

ORDINANCE #69202
Board Bill No. 42
Floor Substitute

An ordinance pertaining to a city-wide housing conservation program; amending earlier adopted ordinances establishing housing conservation districts and regulations; setting forth procedures, requirements, fees, regulations, inspections, issuance and revocation of certificates of inspection for dwelling units of residential properties in the City of St. Louis; repealing sections two, eight, twelve, and seventeen, of ordinance 67914, and enacting in lieu thereof new sections two, eight, twelve and seventeen as set forth herein; and amending paragraph 9 of exhibit a as attached to this ordinance, and containing a penalty clause, severability clause **and an emergency clause.**

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

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

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

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

WHEREAS, the requirements of the Certificate of Inspection for occupancy will serve as a valuable tool toward enforcing the minimum housing standards and securing the health and safety of all residents of the City of St. Louis;

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

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

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

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

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

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

SECTION EIGHT. 25.56.070-Certificate of Inspection-Fees

- A. Fees for a Certificate of Inspection prior to occupancy when the application for inspection is:
 - 1. General Inspection of exterior of building and all common areas and premises plus one dwelling unit is ~~\$100.00~~ **\$90.00**. Each additional dwelling unit included in the General Inspection, if inspection is performed within the same building and on a common date, is \$50.00 per each additional dwelling unit.
- B. The fee for a Certificate of Inspection per unit which is unlawfully occupied shall be as follows:

- 1. \$150.00 per unit.
- C. Major rehabilitation of dwelling units pursuant to interior floor plans for each level, and site plans approved by the Building Division, as well as newly constructed units having been certified as completed in accordance with the codes and ordinances of the City of St. Louis will be issued original Certificates of Inspection as described herein at no charge after construction completion and Building Code compliance certification.
- D. ~~Fifty percent (50%)~~ **Sixty percent (60%)** of fee revenue collected will be allocated to the Lead Remediation Fund of the City of St. Louis.

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

SECTION TWELVE 25.56.110 Previously Established Housing Conservation Districts.

All Housing Conservation Districts which have been established pursuant to the provisions of earlier ordinances and which are in existence on the effective date of this Ordinance shall remain in effect until the effective date of this Ordinance. On July 12, 2012, these previously existing Housing Conservation Districts shall thereafter be governed by and subject to the provisions of this Ordinance, or Chapter, with regard to all future inspections, issuances and revocations of Certificates of Inspection, condemnations for occupancy, fees, penalties, and other procedures and requirements. All actions taken prior to the effective date of this Ordinance, pursuant to the provisions of previous ordinances pertaining to Housing Conservation Districts, including but not limited to, inspections, issuances or revocations of Certificates of Inspections, condemnations for occupancy, impositions and collections of fees and penalties, shall remain valid and in full force and effect unless and until they are specifically rescinded or superseded by actions taken pursuant to this Ordinance.

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

SECTION SEVENTEEN. Implementation.

The provisions of this Ordinance shall take effect ~~on July 1st, 2012~~, for all areas within the city ~~within a previously established Housing Conservation District~~, **except for the areas described below. The areas described below shall only be included in the City Housing Conservation Program through amending this Ordinance.**

A. Areas Excluded from City Housing Conservation Program:

Tract I: The Eighteenth Ward with the exception of the areas consisting of the 4300 and 4400 blocks of Enright Avenue and the area beginning at the point of intersection of Olive St. and Pendleton Ave., and proceeding northerly along Pendleton Ave. to the east-west alley north of Olive through Blocks 4583 4876 and 4584 to its intersection with a north-south alley in Block 4584, and proceeding northerly along said alley to its intersection with an east-west alley in Block 4584, and proceeding easterly along the east-west alley to Vandeventer Ave., and proceeding southerly along Vandeventer Ave. to the east-west alley south of Olive St., and proceeding easterly along said alley to Spring Ave., and proceeding southerly along Spring Ave. to the east-west alley south of Lindell Blvd., and proceeding westerly along said alley through Block 3927 to Vandeventer Ave., and proceeding northerly along Vandeventer Ave. to Lindell Blvd, and proceeding westerly along Lindell Blvd. to Newstead Ave., and proceeding northerly along Newstead Ave. to Maryland Ave., and proceeding easterly along Maryland Ave. to Boyle Ave., and proceeding northerly along Boyle Ave. to Olive St., and proceeding westerly along Olive St. to point of beginning.

SECTION FIVE. Severability Clause.

