

Any person may be sued by and held liable to the City of Saint Louis, as provided in Section 119.2.1, for funds expended by the City of Saint Louis, pursuant to said section, notwithstanding that said person has been given the notice specified in said section, provided that the building, structure or premises in question had one or more of the defects described in said section during the period that said person was responsible for said building, structure or premises as owner, corporate officer, partner or otherwise, and provided further that said suit is commenced during the one year period after said person ceased to be so responsible.

Owners are presumed at law to know the conditions of their property, whether or not such notice was given. Notices sent to the address of the owner, shown on the City records on the date sent, shall constitute legal notice in accord with Section 119.4.

119.11 DANGEROUS, HAZARDOUS, UNSANITARY OR UNAPPROVED PLUMBING, ELECTRICAL AND MECHANICAL INSTALLATIONS: The code official shall have the authority to seal out of service the items listed in subparagraphs A, B and C below, when, in the code official's opinion, any of these items are in an unsafe, hazardous or unsanitary condition, or if a Certificate of Inspection has not been issued by the code official, or if the installation was made without obtaining the necessary permit or permits:

A. Plumbing equipment, fixtures, piping, devices and appurtenances covered by the Building and Plumbing Codes;

B. Electrical equipment, fixtures, devices, wiring and appurtenances covered by the Building and Electrical Codes;

C. Mechanical equipment, devices and appurtenances covered by the Building and Mechanical Codes.

119.11.1 NOTICE OF SEALING OUT SERVICE: Before sealing any device out of service, the code official, except in cases of emergency, shall serve (10) days written notice upon the building owner or occupant by United States mail, stating intention to seal the equipment out of service and the reasons therefore.

Notice may alternately be served by posting upon, or immediately adjacent to, the device proposed to be sealed.

119.11.2 UNLAWFUL TO REMOVE OR TAMPER WITH SEAL: Any device sealed out of service by the code official shall be plainly marked with a sign or tag indicating such sealing, and any defacing or removal of the sign or tag, or any tampering with or removal of the seal without approval of the code official, or operation of the sealed unit, shall constitute a violation of this code.

119.12 CANCELLATION OF CONDEMNATION: The code official shall have authority to cancel prior condemnations either for defects, as described in this code, or for occupancy. A condemnation may be rescinded by the code official only after, in the official's opinion, all necessary repairs are made to such building, structure or premises, or otherwise compliance is obtained with the code official's orders to make such building, structure or premises safe or occupiable and defects noted are corrected.

119.12.1 NOTICE OF CANCELLATION OF CONDEMNATIONS: Upon cancellation of a condemnation, a notice shall be directed to the owner or owners of the building, structure or premises stating that the condemnation has been canceled. The service of such notice shall be the same, as provided for in Section 119.4.

SECTION 120.0 EMERGENCY MEASURES

120.1 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, as defined in Section 119.1.1, paragraphs A through T inclusive of this code, the code official shall order the immediate evacuation and securing of said building, structure or premises, and may order all utilities to be disconnected, without sending an Intent to Condemn notice. Each principal entrance will 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.

120.2 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 may 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.

120.3 CLOSING STREETS: When necessary for public safety, the code official shall temporarily close sidewalks, streets, buildings and structures and places adjacent to such unsafe structure, and prohibit the same from being used.

120.3.1 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/or passersby. The cost for such catchment enclosures shall be the responsibility of the owner of record immediately adjacent to the catchment enclosure, and the recovery of said costs will be as prescribed in Section 120.5 of this code.

120.4 EMERGENCY REPAIRS; REMEDIES: For the purpose of this section, the code official may 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 be foreseen to accrue to adjacent properties, the Building Commissioner or the Health Commissioner may 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.

120.5 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 of the premises where the unsafe building or structure is or was located for the recovery of such costs plus a ten (10) 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 and shall also be a lien on the property until paid.

120.6 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 may 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.

120.7 PARTY WALLS/DEMOLITION; RESPONSIBILITY: When a building or structure on one side of a party wall is demolished, the demolition contractor is only required to mortar in the floor and/or roof joist pockets, and is not responsible for installing missing portions of the party wall which were not originally built, nor for applying exterior mortar, tuckpointing or weatherizing treatment; these are the responsibility of the remaining building owner who relies on structural support from the wall.

SECTION 121.0 BOARD OF BUILDING APPEALS

121.1 CREATION, MEMBERS AND QUALIFICATIONS: There is hereby established a Board of Building Appeals consisting of seven (7) members to be appointed by the Mayor, all of whom shall be residents of the City of Saint Louis; at least one of whom shall be a person engaged in the real estate business, one (1) registered professional engineer, one (1) registered architect, one (1) general building contractor or subcontractor, one (1) person affiliated with the building and construction trades council, and two (2) members of the public. There shall be two (2) alternate members who may be called when it is expected there will not be a quorum or a full Board present. The alternates will have all powers, protection and stipends as the regular Board members in accordance with Civil Service provisions. The alternates shall be appointed by

the Mayor for four (4) year terms, as provided in Section 121.1.1. One (1) alternate shall be a professional engineer or architect registered in Missouri; the other alternate shall be a citizen-at-large.

121.1.1 TERM OF OFFICE: New members shall possess the same qualifications as the persons in whose place they are appointed. This is an existing board and all current appointments shall not be affected by this ordinance. All subsequent appointments shall be for a term of four (4) years and shall expire on an anniversary of the date of the original term, except appointments to fill vacancies which shall be for the unexpired term. Members whose appointment terms have expired may continue to serve until reappointed or replaced by a new appointee.

121.1.2 PROCEDURES: The Board shall elect one of its members as Chairman who shall serve as such during the remainder of the calendar year, and until a successor is elected. The Board shall from time to time adopt rules and regulations as shall be reasonably necessary governing its procedure, and to carry into effect the provisions of this code. These rules and regulations shall be available for review at the office of the Secretary to the Board during normal working hours. It shall be unlawful for any appellant or appellant's representative to contact any member of the Board on any matter that is pending or scheduled to be heard by the Board. If a Board member is contacted by an appellant on a matter pending before the Board, other than during a Board hearing, that Board member must abstain from hearing or voting on the matter, as all testimony must be heard "sworn on the record."

121.1.3 COMPENSATION: The Board of Building Appeals' members shall be compensated for services rendered on a per meeting basis, as established by ordinance, and subject to budgeted funds availability.

121.2 MEETINGS, WITNESSES, MINUTES TO BE KEPT: Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board by its rules may provide. The Chairman, or in the Chairman's absence, the Acting Chairman, shall administer oaths. The Board shall keep minutes of its proceedings showing the vote of each member on each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations of witnesses and other official acts. Transcripts of hearings may be kept by the court reporter in his/her custody, and need not be transcribed unless requested. The party requesting the transcripts shall pay all costs of such transcripts required, including a file copy for the Board, one for the Building Division, and one for the Board's legal staff.

121.3 TYPES OF APPEALS: Any person, firm or corporation aggrieved by a decision of the code official, Fire Marshal, or any other board, commission, or other officer exercising their powers under this code or any other code or ordinance assigned to the Division of Building and Inspection, may file an appeal when the appellant alleges:

- A) That there is an error in order, requirement, decision, or interpretation of the code official, Fire Marshal, or of any other board, commission, or other officer in the enforcement of this code;
- B) That the mode, method or manner to be followed in the erection or alteration of any building or structure in any specific case before the Board is equal to or superior to the mode, method or manner required by the provisions of this code;
- C) That the material to be used in this specific case is equal to or superior to the materials required by the provisions of this code;
- D) That any other board or commission exercising powers under this code, or any other code or ordinance assigned to the Division of Building and Inspection, wrongfully interpreted the provisions of the codes, or refused to grant a license, certificate or permit under the provisions of such a specific case;
- E) That the provisions of Section 3406.1 of this code are applicable.

121.4 FILING DATE: Unless otherwise specified in other sections of this code, appeals shall be filed within thirty (30) calendar days after the decision of the code official, Fire Marshal, or any other board, commission or other officer exercising their powers under this code, or any other code or ordinance assigned to the Division of Building and Inspection, is rendered; however, no such appeal may be taken from any order or ruling wherein responsibility lies with the Board of Adjustment, as established by the Zoning Ordinance, or with any other board, as established by the Revised Codes of the City of Saint Louis.

EXCEPTION: Condemnation appeals shall be filed within ten (10) calendar days of the date on the Notice of Condemnation, as described in Section 119.8 of this code.

121.5 MANNER OF FILING APPEALS; FEE: Appeals shall be taken by filing with the Secretary to the Board a notice of appeal on such forms as prescribed by the Board of Building Appeals, specifying the grounds thereof, and the Secretary shall immediately transmit to the Board such notice and all papers

constituting the record upon which the action appealed from is taken. The notice of appeal shall be accompanied by a fee, as prescribed in Table 112.4.3 of this code. In the event that more than one (1) building, structure or premises, owned by the same person, firm or corporation, has been cited for exactly the same violation, and the owner has filed an appeal with the Board disputing the same citation, the appellant shall be permitted to file one (1) appeal covering all said buildings, structures or premises, and charged one (1) appeal fee. The decision rendered by the Board, as covered in Section 121.7.1, shall apply to all buildings, structures or premises involved in the appeal.

121.5.1 WAIVER OF APPEAL FEES: In the event the Secretary to the Board of Building Appeals receives a written claim of indigence and a request for a fee waiver, this request shall be referred to the City Counselor's Office for approval or denial, and that decision shall be final. A copy of that decision shall be kept on file.

121.5.2 BOARD HEARINGS; NOTIFICATION: After an appeal has been filed, the Secretary to the Board of Building Appeals shall place the appeal on a Board hearing agenda, and the appellant shall be notified in writing by certified mail prescribing the time, date and location of the hearing before the Board, no less than seven (7) days prior to said hearing.

