

1 **BOARD BILL NO. 292 INTRODUCED BY ALDERMAN GREGORY CARTER**

2

3 AN ORDINANCE PERTAINING TO A CITY-WIDE HOUSING CONSERVATION
4 PROGRAM; AMENDING EARLIER ADOPTED ORDINANCES ESTABLISHING
5 HOUSING CONSERVATION DISTRICTS AND REGULATIONS; SETTING FORTH
6 PROCEDURES, REQUIREMENTS, FEES, REGULATIONS, INSPECTIONS,
7 ISSUANCE AND REVOCATION OF CERTIFICATES OF INSPECTION FOR
8 DWELLING UNITS OF RESIDENTIAL PROPERTIES IN THE CITY OF ST. LOUIS;
9 REPEALING SECTIONS TWO, EIGHT, TWELVE, AND SEVENTEEN, OF
10 ORDINANCE 67914, AND ENACTING IN LIEU THEREOF NEW SECTIONS
11 TWO, EIGHT, TWELVE AND SEVENTEEN AS SET FORTH HEREIN; AND
12 AMENDING PARAGRAPH 9 OF EXHIBIT A AS ATTACHED TO THIS
13 ORDINANCE, AND CONTAINING A PENALTY CLAUSE AND A
14 SEVERABILITY CLAUSE.

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16 WHEREAS, ON January 1, 2009, Ordinance 67914 as approved by the Board of
17 Aldermen of the City of St. Louis, took effect; Ordinance 67914 is an Ordinance
18 pertaining to a City Housing Conservation Program regarding and regulating dwelling
19 units contained in the Housing Conservation Districts, which were first established in
20 1986, continuing to strive toward the goal of enforcing housing standards and identifying
21 health hazards for the promotion of the health and well being of the citizens of the City of
22 St. Louis;

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1 WHEREAS, more than ninety percent (90%) of the housing stock of the City of St. Louis
2 was built before 1978, and requires, and will continue to require, improvements and
3 maintenance in order to meet the minimum housing standards of the City of St. Louis,
4 and do so in a way to avoid and prevent lead poisoning of its residents;

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6 WHEREAS, lead exposure can cause devastating and irreversible effects, especially in
7 children, and recognizing that lead poisoning is preventable through risk identification
8 through the Housing Conservation program;

9
10 WHEREAS, Housing Conservation Districts have been successful in sustaining and
11 improving the quality of residential housing and homes in the City of St. Louis;

12
13 WHEREAS, THE REQUIREMENTS OF THE Certificate of Inspection for occupancy
14 will serve as a valuable tool toward enforcing the minimum housing standards and
15 securing the health and safety of all residents of the City of St. Louis;

16
17 WHEREAS, the Board of Aldermen of the City of St. Louis finds that certain duties,
18 authority, rights, obligations, and procedures of the Building Division, herein, including
19 the need to alert residents of the City of St. Louis to risks from lead exposure, are in need
20 of certain refinements, and

21

1 WHEREAS, the Board of Aldermen of the City St. Louis finds that it is desirable and
2 prudent for the health and safety of the City of St. Louis and all of its residents to provide
3 for the changes to Ordinance 67914 as provided herein.

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

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7 SECTION ONE. Sections Two, 25.56.010., is hereby repealed as of the effective date of
8 this Ordinance, and the following is enacted in lieu thereof:

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10 SECTION TWO. All areas within the legal boundaries of the City of St. Louis are
11 hereby placed under the City Housing Conservation Program to be administrated and
12 regulated by the Provisions and requirements herein and implemented pursuant to Section
13 Seventeen of this Ordinance.

14

15 SECTION TWO. Section Eight. 25.56.070 of Ordinance 67914 is repealed and in its
16 place stands the following:

17 SECTION EIGHT. 25.56.070-Certificate of Inspection-Fees

18 A. Fees for a Certificate of Inspection prior to occupancy when the application
19 for inspection is:

20 1. General Inspection of exterior of building and all common areas and premises
21 plus one dwelling unit is \$100.00. Each additional dwelling unit included in
22 the General Inspection, if inspection is performed within the same building
23 and on a common date, is \$50.00 per each additional dwelling unit.

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1 B. The fee for a Certificate of Inspection per unit which is unlawfully occupied
2 shall be as follows:

3 1. \$150.00 per unit.

4 C. Major rehabilitation of dwelling units pursuant to interior floor plans for each
5 level, and site plans approved by the Building Division, as well as newly
6 constructed units having been certified as completed in accordance with the
7 codes and ordinances of the City of St. Louis will be issued original
8 Certificates of Inspection as described herein at no charge after construction
9 completion and Building Code compliance certification.

10 D. Fifty percent (50%) of fee revenue collected will be allocated to the Lead
11 Remediation Fund of the City of St. Louis.

12

13 SECTION THREE. Section Twelve 25.56.110 of Ordinance 67914 is repealed
14 and in its place stands the following:

15 SECTION TWELVE 25.56.110 Previously Established Housing Conservation
16 Districts.

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18 All Housing Conservation Districts which have been established pursuant to the
19 provisions of earlier ordinances and which are in existence on the effective date of this
20 Ordinance shall remain in effect until the effective date of this Ordinance. On XXXX
21 DATE, these previously existing Housing Conservation Districts shall thereafter be
22 governed by and subject to the provisions of this Ordinance, or Chapter, with regard to all
23 future inspections, issuances and revocations of Certificates of Inspection, condemnations

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1 for occupancy, fees, penalties, and other procedures and requirements. All actions taken
2 prior to the effective date of this Ordinance, pursuant to the provisions of previous
3 ordinances pertaining to Housing Conservation Districts, including but not limited to,
4 inspections, issuances or revocations of Certificates of Inspections, condemnations for
5 occupancy, impositions and collections of fees and penalties, shall remain valid and in
6 full force and effect unless and until they are specifically rescinded or superseded by
7 actions taken pursuant to this Ordinance.

8

9 SECTION FOUR. Section Seventeen of Ordinance 67914 is repealed and in its place
10 stands the following Section Seventeen:

11

12 SECTION SEVENTEEN. Implementation.

13 The provisions of this Ordinance shall take effect on XXX Date for all areas
14 within a previously established Housing Conservation District.

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16 SECTION FIVE. Severability Clause.

17 The sections of this Ordinance shall be severable. In the event any section of this
18 Ordinance is found by a Court of competent jurisdiction to be unconstitutional, the
19 remaining sections of this Ordinance are valid, unless the Court finds the valid sections of
20 this Ordinance are so essentially and inseparably connected with, and so dependent upon
21 the void section that it cannot be presumed that the Aldermen would have enacted the
22 valid sections without the void ones; or unless the Court finds that the valid sections,

1 standing alone, are incomplete and are incapable of being executed in accordance with
2 the legislative intent.

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