

St. Louis City Ordinance 63838

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 58

INTRODUCED BY ALDERMEN STEPHEN CONWAY , PHYLLIS YOUNG ,
MARGE VINING , VELMA BAILEY , CRAIG SCHMID

An ordinance pertaining to the cost related to the demolition or repair of buildings or structures within the City of St. Louis which become a public nuisance as a result of fire, explosion, or other casualty loss and for which the building commissioner has issued an order mandating the demolition or repair; authorizing the City to place a lien on said property in the form of a special tax bill; and further requiring twenty-five percent of any insurance proceeds which are owed as a result of a claim resulting from the damage or loss to a building or structure arising out of fire, explosion, or other casualty loss to be paid to the Comptroller for the purpose of satisfying said lien; and containing a penalty clause and an emergency clause.

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

SECTION ONE. Any building or structure located within the City of St. Louis which is damaged by any fire, explosion, or other casualty loss to the extent that it is condemned by the building commissioner shall be declared a public nuisance for purposes of this ordinance.

SECTION TWO. If upon making an inspection and examination, the building commissioner finds that a building or structure has become a public nuisance under section one of this ordinance, he shall order the owner(s) to proceed to properly demolish, repair, and secure or correct all conditions causing condemnation of said building, structure within seven (7) days. The building commissioner may, upon the failure of the owner(s) to comply with this order, when the public interest may so require, correct, remove or abate the conditions set forth in his order. All costs attending such action in such cases shall be paid from the appropriate fund. The cost shall be certified to the Office of the Comptroller, 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, department, or division.

SECTION THREE.

(a) If there are proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or structure caused by or arising out of any fire, explosion, or other casualty loss, and if the covered claim payment for such damage or loss exceeds Fifty (50) percent of the face value of the policy on such building or structure, then the insurance carrier for such building or structure shall pay Twenty-five (25) percent of such insurance claim proceeds to the Office of the Comptroller, who shall hold such money in an interest bearing account. If a bill or special tax bill is issued under Section Two of this ordinance such shall be paid from the money held by the Comptroller, and if there is any excess, such shall be paid by the Comptroller to the insured.

(b) If within 30 days of the receipt of such insurance proceeds the building commissioner has not conducted an inspection as required in Section Two of this ordinance, then the Comptroller shall release such proceeds and any interest which has accrued on such proceeds to the insured.

(c) If such building or structure is repaired or demolished pursuant to this ordinance without cost to the City of St. Louis, then any insurance proceeds paid to the Comptroller and any interest thereon shall be paid to the insured.

(d) Upon presentation of satisfactory proof that the insured has removed or will remove debris and repair, rebuild, otherwise make the insured building or structure safe and secure, the Building Commissioner shall issue a certificate, within 30 days after receipt of such satisfactory proof, to permit the payment of any insurance proceeds directly to the insured without deduction of the amount payable to the City of St. Louis under paragraph (a) of this section.

SECTION FOUR. This ordinance does not make the City a party to any insurance contract and does not make the insurer liable to any party for any amount in excess of the proceeds otherwise payable under its insurance policy.

SECTION FIVE. Any person, firm, or corporation who shall violate a provision of this ordinance or who shall fail to comply with any of the requirements thereof, shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of Five Hundred Dollars (\$500.00) or by imprisonment not

exceeding ninety (90) day; or by both such fine and imprisonment. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION SIX. EMERGENCY CLAUSE.

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

Legislative History					
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND	VOTE
04/26/96	04/26/96	PS	07/02/96		
2ND READING	FLOOR AMEND	FLOOR SUB	VOTE	PERFECTN	PASSAGE
07/03/96				07/12/96	07/19/96
ORDINANCE	VETOED		VETO OVR		EFFECTIVE
63838					