121.6 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 may 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 may 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.

121.7 JURISDICTION OF THE BOARD OF BUILDING APPEALS: The Board of Building Appeals is hereby empowered to hear and decide appeals to determine:

A) Whether there is an error in any order, requirement, decision or interpretation of the code official, Fire Marshal, or of any board, commission, or other officer in the enforcement of this code or any other code or ordinance assigned to the Division of Building and Inspection;

B) Whether the mode, method or manner to be followed in the erection or alteration of any building, structure or premises, in any specific case before the Board, is equal to or superior to the mode, method or manner required by the provisions of this code;

C) Whether the material proposed to be used in this specific case is equal to or superior to the materials required by the provisions of this code;

D) Whether any officer, board or commission exercising powers under this code wrongfully interpreted the provisions of said code, or refused to grant a license, certificate or permit under the provisions of such in a specific case;

E) If in compliance with Section 3406.1 of this code.

EXCEPTION: The Board of Building Appeals has no powers to hear and decide appeals on matters covered under the Americans' With Disabilities Act, the Zoning Ordinance or the Heritage and Urban Design Ordinance.

121.7.1 BOARD DECISIONS; NOTIFICATION: The Board shall enter its order and decision after hearing, affirming, modifying or reversing the order, requirement, interpretation, ruling or decision of the code official. The Board may require conditions and/or restrictions as necessary to assure that the activity complies with the intent of this code, or as the Board deems appropriate. If the appellant fails to appear at the prescribed time and location of the hearing, and it has been determined that notice of the hearing was received, the appeal shall be dismissed, and the original order, requirement, interpretation, ruling or decision of the code official shall be affirmed. A final decision, when used in this section, shall mean a decision rendered by the Board of Building Appeals. The Board shall immediately, upon rendering its final decision, forward its order and decision to the code official or Fire Marshal, or any other board, commission or officer exercising their powers under this code, in writing, and place a copy of the decision in its files. There shall be no rehearing or reopening of that file by the Board, except where the Board has required conditions or restrictions and it is to be determined whether the conditions or restrictions have been met. The Board shall notify all parties of its order and final decision by mail. No information concerning any decision reached by the Board shall be made public until that decision has been signed and the appellant has first been formally notified.

121.7.2 GENERIC DECISIONS: In the event that the Building Commissioner finds that a specific decision of the Board of Building Appeals would be helpful in the continued administration of this code if it were made to be

generically applicable, the Building Commissioner may petition the Board in writing requesting that the decision of a specific case be made generically applicable, in part or in whole, without the need for individual appeals, and shall become a part of the policy of the Division of Building and Inspection. This request must be made within one hundred eighty (180) calendar days of the rendering of the decision. The Board shall only affirm or deny such petition.

121.7.3 CONDITIONAL DECISIONS; METHOD OF REHEARING: When the Board of Building Appeals enters a conditional decision modifying or reversing an order of the code official, and grants additional time to correct the violation(s), the Board shall grant no more than ninety (90) days. Additional time may be granted if, in the opinion of the code official, sufficient progress is being made to correct the violation(s). In the event insufficient progress is being made to correct the violation(s) in the allotted time, the case shall be referred back to the Board of Building Appeals to show cause why the conditions set by the Board have not been met and why the code official's original order or decision should not be affirmed. In the event of such referral back to the Board, notification to the appellant prescribing the time, date and location of said hearing shall be the same as that stated in Section 121.7.1.

121.8 APPEALS FROM DECISIONS OF THE BOARD OF BUILDING APPEALS: Any person or persons jointly or severally aggrieved by the decision of the Board of Building Appeals shall be entitled to a judicial review of the decision rendered by the Board of Building Appeals as provided in the Administration Procedure and Review Act of the State of Missouri, being Sections 536.100 - 536.140 of the Revised Statutes of Missouri.

SECTION 122.0 CERTIFICATION OF DEMOLITION CONTRACTORS

122.1 CERTIFICATE REQUIRED: No person, partnership or corporation shall engage in the activity of demolishing or wrecking buildings or structures, as defined in Section 203.0 of this code, within the City of Saint Louis, unless such person, if an individual, a person who is a partner in a partnership, or an officer of any such corporation, shall first apply for and be issued a Certificate of Fitness as a demolition contractor as defined in this section.

EXCEPTION: No Certificate of Fitness shall be required for the City of Saint Louis when performing demolition or wrecking by force account using employees of the City of Saint Louis.

122.2 CERTIFICATE OF FITNESS: No person, partnership, corporation or persons and/or corporations doing business under a fictitious name, whether such name be legally registered or not, or corporation doing business in or conducting demolition or wrecking activities, as defined in Section 203.0, shall conduct, or be employed in conjunction with demolition, as defined in Section 203.0, within the City of Saint Louis unless said person, a member of the partnership, or an officer of such corporation, or one of the persons or any officers of any corporation doing business under a fictitious name has received a current Certificate of Fitness of the proper class as herein described, or said person is legally employed by a properly certified Demolition Contractor of the class herein described. The Demolition Contractors' Certification Board shall approve the issuance of a Certificate of Fitness to any person, partnership or corporation which has undertaken to comply with the provisions of the Building Code of the City of Saint Louis, and any and all regulations thereunder, and who has proven ability, personnel and equipment to provide the public with safe, timely and competent service as a Demolition Contractor within the class of certification for which application has been made. With the determination of the person's fitness, the Demolition Contractors' Certification Board shall require an examination, either oral or written, and shall call for satisfactory experience in the field, in accordance with the standards herein contained.

The Demolition Contractors' Certification Board may deny, revoke or suspend any Certificate of Fitness upon a determination after notice and hearing that the Demolition Contractor:

A) has violated any provision or any obligation imposed by this code or any and all regulations thereunder, or has violated any law in the course of their dealings as a demolition contractor; or,

B) has made a material mis-statement in the application for the Certificate of Fitness; or,

C) has been guilty of fraudulent or dishonest practices, including but not limited to: arson, embezzlement, fraud, theft, failure to complete projects before permit expiration, caused damage to abutting property, failed to comply with provisions of this certification section; or,

D) has demonstrated their incompetency or lack of ability to act as a Demolition Contractor.

Such demolition revocation or suspension may be appealed to the Board of Building Appeals, as herein provided.

122.2.1 CLASS I CERTIFICATE: A Certificate of Fitness to be issued for one year to demolition contractors which indicates that the demolition contractor possesses the personnel, equipment and ability to perform any demolition activities within the City of Saint Louis in accordance with applicable provisions of this code and the laws of the City of Saint Louis for demolition of a building or structure or portions thereof.

122.2.2 CLASS II CERTIFICATE: A Certificate of Fitness to be issued for one year to demolition contractors which indicates that the demolition contractor has shown that they possess the personnel, equipment and ability to perform demolition activities within the City of Saint Louis in accordance with the applicable provisions of this code and the laws of the City of Saint Louis for demolition of a building or structure or portions thereof which do not exceed three (3) stories or fifty (50) feet in height, or five thousand (5,000) square feet in area, or two hundred thousand (200,000) cubic feet in volume.

122.2.3 TEMPORARY CERTIFICATE: A Temporary Certificate is a Certificate of Fitness to be issued for either a Class I or Class II Certificate, as described above, indicating compliance with the requirements for same and demolition activities, as described in Section 203.0 of this code, are to be performed. This certificate shall be issued for a period not to exceed six (6) months.

122.3 DEMOLITION CONTRACTORS CERTIFICATION BOARD: There is hereby established a City of Saint Louis Demolition Contractors' Certification Board which shall be composed of the Building Commissioner of the City of Saint Louis, or the Building Commissioner's authorized representative, and four (4) additional members to be appointed by the Mayor as follows: either the President of the Board of Public Service or the Director of the Department of Streets or their authorized representative, a certified general contractor, a person engaged in the real estate business and a member of the public at large. Appointments of City employees as members of this Board shall be during such time as the Building Commissioner and either the President of the Board of Public Service or the Director of the Department of Streets hold office. The member of the public at large shall be appointed to a two (2) year term. The person engaged in the real estate business shall first be appointed to a one (1) year term and to terms of two (2) years thereafter. The general contractor shall be initially appointed to a one (1) year term and to a two (2) year term thereafter. Three (3) members shall constitute a quorum for meetings of the

Demolition Contractors' Certification Board, and a simple majority shall rule in decisions rendered by this Board. The Building Commissioner shall appoint a Building Division member to serve as Secretary to the Board. The Demolition Contractors' Certification Board shall be compensated, as prescribed by Civil Service provisions for such Boards and Committees.

122.3.1 POWERS AND DUTIES OF THE DEMOLITION CONTRACTORS' CERTIFICATION BOARD: The Demolition Contractors' Certification Board is to conduct itself in such a manner so as to insure, as much as possible, that demolition within the City of Saint Louis is performed safely in accordance with the laws of the City of Saint Louis governing demolition and demolition contracting, as hereinafter set forth:

A) Administration - The Demolition Contractors' Certification Board shall receive applications, administer tests and/or interviews, and/or hearings, and approve, deny, suspend or revoke Certificates of Fitness, as herein described. The Demolition Contractors' Certification Board may also issue Temporary Certificates, as defined in Section 122.2.3.

B) Tests - The Demolition Contractors' Certification Board shall prescribe the form and content of tests, as described herein, and the form or content of Certificates of Fitness, as herein described.

C) Hearings - The Demolition Contractors' Certification Board may hold hearings and call witnesses, pursuant to (A) and (B) above, and/or rules and regulations pending, and/or special hearings related to complaints by citizens concerning demolition procedures or rules and regulations.