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

SECTION 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 this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

EXHIBIT A
(Interior Only)

1. SANITATION

General unsanitary conditions shall not be allowed within Public Areas, Dwelling Units or Basements. Trash, debris, rodent and insect infestation shall be eliminated.

2. WALLS & CEILINGS

Plaster or tile shall not be missing, loose or broken.

Required fire resistance assemblies shall be maintained.

Wall coverings shall not be loose, water damaged or in bad repair.

3. ENTRY DOORS

Lock on entry door(s) shall be in good working order. Door(s) shall latch properly for privacy. If entry door is a fire door, it shall have an operable self closer. Common area entrance/exit door(s) where a door frame exists shall not be equipped with double key or clasp type locking mechanism.

4. STRUCTURAL

Floors/joists shall not be missing, rotten, fire damaged, spalled, rusted or broken. Floor covering shall not be torn or broken. There shall be no unsafe structural conditions.

5. SAFETY

Sufficient exits shall be provided. Stair(s) shall not be missing, rotten, fire damaged, spalled, rusted or broken. Handrail(s) or guardrail(s) shall not be missing, rotted or broken. Operable entrance/exit doors shall be provided and maintained. Excessive storage of any material shall not be permitted. Operable smoke detectors shall be provided as required by Ordinance.

6. PLUMBING FIXTURES

No fixtures shall be missing, inoperable or defective. No pipe or fixture shall be leaking or improperly connected. Hot water heater shall be required. Hot water heater shall be operable, and properly vented. Hot water heater shall have a temperature/pressure relief valve.

7. ELECTRICAL EQUIPMENT

Cover plates shall not be missing or broken. Switches or outlets shall be operable, and of sufficient number.

Fuses/Circuit breakers shall be properly sized. Lighting fixtures shall not be defective. Excessive, defective or hazardous extension cords shall not be allowed. Loose, hanging, frayed, bare wires or open splices shall be permitted. Defective or hazardous electrical services shall be prohibited.

8. MECHANICAL EQUIPMENT

Heating unit shall be operable. Furnace shall be properly vented. Space heaters shall be properly vented (when applicable).

9. SPACE REQUIREMENTS

Occupancy load shall be limited by the most stringent of:

- a. Minimum habitable gross floor area of 150 square feet for first occupant, plus 100 square feet for each additional

occupant; or

- b. Sleeping room area of a minimum of 70 square feet for first occupant, 50 square feet for each additional occupant; and the master bedroom will be limited to a maximum of two (2) occupants. The master bedroom will be construed as the largest bedroom within said unit. After an occupancy load has been established and unit is legally occupied, said unit will still be considered to be legally occupied is an infant under the age of thirty (30) months is found to be added to the legally occupied unit.
- c. Minimum occupancy area requirements for living room and dining room as reflected in the applicable Sections of Chapter Four of adopting Ordinance #68791 of the 2009 International Property Maintenance Code of the City of St. Louis.
- d. Basement occupancies shall not be permitted unless they meet the following requirements:
 - 1. Floors and walls are weather tight so as to prevent entry of moisture.
 - 2. Minimum ceiling heights are in accordance with applicable sections of this Ordinance.
 - 3. Means of egress and emergency escape requirements as reflected in the applicable sections of the current building code of the City of St. Louis.
- e. MINIMUM CEILING HEIGHT: Habitable spaces shall have a clear ceiling height over the minimum area required by this code at not less than 7 feet (2134 mm) except that in attics or top half stories the ceiling height shall not be less than 7 feet (2134 mm) over not less than one third of the minimum area required by this code when used for sleeping, study, or similar activity. In calculating the floor area of such rooms, only those portions of the floor area of the room having a clear ceiling height of 5 feet (1524 mm) or more shall be included.

Exception: Hallways, corridors, bathrooms, toilet rooms, and habitable basements used as recreation rooms shall have a ceiling height of not less than seven feet 92134 mm) to the lowest projection from the ceiling.
- f. Every bedroom shall be equipped with an operable window which complies with the current adopted International Property Maintenance Code.
- g. Toilet rooms and bathrooms shall be arranged and designed to provide privacy
- h. Every room used as a bedroom shall have access to at least one water closet without passing through another room used as a bedroom.
- i. The required dining room shall be located on the same level as the required kitchen.
- j. Kitchens, nonhabitable spaces, and public spaces shall not be used for sleeping purposes.

Approved: July 24, 2012