1. The Demolition Contractors' Certification Board (hereinafter referred to as the Demolition Board) shall meet as often as is necessary to conduct its business. The Demolition Board will set and hold hearings for annual re-certification as required;

2. The Demolition Board shall meet up to twelve (12) times each year for the purpose of testing or re-testing applicants for certification; and/or,

3. For any special session requested and called for by the elected Chairman of the Demolition Board for any purpose set forth in the rules adopted and published by the Demolition Board; and/or,

4. For the purposes of suspending or revoking any Certificates of Fitness previously issued when the code official finds that any holder of a Certificate of

Fitness has violated any of the provisions of this code or any rule or regulation adopted by the Demolition Board. The code official shall serve upon the holder of the Certificate of Fitness a written notice signed by the code official of any findings stating the violation or violations which the code official has found the Certificate holder to have committed, and stating that a hearing will be held before the Demolition Board in not less than five (5) days nor more than fifteen (15) days. Such written notice shall further state that the purpose of such hearing shall be the revocation or suspension of the named person's Certificate of Fitness as a demolition contractor. Such notice shall state further that the holder of the Certificate of Fitness has the right to appear personally at such hearing and to be represented by counsel of the holder's choice. The Secretary of the Demolition Board shall mail a written notice of the time, date and place of any such hearing to the holder of the Certificate of Fitness at the last address furnished to the Demolition Board in the registration statement required to be filed by Section 122.3.3(A)(1).

D) Adoption of Rules - The Demolition Board may adopt rules and regulations consistent with the provisions of this ordinance and the laws of the City of Saint Louis related to demolition. Such rules and regulations shall be published in the City Journal for two (2) consecutive issues prior to becoming effective.

122.3.2 TESTS: In the performance of its powers and duties for the approval, denial, revocation or suspension of a Certificate of Fitness, the Demolition Board may prescribe oral and/or written tests to establish the applicant's ability and knowledge of the laws and regulations of the City of Saint Louis. If tests are administered, equivalent testing shall be required of all demolition contractors within the same class of certificate.

122.3.3 REQUIRED CONDITIONS PRIOR TO ISSUANCE OF CERTIFICATION OF FITNESS:

A) FILING OF REGISTRATION STATEMENT - No Certificate of Fitness for either Class I or Class II or any Temporary Certificate, as specified herein, shall be issued to any person, partnership, officer of any corporation, or any person doing business under a fictitious name, whether such name be legally registered or not, or corporation doing business in or conducting wrecking activities as herein defined, unless there is first filed with the Demolition Board a certified statement, by any such person, if an individual; by all persons who constitute any partnership; by all persons, individuals and officers of any corporation doing business under a fictitious name, whether such name be legally registered or not, or corporation doing business in or conducting demolition or wrecking

activities as herein defined; by the president and secretary of any corporation, setting forth the following:

1. All the names and current addresses of all such persons, who are individuals or partners of any partnership; all the names and current addresses of all persons doing business under a fictitious name, whether such name be legally registered or not; the legally registered name and address of any corporation doing business, together with the date when registered and the number assigned by the Secretary of the State; in or conducting demolition or wrecking activities, as defined in Section 203.0, stating the date of registration with the registration number assigned by the Secretary of the State of Missouri, and the written verification by the Secretary of State that the corporation is currently in good standing and authorized to do business in the State of Missouri.

B) FILING PROOF OF PUBLIC LIABILITY INSURANCE COVERAGE AND REQUIRED ENDORSEMENTS: Prior to the issuance of any Certificate of Fitness as a demolition contractor, there must be filed with the Demolition Board the following:

1. A public liability insurance policy, in the minimum amount of one hundred thousand dollars (\$100,000), limits payable for injury to and including the death of, for any one person; and in the minimum amount of three hundred thousand dollars (\$300,000), limits payable for any injuries including death to any two (2) or more persons who may be injured in any one (1) accident; and in the minimum amount of fifty thousand dollars (\$50,000), limits payable to one or more persons for property damage at any time by reason of the carelessness or negligence of any person or persons holding any Certificate of Fitness, or any corporation, any officer of which holds a Certificate of Fitness, and all their agents and employees.

2. As a further condition prior to the issuance of any permit to demolish or wreck any building or structure within the City of Saint Louis, the Demolition Board may require that the minimum liability insurance coverage for bodily injuries, including death to one or more persons, and as to property damage, as set forth in paragraph B-1 above, be in a greater amount as to coverage, where the building or structure or portions thereof to be demolished or razed is in excess of three (3) stories or fifty (50) feet in height, or five thousand (5,000) square feet in area, or two hundred thousand (200,000) cubic feet in volume, to such minimum coverage as the Demolition Board determines is necessary to protect the public and persons and property adjoining said site and traveling nearby, in relation to the time when such demolition or wrecking operations are being conducted.

3. All such liability insurance policies required by this ordinance shall also contain the following endorsement: "The Insurer shall not cancel the coverage afforded by this policy unless the said insurer first delivers to the code official written notice of cancellation of such policy at least thirty (30) days prior to such date of cancellation by either personally delivering such notice of cancellation and taking written acknowledgement of such receipt from the code official or authorized deputy or by mailing certified or registered mail and receiving a signed acknowledgement of registered mail and receiving a signed acknowledgement of such receipt from the code official or authorized deputy."

C) APPROVAL - All such liability insurance policies required by this ordinance must be approved by the City Counselor as to form of such policies.

D) DEMOLITION CONTRACTS - The City of Saint Louis Building Division demolition contracts are awarded to independent contractors who are not direct employees of, nor agents of, the City of Saint Louis. Any damage claims that may arise as a result of demolition must be made directly against the contractor or the contractor's insurance company. The City of Saint Louis shall be held harmless, and so noted on all demolition permits issued by the City of Saint Louis.

122.4 CERTIFICATE FEES: Annual certification fees and demolition contractors' certificate application fees shall be collected by the City of Saint Louis prior to issuance of a Certificate of Fitness, as set forth in Table 112.4.3.

122.4.1 COLLECTION: All fees required by Section 122.4 shall be collected by the Office of the Building Commissioner.

122.4.2 APPEALS: Any person, partnership or corporation, or combination thereof, doing business under a fictitious name, aggrieved by any decision of the Demolition Board, may appeal said decision to the Board of Building Appeals in the manner prescribed in Section 121.0 of this code.

122.5 PERMITS: The code official shall not issue permits to perform demolition or wrecking as herein defined to any person, partnership, or corporation, or persons doing business under a fictitious name unless said permit applicant holds a current and proper class of Certificate of Fitness.

122.5.1 SUSPENSION OF CERTIFICATE: Any person, including any officer of any corporation, holding any Certificate of Fitness found performing demolition or wrecking, as herein defined, without proper permits, as

prescribed by this code, shall be additionally subject to certificate suspension or revocation by the Demolition Board.

122.6 STANDARDS OF QUALIFICATION AND TESTING: For the purpose of demolition contractor certification described herein, the Demolition Board shall qualify and test in accordance with the following Standards of Acceptance:

A) QUALIFICATIONS:

1. Class I Certificates - Class I Demolition Contractor applicants, in addition to the requirements herein, must show documented proof of any one of the following: That said applicant has been:

a. Safely and legally doing business as a Class II demolition contractor for at least five (5) years, and shows access to the proper equipment and personnel to perform Class I demolition activities;

OR

b. Safely and legally doing business in demolition contracting for at least three (3) years, involving buildings of substantial size being in excess of heights, areas and volumes described for a Class II Demolition Certificate, as described in Section 2, and shows access to the proper equipment and personnel to perform Class I demolition activities;

OR

c. In receipt of a Class I Temporary Certificate, and has safely and legally performed Class I demolition activities within the City of Saint Louis under said Certificate.

2. Class II Certificates - Class II Demolition Contractor applicants, in addition to the requirements herein, must show documented proof of any one (1) of the following: That said applicant has been:

a. Safely and legally doing business in demolition contracting for at least three (3) years and shows access to the equipment and personnel to properly perform Class II demolition activities;

OR

b. Legally employed by a qualified Class I or Class II Demolition Contractor, as herein described, for at least three (3) years, and shows access to the equipment and personnel to properly perform Class II demolition activities;

OR

c. In receipt of a Class II Temporary Certificate, and has safely and legally performed Class II demolition activities within the City of Saint Louis under said certificate.

3. Temporary, Either Class: The Demolition Board, under prior test, may reduce the years of experience or years doing business as a Demolition Contractor for Temporary Class Certificates, and/or accept Certificates of Fitness or licensing from other cities or administrative review bodies for Temporary Class Certificates, when such other License or Certificate is predicated upon qualifications equivalent to the Temporary Class Certificate applied for either of the above, subject to evidence of equipment and personnel, as defined in the Certificate Qualifications for Class I or II, as applicable to the temporary class so applied. The Demolition Board may issue, at its discretion, such Temporary Class Certificates to recently established demolition companies or corporations which have filed the proper applications and submitted documentation of adequate personnel and/or equipment to perform said demolition activities.

B) TESTING - All tests, as described in Section 122.3.2, shall be designed to establish the applicant's knowledge of safety and precaution as it relates to demolition activities, and shall involve questions directly oriented to laws and regulations of the Building Code of the City of Saint Louis pertinent to demolition activities and/or published demolition safety rules and regulations as described herein.

C) VIOLATIONS - Any person who shall fail to comply with any of the requirements of Section 122.0 shall be guilty of a violation of this code, and shall upon conviction thereof be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and such imprisonment. Each day that any violation shall continue, shall constitute a separate and distinct offense.

SECTION 123.0 EXISTING STRUCTURES

123.1 CONTINUATION OF EXISTING OCCUPANCY: The legal occupancy of any building, structure and/or premises existing on the date of adoption of

this code, or for which it has been heretofore approved, shall be permitted to continue without change, except as is specifically covered in this code, the Existing Structures or Fire Prevention Codes listed in Chapter 35, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

123.2 CHANGE IN OCCUPANCY: It shall be unlawful to make any change in the use or occupancy of any building, structure and/or premises or portions thereof which would subject it to any special provisions of this code without approval of the code official, and the code official's certification that such structure and/or premises meets the intent of the provisions of law governing building construction for the proposed new occupancy, and that such change does not result in any greater hazard to public safety or welfare.

123.3 ADDITIONS, ALTERATIONS OR REPAIRS: Additions, alterations or repairs to any structure shall conform to that required of a new structure without requiring the existing structure to comply with all the requirements of this code. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings.

Alterations or repairs to an existing structure, which are structural or adversely affect any structural member or any part of the structure having a required fire-resistance rating, shall be made with materials required for a new structure.

123.4 SUBSTANTIAL REHABILITATION: Existing buildings in which there is work involving substantial repairs, alterations, additions or change of use, shall be made to conform to this code by applying the requirements of Chapter 34, or the provisions of Chapters 2 through 33.

123.5 SUBDIVIDING OF LOTS: No existing building shall be subdivided into two or more lots unless there is a fire wall along each such lot line, and each building on the subdivided lots has separate utilities served only through each respective lot.

SECTION 124.0 REPAIRS AND MAINTENANCE

124.1 REPAIRS: Application or notice to the code official is not required for ordinary repairs to structures, but such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required

means of egress, or rearrangement of the parts of a structure affecting the exit requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, fire suppression or detection system, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

124.2 MAINTENANCE: All buildings, structures and/or premises, and all parts thereof, both existing and new, shall be maintained in a safe and sanitary condition. All service equipment, means of egress, devices and safeguards which are required by this code in a building, structure and/or premises, or which were required by a previous statute in a building or structure, when erected, altered or repaired, shall be maintained in good working order.

124.3 OWNER RESPONSIBILITY: The owner or the owner's agent shall be responsible for the safe and sanitary maintenance of the building, structure or premises and its means of egress facilities at all times.

SECTION 125.0 MOVED STRUCTURES

125.1 COMPLIANCE: Buildings or structures moved into or within the City of Saint Louis shall comply with the provisions of this code for new buildings and structures and shall not be used or occupied in whole or in part until the occupancy permit shall have been issued by the code official.

Modify Section 202.0 GENERAL DEFINITIONS by the addition or changing of definitions to read as follows:

Custodian of Records: The Custodian of Records shall be that person who directly supervises the particular section within the Building Division from which records are being requested.

Occupancy Permit: The permit issued by the code official which certifies that the building or structure has been inspected and has complied with the applicable provisions of all City of Saint Louis ordinances, as enforced by the Division of Building and Inspection.

Owner: Any person, firm or corporation having a legal or equitable interest in the property, or their agent, operator or collector of rent, or any other person, firm or corporation exercising any care or control of the property; or recorded in the official records of the state, county, or municipality 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 executive administrator of the estate of such person, if ordered to take possession of real property by a court.

Parking Lot: Any parcel of land used, in whole or in part, for the storing or parking of vehicles for which a charge may or may not be made. Such lots may have an attendant or be self parking.

Add Section 203.0 to read as follows:

SECTION 203.0 DEFINITIONS FOR DEMOLITION PURPOSES ONLY

Building: A structure enclosed within exterior walls, fire walls, or party walls, built, erected and framed of component parts, designed for the housing, shelter, or enclosure and support of individuals, animals or property of any kind, which is in excess of one and one half (1 1/2) stories or fifteen (15) feet in height or ten thousand (10,000) cubic feet in volume or one thousand (1,000) square feet in area without a basement.

Demolition Clearing, Grading or Backfilling: A portion of demolition activity in which clearing, grading, or backfilling operations are conducted at the demolition site in conjunction with the demolition of the building or structure, as herein defined.

Demolition (Salvaging): A portion of demolition activity which is conducted at the demolition site in such a manner as to reuse the existing construction materials or fixtures from the building or structure, such as brick, lumber, fixtures, steel, ornamental iron or fencing; their removal or cleaning, palletizing, stacking, storing or loading onto vehicles for shipment.

Demolition (Wrecking): The removal of all or portions of buildings or structures to include: on site salvaging, on site loading, and on site backfilling, grading or clearing as herein defined; but does not include: the actual hauling of scrap, debris and miscellaneous materials away from the demolition site, or the removal of miscellaneous partitions, machinery, equipment, plaster, mortar, paint, fixtures, trim or finish, when performed in conjunction with building repairs or alteration work; nor does this definition include the complete relocation of buildings or structures from one site for reassembly at another site.

Demolition or Wrecking Contractor: Any person, firm, partnership or group of persons doing business under a fictitious name, whether such name be legally

registered or not, or corporation doing business in or conducting demolition or wrecking activities as herein defined.

Demolition or Wrecking Contractor "Employee": Any person employed by a demolition contractor in conjunction with demolition activities, as herein defined.

Structure: An assembly of materials forming the construction for occupancy or use, including among others: buildings, stadiums, platforms, towers, water tanks, trestles, above grade piers, wharves, open sheds, shelters, signs, etc., which exceed fifteen (15) feet in height or one thousand (1,000) square feet in area or ten thousand (10,000) cubic feet in volume; but not to include: tents, temporary reviewing stands, staging or statues less than thirty (30) feet in height, fences, displays or signs less than thirty (30) feet in height. (Also see definition of "Building").

Change Section 301.2 to read as follows:

301.2 APPLICATION OF OTHER LAWS: Nothing herein contained shall be deemed to nullify any provisions of the Zoning Ordinance or any other statute of the City of Saint Louis pertaining to the location or use of buildings, except as may be specifically required by the provisions of this code.

Change line in Table 302.1.1 to read as follows:

Use Groups A,B,E,I 1,R 1,R 2:c,d

Add Notes c & d to Table 302.1.1 to read as follows:

Note c. Use group R 2: basement storage rooms or common areas shall have a fire suppression system or a hard wired smoke detection system connected to remote horns on the floors above. If the entire building is required to have an automatic fire suppression system, this option is not available. Note d. Use Groups A, B, E, I 1, R 1, R 2: storage rooms more than fifty (50) square feet but not more than one hundred (100) square feet in area may substitute a hard wired automatic smoke detection system with smoke partitions for automatic sprinklers, unless the entire building is required to be sprinklered by other provisions of this code.

Add Section 310.5.2 to read as follows:

310.5.2 CHILD CARE FACILITIES PROVIDING HOME DAY CARE LICENSED BY THE STATE OF MISSOURI: Child care facilities providing

home day care and accommodating not more than ten (10) children, two- and one-half (2-1/2) years or older, are exempt from this code when they possess a valid State of Missouri license, and are inspected by the Missouri Division of Family Services and the State of Missouri Fire Marshal's office. They shall meet all provisions of the Zoning Ordinance. The Division of Building and Inspection shall not inspect such state-licensed home day care facilities, unless a Building Code or Zoning Ordinance complaint is received. Zoning Ordinance complaints will be investigated by the Building Division; however, Building Code complaints will be forwarded to the State Fire Marshal. Should seven (7) calendar days elapse without a response from the State Fire Marshal, the Building Division is empowered to investigate the complaint.

Delete Section 310.6 as printed.

Add Sections 401.1.1 and 401.1.2 to read as follows:

401.1.1 SPECIAL INDUSTRIAL BUILDINGS: Chemical plants, packing plants, grain elevators, steel mills, shot towers, icehouses, refineries, flour mills and other special industrial structures may be constructed in accordance with the recognized practices and requirements of the specific industry. The building official may permit such variations from the requirements of this code which will secure reasonable and economic construction with all the necessary fire, life and property safeguards. In granting such variations, due regard shall be given to the construction and isolation of the structure as well as the fire hazard from and to surrounding property, as may be provided in the Zoning Ordinance, or as covered under other sections of this code.

401.1.2 SPECIAL INDUSTRIAL BUILDING INSPECTIONS: All special industrial buildings and structures shall be inspected in accordance with Sections 105.4 and 1705.0, and the Fire Prevention Code listed in Chapter 35 of this code.

Delete Section 403.3.2 as printed.

Add Section 407.5.1 to read as follows:

407.5.1 SLOPED FLOOR: In lieu of the four (4) inch difference between garage and adjacent interior spaces, the garage floor may start level with the interior spaces and slope a minimum of four (4) inches toward the exterior garage door.

Change Section 418.3.2 to read as follows:

418.3.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS: The storage, handling, processing and transporting of flammable and combustible liquids shall be in accordance with the Mechanical Code and the Fire Prevention Code listed in Chapter 35. Where a Class I, II or IIIA flammable or combustible liquid is stored in tanks inside the building, the installation shall conform to Sections 418.3.2.1 through 418.3.2.10 and NFPA 30 listed in Chapter 35. The requirements shall only apply where tanks have an individual storage capacity that exceeds the exempt amounts specified in Tables 307.8(1) and 307.8(2). The fire area containing the tank(s) shall be classified as Use Group H-2.

The installation and/or removal of above- and under-ground storage tanks shall require a permit issued from the Fire Prevention Bureau, and shall be subject to their regulations. Above-ground storage tanks may also be subject to the requirements of the Zoning Ordinance, and may require a building permit for the construction of their structural support.

Add Section 421.1.1 to read as follows:

421.1.1 ENFORCEMENT: Private above ground swimming pools for Use Group R 3 occupancies shall be under the authority of the City of Saint Louis Health Department for permits and enforcement. All other pools shall be jointly under the authority of the Division of Building and Inspection and the Health Department for permit issuance, and under the Health Department for compliance thereafter.

Add Section 422.0 to read as follows:

SECTION 422.0 PARKING LOTS AND OTHER PAVED SURFACES

422.1 GENERAL REQUIREMENTS

422.1.1 BUILDING PERMIT REQUIREMENT: A building permit is required for the construction or resurfacing of any parking lot.

Exception: Lots or paved areas serving Use Group R-3 and Use Group R-2 lots or paved areas less than 3,000 square feet. Pothole and rut repair shall not require a permit.

422.2 PARKING LOT CONSTRUCTION:

422.2.1 SURFACE: Parking lots shall be paved and surfaced with concrete, bituminous or other approved materials on an appropriately constructed base course.

422.2.2 ACCESS LANES: Access lanes, aisles and parking spaces shall be provided in accordance with the Zoning Ordinance of the City of Saint Louis.

422.2.3 CURB CUTS: Parking lots shall be arranged to afford ready means of entrance and exit, and special permits shall be secured for curb cuts from the City of Saint Louis Street Department.

422.2.4 PARKING LOT OFFICES: The construction of parking lot offices in excess of five (5) feet by seven (7) feet (35 square feet) shall be constructed in accordance with the Building Code.

422.2.5 PROTECTION OF ADJOINING PROPERTY: Parking lots shall be provided with a concrete, bituminous or other approved material barrier at least six (6) inches above grade. All such barriers shall be located inside the property line and adjacent to the public sidewalk, public way or adjacent properties. Such barriers shall be placed to prevent the parked vehicle from extending over the adjacent property or public way. Such barriers, if not continuous, shall be so positioned such that both wheels of any car parked in the space shall contact the barrier. A curbing of at least four (4) inches above the parking lot surface shall be provided around the perimeter of the parking lot, exclusive of driveway areas, to prevent the washing of debris and extraneous matter onto the adjoining property or public way.

422.2.6 DRAINAGE: Up to three thousand (3,000) square feet of parking and other paved areas may discharge via a driveway to each public or private street frontage, and an additional three thousand (3,000) square feet may discharge into a public alley. Areas larger than this must have any excess area discharge into interceptor basins, as set forth in the Plumbing Code.

422.2.7 STRIPING: The parking spaces shall be clearly striped and marked.

422.2.7.1 ACCESSIBLE SPACES: Spaces required to be accessible to persons with disabilities shall be properly designated both by the appropriate logo painted in the space and a pole sign in front of the space, in accordance with CABO A117.1, listed in Chapter 35, and in full compliance with Section 1105.0.

422.2.8 LIGHTING: Parking lots of more than twenty five (25) parking spaces intended for night time use shall have an illumination of not less than two tenths (2/10) foot candle averaged over the parking surface. Such lights shall be so arranged as to direct the light away from adjoining dwellings. Such

illumination shall be provided during the evening hours of operation of the premises that the lot serves.

Exception: If the parking lot has adequate light available from existing sources, the requirements for lighting shall be waived at the option of the code official. Lots serving residential dwelling units are not required to provide illumination.

422.2.9 SIGNS: Each operator of a parking lot charging by the hour or by the day shall display in a prominent location a sign clearly visible to motorists bearing:

- A) The name of the operator.
- B) The usual hours of operation.
- C) The highest daily or hourly rate schedule, if applicable.
- D) The highest night or special event rate schedule, if applicable.
- E) The hours an attendant is normally on duty.

Where a single rate is charged or where a daily or hourly rate is charged, the highest rate in each category shall be posted in figures that shall not be less than four (4) inches in height. If any nightly or special event rate exceeds the hourly or daytime rate, then this rate shall be posted, and the figures for each of these rates shall be of the same size as those used to post daily and hourly rates. All other parking rates shall be posted legibly in a prominent location.

Nothing in any ordinance regulating the location of signs shall prohibit the erection of a sign which is not internally illuminated, nor exceeds fifteen (15) square feet in area, nor five (5) feet in its longest dimension, to comply with the above requirement for identification of a parking station. All such signs shall be erected and maintained in accordance with law.

Add Section 508.0 to read as follows:

508.0 FENCES

508.1 REQUIREMENTS: Fences shall be subject to the following requirements:

- A) No fence exceeding forty-two (42) inches in height shall be erected in front of the building line, as determined by the guidelines and requirements set forth

in the Zoning Ordinance, when constructed for uses in residential zones (Note: front yard building lines for corner lots are also determined by the provisions set forth in the Zoning Ordinance).

B) All other fences may be erected to a height not to exceed eight (8) feet along interior (side) or alley property lines for uses in residential zones.

C) Fences fifty (50) percent or less opaque may be erected to a height not to exceed ten (10) feet along alley property lines for uses in residential zones.

D) No barbed wire fence or fence topped with barbed wire or razor ribbon shall be erected for any uses in residential zones unless approved by the Board of Public Service. No strand of barbed wire or razor ribbon on any fence shall be closer than seven (7) feet to the ground.

E) Fences around swimming pools are subject to the requirements set forth in Section 421.10.

F) The property owner shall be responsible for locating property lines as they pertain to location and construction of fences.

G) Two (2) fences of different heights and materials may abut each other on a property line, provided each is on its own property, and all height regulations are followed; there are no provisions as to which side the fence must face.

H) No electrically charged fences shall be erected in the City of Saint Louis.

I) No fence shall be erected, built or installed in a side or front yard where there is no sidewalk and where the side or front yard abuts a public street.

Change Section 601.2 to read as follows:

601.2 APPLICATION OF OTHER LAWS: The provisions of this chapter shall not be deemed to nullify any provisions of the Zoning Ordinance or any other statute of the City of Saint Louis pertaining to the location or type of construction of buildings, except as may be specifically required by the provisions of this code.

Modify Table 705.2 to read as follows:

Delete: Column titled R 2 and Column titled R 3.

Add: Note d. Use group R 2, R 3 and private garages less than 3 feet to an interior property line shall have an exterior wall fireresistance rating of 1 hour.

Change Table 705.3 to read as follows:

Table 705.3
MAXIMUM PERCENT AREA OF EXTERIOR WALL OPENING^a

Fire Separation Distance (feet)^d

Classification of opening	0	3	5	10	15
	to less than 3	to less than 5	to less than 10	to less than 15	or greater
Unprotected	5%	25%	35%	60%	No Limit
Protected	15%	50%	75%	No Limit	No Limit

Note a. This table assumes that the openings are reasonably uniformly distributed. Where openings are not reasonably uniformly distributed, the portion of the wall utilized to calculate compliance with Table 705.3 shall be approved.

Note b. The area of openings in an open parking structure with a fire separation distance of greater than 10 feet shall not be limited.

Note c. For occupancies in Use Group H-2 or H-3, unprotected openings shall not be permitted for openings with a fire separation distance of 15 feet or less.

Note d. 1 foot = 304.8mm.

Change Section 705.6 to read as follows:

705.6 CONTINUITY OF EXTERIOR WALLS: Exterior walls required to be fireresistance rated by Section 705.2 because of fire separation distance, shall be continuous from the foundation to not less than thirty (30) inches (762 mm) above the roof surfaces.

Exceptions:

1. Where the roof deck or sheathing is constructed of approved noncombustible materials or of fireretardant treated wood, or five-eighths (5/8) inch Type X gypsum board supported directly beneath the underside of the roof sheathing or deck, using minimum two (2) inch ledgers attached to the sides of the roof framing members for a minimum distance of four (4) feet (1219 mm) from the exterior wall, and where the roof covering has a minimum of a Class C rating, the exterior wall shall be permitted to stop at the underside of the roof deck or sheathing.
2. Exterior walls in buildings of use group R 3 or buildings not exceeding one thousand (1,000) square feet in area.
3. Exterior walls of a building where the roof has an angle of more than twenty (20) degrees (0.35 rad) with the horizontal.

Change Section 901.3 to read as follows:

901.3 NONREQUIRED SYSTEMS: Any fire protection system or portion thereof not required by this code shall be permitted to be furnished and installed for partial or complete protection, provided that such installed system shall meet all applicable requirements of this code. A building permit shall be required for fire suppression systems not required by this code. A building permit shall not be required for fire detection systems not required by this code.

EXCEPTION: Building permits are required for all High Hazard Use Groups, or when stipulated in a decision of the Board of Building Appeals, or when ordered by the Building Commissioner or Fire Marshal, or when the building owner requests approval and an acceptance test by the Fire Marshal's Office.

Add Exception 3. to Section 904.1 to read as follows:

3. An automatic fire suppression system shall not be required in non-combustible elevator equipment rooms, provided these rooms are equipped throughout with an automatic fire/heat detection system in accordance with Section 918.0. If used, the automatic fire suppression system shall comply with Section 3006.2.3.

Change Section 904.9 to read as follows:

904.9 USE GROUP R 2: An automatic fire suppression system shall be provided throughout all buildings with an occupancy in Use Group R 2 in accordance with Section 906.2.1 or 906.2.2.

Exceptions:

1. Buildings which do not exceed three (3) stories, including basements which are not considered as a story above grade, and with a maximum of twelve (12) dwelling units per fire area.
2. Buildings which do not exceed four (4) stories, including basements which are not considered as a story above grade, and which do not exceed three (3) stories without basements, with a maximum of one (1) dwelling unit per story, and each dwelling unit has access to at least two (2) independent means of egress.

Delete Sections 906.9 through 906.9.6 as printed.

Change Section 907.2.1 to read as follows:

907.2.1 WITHIN A FIRE AREA: A limited area sprinkler system shall be permitted within a building provided that 20 sprinklers or less are required based on the spacing limitations of NFPA 13 listed in Chapter 35.

Add Section 907.3.1 to read as follows:

907.3.1 BACKFLOW: A backflow preventer is not required on limited area sprinkler systems using approved copper or plastic sprinkler piping.

Change Section 920.2(1) to read as follows:

1. In all occupancies in Use Group A 1,A 2,A 3,B,E,I 2,M,R 1 or H, and all R-2 occupancies in locations approved by the Fire Prevention Bureau.

Add Section 1008.1.7 to read as follows:

1008.1.7 POSTED OCCUPANT LOAD: Every room or space constituting a place of assembly shall have the approved occupant load of the room or space posted in a conspicuous place. The approved occupant load sign shall be installed and maintained in a legible manner by the owner or the owner's authorized agent. The sign shall be durable and shall indicate the number of occupants permitted for each room or space used. Assembly rooms or spaces which have multiple use capability shall be posted for all such uses.

Change Section 1010.4 by the addition of Exception 4 to read as follows:

4. Bars, grilles or security screens on emergency windows in all new buildings shall be permitted on the first story and basement provided that the dwelling is equipped with an approved hard-wired smoke detection system, as required in Section 919.0.

Change Section 1011.4 by the addition of Exception 3 to read as follows:

3. In all uses other than Use Groups R 1, R 2 and I 1, a fire-resistance rating is not required for exit access corridors serving thirty (30) or fewer occupants.

Change Section 1014.1 to read as follows:

1014.1 GENERAL: All stairways shall comply with the provisions of this section. Section 1014.11 shall be applicable only to interior stairways. Section 1014.12 shall be applicable only to exterior stairways.

EXCEPTION: Where there are proposed alterations to buildings of Use Group R-3, or within dwelling units of Use Group R-2, which do not constitute a change in use or occupancy, the requirements of Sections 1014.3, 1014.6 and 1014.7 shall not apply.

Change Section 1014.6.6 to read as follows:

1014.6.6 ALTERNATING TREAD STAIRWAYS: Alternating tread stairways of noncombustible construction are permitted as a means of egress in buildings from a mezzanine area not more than two hundred fifty (250) square feet in area and serving not more than five (5) occupants.

Change Section 1014.7 to read as follows:

1014.7 STAIRWAY GUARDS AND HANDRAILS: Stairways shall have continuous guards and handrails on both sides. Intermediate handrails are required so that all portions of the required width of stairs are within forty-four (44) inches (1118 mm) of a handrail. On monumental stairs, handrails shall be located along the most direct path of egress travel. Handrails shall be provided for alternating tread stairways in accordance with Section 1014.6.6.1. Only one handrail is required on stairways having a width of less than forty-four (44) inches (1118 mm). Guards shall be constructed in accordance with Section 1021.0. Handrails shall be constructed in accordance with Section 1022.0.

Exceptions:

1. Handrails are not required for stairways with less than three risers serving a single dwelling unit or which are not an exit access corridor or aisle, exit or exit discharge.
2. Aisle stairs provided with a center handrail or serving seating on one side shall be equipped with a minimum of one (1) handrail.
3. Stairways within a dwelling unit shall be equipped with a minimum of one (1) handrail.
4. Spiral stairways shall be equipped with a minimum of one (1) handrail.
5. Exterior stairs of five (5) risers or less in a flight shall not be required to have a handrail.

Change Exception 1 of Section 1017.4.1 to read as follows:

1. Single dwelling units of R 2 or R 3 Use Groups.

Change Section 1021.3 to read as follows:

1021.3 OPENING LIMITATIONS: In occupancies in Use Groups A, B, E, H-4, I-1, I-2, M, and R, and in public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of four (4) inches (102 mm) cannot pass through any opening.

Exception: The triangular openings formed by the riser, tread and bottom rail at the open side of a stairway shall be of a maximum size such that a sphere six (6) inches (152mm) in diameter cannot pass through the opening.

In occupancies in Use Groups I-3, F, H-1, H-2, H-3 and S, other than public garages and open parking structures, balusters, horizontal intermediate rails or other construction shall not permit a sphere with a diameter of twenty-one (21) inches (533mm) to pass through any opening.

Delete Sections 1022.2.5 and 1022.2.6.

Change Section 1027.1 to read as follows:

1027.1 BY STAIRWAY OR LADDER: In buildings more than three (3) stories in height above grade, except those with a roof slope greater than four units vertical in 12 units horizontal (4:12), access to the roof shall be provided by means of a stairway or a ladder and trap door. The ladder shall not be on the

exterior of the building. Where the roof is used as a roof garden or for other habitable purposes, sufficient stairways shall extend to the roof to provide the necessary exit facilities from the roof as required for such occupancy. Roof trap doors shall be constructed to comply with Section 1510.2.

Delete Sections 1213.0 and 1214.0 as printed.

Add Exception 3 to Section 1406.4 to read as follows:

3. Balconies and similar appendages on buildings of Use Groups R 2 and R 3 of Types 3, 4 and 5 construction, three (3) stories or less above grade, shall be permitted to be of Type 5 construction, and shall not be required to have a fire-resistance rating.

Modify Section 1507.2.3 to read as follows:

1507.2.3 ASPHALT SHINGLES: Asphalt shingles shall conform to ASTM D225 or D3462 listed in Chapter 35. Asphalt shingles shall not be installed on roof slopes below two units vertical in twelve units horizontal (2:12). Single layer underlayment is required on all roof slopes four units vertical in twelve units horizontal (4:12) or less. On slopes greater than four units vertical in twelve units horizontal (4:12), underlayment is required only if the shingle manufacturer's specification requires the underlayment. Asphalt shingles shall be secured to the roof with not less than four (4) fasteners per strip shingle, or not less than two (2) fasteners per individual shingle. Shingle headlap shall not be less than two (2) inches (51 mm).

Delete Section 1512.0 as printed. Add new Section 1512.0 to read as follows:

SECTION 1512.0 REROOFING

1512.1 GENERAL: A permit is required for reroofing all buildings and structures of Use Group R-3 and Use Group R-2, four (4) dwelling units or less, which fall within the following categories:

A) Where more than twenty-five (25) percent of the roof sheathing is being replaced (the fastening method must be outlined in detail);

B) Anytime a supporting joist, rafter, girder, truss member, or any other structural support is being replaced, strengthened, scabbed or altered by cutting, or is fire damaged (depending on the building size, occupancy, etc., drawings, calculations and specifications may be required, each bearing the original seal

and signature of a registered design professional in accordance with Section 114.1.3);

C) Where there is a change in roofing material which results in an increase in the loads imposed on the roof structure (sealed documents may be required), or which results in an increase in the flammability of the roof structure;

D) Buildings in designated City historic districts when the roofing is visible from the street;

E) Buildings located within three hundred (300) feet of a City park or within three hundred (300) feet of a City historic district where the roofing is visible from the park or historic district and the conditions in categories A, B or C apply;

F) Roofing on a landmark building which is listed on a National Register;

G) Roofing on a local ordinance listed landmark building or on property facing a landmark when the roofing is visible from said landmark and the conditions in Categories A, B or C apply;

H) Buildings located within a City park or on City-owned property.

1512.1.1 ALL OTHER USE GROUPS: For buildings and structures of all other use groups, the repair of existing roofs and roof coverings shall comply with the provisions of Chapter 34, but more than twenty-five (25) percent of the roof covering of any building shall not be removed and replaced within any twelve (12) month period unless the entire roof covering is made to conform to the requirements for new roofing, as provided in other applicable sections of this chapter.

Add Section 1610.1.1 to read as follows:

1610.1.1 CITY OF SAINT LOUIS CRITERIA: For purposes of this code the ground snow load (Pg) shall be twenty (20) pounds per square foot (psf).

Add Section 1611.3.1 to read as follows:

1611.3.1 CITY OF SAINT LOUIS CRITERIA: For purposes of this code the basic wind speed (V) shall be seventy (70) miles per hour.

Add Section 1612.1.3.1 to read as follows:

1612.1.3.1 CITY OF SAINT LOUIS CRITERIA: For purposes of this code the effective peak velocity related acceleration (A_v) shall be 0.12 and the effective peak acceleration (A_a) shall be 0.13.

Add Section 1612.1.9 to read as follows:

1612.1.9 SEISMIC REVIEW BOARD: There is hereby established a Seismic Review Board which shall meet on call of the Building Commissioner as Chairman, and shall consist of said Commissioner and two (2) other registered design professionals (an architect and an engineer) in the Division of Building and Inspection, who shall be appointed by the Building Commissioner. They shall be knowledgeable in the seismic design provisions of the National Building Code. One of the members shall be secretary. The purpose of the Seismic Review Board is to review questions from the Plan Exam Section concerning seismic design issues as they pertain to structural alterations to buildings, and questions concerning changes of use and/or occupancy. This Board will not design, but will answer questions raised by the Plan Exam staff. Decisions rendered by the Seismic Review Board can be appealed to the Board of Building Appeals, as provided in Section 121.3 of this code.

Change Section 1703.3.3 to read as follows:

1703.3.3 TEST AND INSPECTION RECORDS: All required test and inspection records shall be accessible to the code official or quality assurance agency at all times during the fabrication of the unit or sub-assembly and the erection of the building; such records as the code official designates shall be filed in the office of the code official.

Add Section 1703.3.4 to read as follows:

1703.3.4 INSPECTION REPORTS: All inspection reports shall be in writing and shall be certified by the licensed authority, or responsible officer of the service, or the individual when expert inspection services are accepted. An identifying label or stamp permanently fixed to the product indicating that factory inspection has been made shall be accepted in lieu of the aforesaid inspection report in writing if the intent or meaning of such identifying label or stamp is properly substantiated.

Add Section 1804.1.2 to read as follows:

1804.1.2 SANITARY LANDFILLS: No construction of buildings or facilities shall be permitted on or above land used or formerly used as a sanitary landfill,

or above decaying deposits of putrescible organic materials, unless approved by the Building Commissioner. The Building Commissioner shall require a comprehensive report on the underlying soils, prepared by a registered professional engineer. This report shall take proper note of possible formation and release of combustible, explosive or toxic vapors or gasses emanating from the underlying deposits, and shall contain positive construction recommendations for elimination of such hazards.

Add Section 1806.1.1 to read as follows:

1806.1.1 CITY OF SAINT LOUIS CRITERIA: For purposes of this code the frost depth shall be thirty (30) inches below grade.

Delete Chapter 27 in its entirety. NOTE: See City of Saint Louis Electrical Code.

Change Sections 2805.2.1 and 2805.2.2 to read as follows:

2805.2.1 PIPE: Pipe shall be noncombustible or insulated if combustible. All insulation shall meet the requirements of Section 2805.2.2. Plastic fire sprinkler piping in wet pipe systems shall be permitted where the piping has a peak optical density not greater than 0.50, an average optical density not greater than 0.15 and a flame spread not greater than 5.0 feet (1524 mm) when tested in accordance with UL 1887 listed in Chapter 35. Piping shall bear the label of an approved agency.

2805.2.2 CEILING AND THERMAL MATERIAL: Thermal and acoustical materials and pipe insulation shall have a flame spread of twenty-five (25) or less and a smoke developed rating of fifty (50) or less when tested in accordance with ASTM E84 listed in Chapter 35.

Delete Chapter 29 in its entirety. Note: See City of Saint Louis Plumbing Code.

Change Section 3003.1 to read as follows:

3003.1 APPLICATION: The application for a permit shall be accompanied by construction documents in sufficient detail and indicating the location of the machinery room and equipment to be installed, relocated or altered; and all supporting structural members, including foundations. The construction documents shall indicate all materials to be used and all loads to be supported or conveyed. The construction documents shall be properly signed and sealed by a design professional registered in the State of Missouri.

Add Section 3003.2.1 to read as follows:

3003.2.1 PAYMENT OF FEES: Payment of fees for permits to install, construct, relocate or alter items controlled by this chapter shall be in accordance with fee schedules as provided in the Mechanical Code listed in Chapter 35.

Change Section 3003.3 to read as follows:

3003.3 IDENTIFICATION OF EQUIPMENT: All elevators, moving stairways and autolifts subject to inspection shall be identified by a serial number provided by the code official. The number shall be imprinted on a metal tag which shall be affixed to the machinery. After such devices have been so designated, the serial number shall not be changed, except where approved by the code official, and all correspondence in regard to such device shall refer to said number.

Change Section 3004.3.1 to read as follows:

3004.3.1 PERIODIC TESTS: Periodic tests shall be made by an agency approved by the code official. The agency shall tag the equipment with the type of tests conducted and the date of the tests.

Change Section 3004.3.2 to read as follows:

3004.3.2 PERIODIC INSPECTIONS: Periodic inspections shall be made by the code official or by a qualified insurance company inspector approved by the code official. Where such inspections are not made by the code official, the approved agent shall submit a detailed report of the inspection to the code official on forms approved by the code official not less than thirty (30) days prior to the expiration date of the Certificate of Compliance.

Change Section 3004.4.1 to read as follows:

3004.4.1 PERIODIC INSPECTION INTERVALS: Periodic inspections of elevators, escalators, dumbwaiters and moving walks shall be made at intervals not exceeding one (1) year in accordance with Table 113.1.2. Miscellaneous hoisting and elevating equipment, conveyors and amusement devices shall be inspected at such intervals as are deemed necessary by the code official to insure safe operations.

Add Sections 3004.6 and 3004.7 to read as follows:

3004.6 INSURANCE COMPANY INSPECTORS: In addition to the Elevator Inspectors authorized by this code, the code official shall, upon the request of any company authorized to insure against elevator liability in the state of Missouri, issue to any Elevator Inspector in the employ of said company, a Certificate of Competency to inspect elevators and like equipment, provided such inspector has passed a qualification examination before the Elevator Rules Committee, which certificate shall be valid conditioned upon their continuing in the employ of an insurance company authorized as aforesaid and upon maintaining the standards imposed by this code. No insurance company inspector shall inspect equipment covered by this code in the City of Saint Louis unless they possess a Certificate of Competency. The insurance company inspector shall inspect all elevators, dumbwaiters, manlifts, escalators, autolifts, and amusement devices insured by their respective companies and the owner or user of such mechanical equipment shall be exempt from the payment of inspection fees to the City of Saint Louis. Such inspectors shall receive no salary from, nor shall any of their expenses be paid by the City of Saint Louis. Each Special Inspector shall submit upon forms approved for such purpose to the code official a written report of each inspection of such mechanical equipment, within thirty (30) days from the date of inspection and in accordance with Section 3004.3.2.

3004.7 FEE FOR CERTIFICATE OF COMPETENCY: Each applicant for a Certificate of Competency as a special Elevator Inspector, at the time of filing of an application for examination, shall pay to the code official a fee as prescribed in Table 3004.7 of this code for each examination. Any person who has failed to pass the examination shall be entitled to apply for a new examination after ninety (90) days from such failure.

TABLE 3004.7 FEE FOR CERTIFICATE OF COMPETENCY

Item,	Fee	Duration	Remarks and Requirements
Special Elevator Inspector Certificate of Competency	\$25.00	Permanent Charged per examination	

Delete entire Section 3005.0 as printed. Add new Section 3005.0 to read as follows:

SECTION 3005.0 CERTIFICATE OF INSPECTION

3005.1 GENERAL: The operation of all equipment governed by the provisions of this chapter and hereafter installed, relocated or altered shall be unlawful by persons other than the installer thereof until such equipment has been inspected and tested as herein required and a Certificate of Inspection or a Temporary Certificate of Inspection has been issued for said equipment by the code official.

3005.2 CERTIFICATE OF INSPECTION: The code official shall issue a Certificate of Inspection for each unit of equipment which has satisfactorily met all of the inspections and tests required by this chapter. The certificate shall specify the owner of the property, location of the property, City serial number, type of service, floor traveled if applicable, capacity and expiration date. The certificate shall be valid for one (1) year and shall be renewed following the annual inspection if the unit is found to still be in compliance.

3005.3 TEMPORARY CERTIFICATE OF INSPECTION: The code official is authorized to issue a Temporary Certificate of Inspection for any equipment covered by this chapter, which is hereafter installed, relocated or altered, to permit limited use when it has been determined that all safety requirements have been met but finish work remains to be completed. Such certificates shall bear the dates of issue, renewal and expiration, and shall designate the class of service allowed.

3005.3.1 TESTS AND MINIMUM SAFEGUARDS REQUIRED: A temporary certificate shall not be issued for an elevator until such elevator has satisfactorily passed tests for rated load, car and counterweight safety, and terminal stopping devices. Permanent or temporary guards and enclosures shall be installed on the car, around the hoistway and at the landing entrances. Equipment other than elevators shall be tested and protectives shall be provided as deemed necessary by the code official to insure safe operation for the limited service specified.

3005.3.2 SPECIAL CONDITIONS: Automatic and continuous pressure operation elevators shall not be placed in temporary operation from the landing pushbuttons unless the door-locking device and interlocks required by ASME A17.1 listed in Chapter 35 are installed and operative. Where the car is

operable only from the inside, landing entrance guards shall be provided with locks that are releasable from the hoistway side only.

3005.3.3 TIME LIMITATION: Temporary certificates of inspection shall be issued for periods of not more than thirty (30) days. The code official is authorized to renew the limited certificates of operation for additional periods of not more than thirty (30) days each.

3005.4 POSTING CERTIFICATES OF INSPECTION: The owner or lessee operating any freight elevators and/or passenger elevators shall post the last issued Certificate of Inspection in a conspicuous location within the elevator car. As an alternative, the Certificate of Inspection may be filed within the premises and a placard displayed in the car showing the location of the file, the expiration date and the capacity of the elevator.

Change Section 3102.4.1 to read as follows:

3102.4.1 NEW SIGNS: A new sign shall not hereafter be placed, erected, constructed, altered or maintained except as herein provided and until after a permit has been issued by the code official. All signs controlled and regulated by the Zoning Ordinance of the City of Saint Louis, or this code, shall require building permits.

EXCEPTION: Ground-mounted political or campaign signs, thirty-two (32) square feet or less in sign area, erected on any private property no earlier than sixty (60) days prior to the primary, and removed within thirty (30) days after the general election. Violation of this exception will result in a seven (7) day citation letter directed to the owner of the property.

Add Sections 3102.4.4.1 through 3102.4.4.4 to read as follows:

3102.4.4.1 ADDITIONAL APPLICATION INFORMATION: All additional application information as required to evaluate the sign's conformance with the City of Saint Louis Zoning Ordinance shall be provided.

3102.4.4.2 PERMIT REQUIRED: No person shall erect, construct, or maintain any sign described in this chapter until after a permit for said sign has been issued by the code official to do so; an application for said permit shall have been filed with the code official accompanied by plans and specifications showing dimensions, materials and details of construction of proposed structure; nor until all the provisions of this chapter relating to such structure

shall have been complied with; nor until the prescribed fee for such permit has been paid to the code official.

3102.4.4.3 PERMIT FEES: Permit fees for all signs shall be charged at the rate prescribed in Table 112.4.2.

3102.4.4.4 IN STREET OR SIDEWALK AREA: Portable signs shall not be located on public streets or sidewalk areas. Enforcement of this requirement is assigned to the Director of Streets.

Change Section 3102.5.1 to read as follows:

3102.5.1 REMOVAL: The code official is authorized to order the removal of any sign that is not maintained in accordance with the provisions of this code. The removal of any sign, including billboards, shall not require a demolition permit, but shall require a building permit to alter the sign by removal, and shall not be subject to review by the Heritage and Urban Design Commission.

Add Section 3107.2.2 to read as follows:

3107.2.2 FREEBOARD: Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization on the watershed. For purposes of this code, freeboard shall be at least one (1) foot above the base flood elevation.

Change Section 3107.12.1 to read as follows:

3107.12.1 AS-BUILT ELEVATION CERTIFICATIONS: A licensed land surveyor or registered design professional shall certify the actual elevation (in relation to mean sea level) of the lowest structural member required to be elevated by the provisions of this section.

Any building to be constructed in a flood plain area, other than alterations or additions to existing residences, shall have the low sill elevation approved and certified by a Registered Engineer or Land Surveyor, licensed in the State of Missouri, before approval of the required foundation inspection can be given.

Change Section 3109.3.1 to read as follows:

3109.3.1 PERMITS: The approval of the code official shall be secured for all dish antenna structures more than two (2) feet (610 mm) in diameter which are roof or ground mounted or attached to any building or structure. A permit is not required for any dish antennae not more than two (2) feet (610 mm) in diameter erected and maintained on the roof of any building, or erected on the ground not in front of the building line. All plans submitted for application for dish antenna structures erected on the roof of or attached to any building or structure shall bear the seal of a registered engineer, licensed to practice in the State of Missouri, and shall be accompanied by structural calculations meeting the provision of Section 3109.3.2, also sealed by said engineer.

Add Section 3111.0 to read as follows:

SECTION 3111.0 HOUSE NUMBERING

3111.1 GENERAL: All owners of all structures located within the City of Saint Louis shall display proper house numbers on their respective premises in accordance with this code and the provisions of Chapter 20.16 of the Revised Code of the City of Saint Louis.

3111.2 LOCATION OF NUMBERS: Street numbers shall be placed on the street front. 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.

3111.3 MATERIALS AND SIZE: House numbers shall be metal, wood, plastic, decals, or any other approved materials; or they may be carved into the architectural features of the building or structure. They shall be at least three (3) inches in height, and the color of said numbers shall be in contrast to their immediate background, and shall be placed so as to be in full view from the opposite side of the street or alley.

Change Section 3202.2 to read as follows:

3202.2 BELOW GRADE: A part of a building hereafter erected below grade that is necessary for structural support of the building shall not project beyond the lot lines, except that the footings of street or alley walls, or their supports located at least eight (8) feet (2438 mm) below grade, shall not project more than twelve (12) inches (305 mm) beyond the lot line. Footings of structures may project up to six (6) inches (153 mm) into streets or alleys regardless of depth.

Change Section 3203.1 to read as follows:

3203.1 GENERAL: The following are ordinary encroachments for which the issuance of the construction permit is the function of the code official and the right of encroachment is conveyed by the issuance of the building permit.

Add Sections 3203.13 through 3203.14 to read as follows:

3203.13 SIGNS: Projecting signs, including irons and other fixtures, shall not extend more than five (5) feet into the public right of way.

3203.13.1 SIGNS PROJECTING INTO STREETS: Projections shall not be nearer than two (2) feet to a curb and not less than ten (10) feet above the curb or public sidewalk.

3203.13.2 SIGNS PROJECTING INTO ALLEYS: Projections shall not be less than sixteen (16) feet above an alley.

3203.14 SPECIAL ENCROACHMENTS: All other encroachments shall be considered special encroachments where the legal sanction is conveyed by the Board of Public Service. These encroachments shall be so constructed as to be readily removable without endangering the safety of the building.

Add Section 3205.1.2 to read as follows:

3205.1.2 SMALL AWNING EXEMPTION: A permit shall not be required for the erection, repair, or replacement of fixed awnings less than forty (40) square feet in projected area or retractable awnings less than one hundred and fifty (150) square feet in area, unless they project over public property. No such awning, however, shall be installed so as to project over property not owned by the premises on which such awning is installed.

Delete Chapter 33 as printed.

Add new Chapter 33 to read as follows:

Chapter 33

PRECAUTIONS

SECTION 3301.0 EXCAVATION

3301.1 NOTICE OF INTENT: The person intending to cause an excavation shall deliver written notice of such intent to the owner of each potentially affected adjoining lot, building or structure at least one (1) week prior to the

commencement of work. The notice shall request license to enter the potentially affected lot, building or structure prior to the commencement of work and at reasonable intervals during its prosecution to inspect and preserve it from any damage which might result from the intended work.

3301.2 PROTECTION OF ADJOINING PROPERTY: If afforded the necessary license to enter the adjoining lot, building or structure, the person causing the excavation to be made shall at all times and at their own expense preserve and protect it from damage or injury. If the necessary license is not afforded, it shall be the duty of the owner of the adjoining lot, building or structure to make safe their own property, for the protection of which they shall be granted the necessary license to enter the premises of the excavation.

3301.3 NOTICE TO THE CODE OFFICIAL: If the person causing an excavation to be made is not afforded license to enter an adjoining structure, they shall immediately notify in writing both the code official and the owner of the adjoining property that the responsibility of providing support to the adjoining lot, building or structure has become the exclusive responsibility of the owner of the adjoining property.

3301.4 HAZARDOUS EXCAVATIONS: Should there be an unfenced excavation or hole or open basement that endangers the sidewalk, alley or street right-of-way, the Street Department is authorized to, without prior notice, fill and/or abate such hazard. Should such excavation, hole or open basement not endanger the public right-of-way, but in fact endanger an adjacent building footing, or cause an embankment problem, or constitute a public safety hazard anywhere on the site, or have accumulated over eighteen (18) inches of standing water for more than seven (7) days, which, in the opinion of the City Health Department, upon certification, constitutes a vector-control problem, the Building Commissioner may emergency-hire a contractor to fill, or partially fill, that excavation, hole or open basement to mitigate the danger. All costs attending such action shall be paid by the owner of said property or premises whereon the violation was permitted to exist; said costs to be collected as provided in Section 119.6 of this code.

SECTION 3302.0 EMERGENCY GUARD BARRICADES

3302.1 GENERAL: When the code official shall order emergency barricades due to an unsafe building, structure or premises condition, said costs plus a ten (10) percent administrative cost shall be certified to the Comptroller of the City of Saint Louis. The Comptroller is authorized to place a tax lien against the property in the amount of said bill.

Add Sections 3406.2 and 3406.3 to read as follows:

3406.2 HERITAGE COMMISSION PERMIT REQUIREMENTS: When the ordinances of the Heritage and Urban Design Commission (HUDC) require a permit for items for which this code does not require a permit, applications may be taken by the Building Division and processed solely to the Heritage Commission. Both the Building Commissioner and the Heritage Commissioner are authorized to place stop work orders, as set forth in Section 117.0. Any appeals or court actions resulting from such citations, applications or permits shall have technical and aesthetic testimony from the Heritage and Urban Design Commission.

3406.3 HERITAGE DENIAL: Unless overruled by the Building Commissioner, as a result of an emergency situation, a denial from the Heritage and Urban Design Commission shall be the final denial; no further notice from the code official shall be required to any person.

Delete Section 3407.0 as printed; refer to Section 125.0.

Change Section 3408.2 to read as follows:

3408.2 APPLICABILITY: Structures existing prior to the enactment of this code, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3403.0 through 3407.0. The provisions in Sections 3408.2.1 through 3408.2.5 shall apply to existing occupancies that continue to be, or are proposed to be, in Use Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Use Group H or I or to historic buildings, as provided for in Section 3406.0. Certain small buildings may be dealt with in accordance with Sections 3408.2.4.1 through 3408.2.4.6.

Add Sections 3408.2.4.1 through 3408.2.4.6 to read as follows:

3408.2.4.1 OPTIONAL EVALUATION FOR SMALL BUILDINGS: This optional evaluation may be used for buildings classified as Use Group A, B, E, F, M, R or S, which are under three thousand (3,000) square feet in area per floor and three (3) stories or less in height.

3408.2.4.2 ALTERATIONS EXCEEDING FIFTY (50) PERCENT: If alterations or repairs within any period of twelve (12) months cost in excess of fifty (50) percent of the physical value of the structure, this code's requirements for new structures shall apply.

3408.2.4.3 DAMAGES EXCEEDING FIFTY (50) PERCENT: If the structure is damaged by fire or other cause to an extent in excess of fifty (50) percent of the physical value of the structure before the damage was incurred, this code's requirements for new structures shall apply.

3408.2.4.4 ALTERATIONS OR REPAIRS UNDER FIFTY (50) PERCENT: If the cost of alterations or repairs is between twenty-five (25) and fifty (50) percent of the physical value of the structure, the code official shall determine to what degree the portions so altered or repaired shall be made to conform to the requirements for new structures.

3408.2.4.5 ALTERATIONS OR REPAIRS UNDER TWENTY-FIVE (25) PERCENT: If the cost of alterations or repairs is twenty-five (25) percent or less of the physical value of the structure, the code official shall permit the restoration of the structure to its condition prior to the damage or deterioration with the same kind of materials as those of which the structure was constructed, provided that such construction does not endanger the general safety and public welfare, and meets the provisions of Section 1512.0 with respect to reroofing.

3408.2.4.6 PHYSICAL VALUE: In applying the provisions of this section, the physical value of the structure shall be determined by the designer, and shall be based on current replacement costs and shall be subject to review and approval by the code official.

Section Four. 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 Five. 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, under any act or ordinance hereby repealed, as cited in Section Two of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section Six. 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.

1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
06/16/95	06/16/95	PS	12/07/95	12/07/95
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
12/08/95			12/12/95	12/12/95
ORDINANCE	VETOED		VETO OVR	
63610				