ORDINANCE #66369
Board Bill No. 161

An ordinance authorizing and directing the Street Commissioner to take all necessary actions to honorarily designate the 4000 block of Sullivan Avenue as “Jimmie Irons Place”.

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

SECTION ONE. Pursuant to the provisions of Ordinance 65233, the 4000 block of Sullivan Avenue shall hereafter be honorarily designated as “Jimmie Irons Place”. The Director of Streets shall erected an hononary street-name sign at the intersection of Sullivan Avenue and Warne Avenue, which sign shall read “Jimmie Irons Place”.

Approved: July 31, 2004

ORDINANCE #66370
Board Bill No. 179

An ordinance authorizing and directing the Mayor and Comptroller of the City of St. Louis to execute a Missouri Highways and Transportation Commission Enhancement Maintenance Agreement by and between the City of St. Louis and the Missouri Highways and Transportation Commission.

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

SECTION ONE. The Mayor and Comptroller are hereby authorized and directed to execute a Missouri Highways and Transportation Commission Enhancement Maintenance Agreement, substantially in the form as attached hereto as Exhibit A and incorporated herein by reference, by and between the City of St. Louis and the Missouri Highways and Transportation Commission.

CCO Form:	DE11
Approved:	4/93 (CEH)
Revised:	7/01 (BDG)
Modified:	7/04 (BDG)

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION ENHANCEMENT MAINTENANCE AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of St. Louis, Missouri (hereinafter, "City").

WHEREAS, the Commission is authorized by Section 226.130 RSMO to contract with local governments; and

WHEREAS, the City has been authorized by Ordinance _____ to enter into this Agreement; and

WHEREAS, the parties wish to express their agreement concerning certain enhancements to certain of their Commission’s rights of way within the City;

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) PURPOSE: The purpose of this Agreement is to designate maintenance responsibilities for certain herein identified and described landscape enhancements on Commission right-of-way in the City of St. Louis, Missouri.

(2) TERM: The term of this agreement is 10 years from the commencement date of this agreement. This Agreement may be renewed by agreement of the parties for 1 additional 10-year period.

(3) ENHANCEMENT LOCATION: As a part of Commission Job Number J6I1581, certain landscaping enhancements were placed on the Commission's right-of-way. The enhancements consist of the planting of trees and shrubs. The general location of the enhancements are shown on an attached sketch marked "Exhibit A" and made a part of this Agreement. The detailed location of the improvement is shown on the plans prepared by the Commission for the above-designated project.

(3) MAINTENANCE:

(A) Upon completion of the installation of the enhancements, the Commission shall notify the City’s representative. Prior to January 1, 2005, the City shall have reasonable opportunity to inspect all installed enhancements, and shall make recommendations to the Commission’s representative concerning the removal and replacement of enhancements which the City’s representative deems to be in poor condition. The Commission’s representative shall have the final say concerning which enhancements are removed and replaced by the Commission. Beginning on January 1, 2005, the City, at its sole cost and expense,

shall maintain the enhancements as described in paragraph (3), above. The City shall maintain the landscape enhancements in accordance with the conditions stated in Exhibit B. The City shall maintain the enhancements in such a manner that the vegetation remains alive, green, and in a healthy condition and in such a manner so that the vegetation does not interfere with the traveling public. The City shall trim all vegetation in such a manner so that it does not impair the vision of drivers or obscure the visibility of the roadway and it appurtenances. The City shall provide all equipment, mulch, fertilizer, edging, water, and labor to maintain the enhancements. All watering activities shall be done in such a manner so that no water drains onto the highway. The City shall conduct its maintenance obligations in a manner that will not place the traveling public at risk and shall not interfere with the free flow of traffic on the Commission's highway. The City shall not use chemicals or herbicides on Commission right-of-way that have not been approved by the Commission. The Commission herby agrees that throughout the term of this Agreement the City shall have access to the Commission's rights-of-way within the City as needed to perform the City's obligations hereunder.

(B) If the City fails to maintain the herein contemplated improvements, the Commission shall notify the City of the deficiency. The City shall have a period of thirty (30) days within which to cure the deficiency, or, if the deficiency is such that it cannot be fully cured within thirty days, to commence and pursue steps to effect a cure. The City representative shall have the right upon receipt of a notice under this Section to meet and confer with the Commission representative to determine if the notice is warranted and, if so, to agree on appropriate corrective measures. If the deficiency is not corrected pursuant to this Section, the Commission may remove the enhancements at the City's sole cost and expense, or it may direct the City to remove the enhancements at the City's sole cost and expense.

(C) The Commission and the City may agree to additional specific items, requirements, or methods of maintenance.

(5) NO INTEREST: By contributing to the maintenance of the enhancements, the City gains no interest in the enhancements whatsoever. The Commission shall not be obligated to keep the constructed enhancements in place if the Commission, in its sole discretion, determines removal or modification of the enhancements, is in the best interests of the state highway system. In the event the Commission decides to remove the landscaping enhancements, the City shall not be entitled to a refund of the funds expended by the City pursuant to this Agreement.

(6) INDEMNIFICATION: The parties agree that sovereign immunity shall be retained by each of the parties, and, to that extent, the exercise of such sovereignty shall be a limitation upon this Agreement. Nothing herein shall be construed as a consent by either party as a waiver of its sovereign immunity; provided, however, the City and the Commission enter into this Agreement as instrumentalities of the sovereign state and not as principal and agent or as a joint venture. All officers acting under the authority of the respective parties pursuant to this Agreement shall be deemed to be acting for a governmental purpose and shall enjoy all the immunities which such officers would have within the State of Missouri.

To the extent permitted by law, the City shall accept responsibility and indemnify and hold the Commission harmless for any loss, liability or expense, including reasonable attorney's fees, resulting from all claims by or on behalf of any person, firm, or corporation, arising from the conduct or management of, by or on behalf of the City, or from any work done by or on behalf of the City, on Commission right-of-way as depicted on Exhibit A, attached hereto and incorporated by this reference, except for those which have arisen from the misconduct or negligence of the Commission.

(7) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a duly authorized formal contract amendment signed and approved by and between the duly authorized representatives of the City and Commission.

(8) COMMISSION REPRESENTATIVE: The Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(9) CITY REPRESENTATIVE: The City's Director of Parks, Recreation and Forestry is designated as the City's representative for the purpose of administering the provisions of this Agreement. The City's representative may designate by written notice other persons having the authority to act on behalf of the City in furtherance of the performance of this Agreement.

(9) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

(A) To the City:
Director of Parks, Recreation and Forestry
5600 Clayton Road
St. Louis, Mo. 63110

Facsimile No: (314) 535-3901

(B) To the Commission:
District 6 Engineer

1590 Woodlake Drive
Chesterfield, Mo. 63017

Facsimile No: (314) 340-4186

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(11) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(12) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of the contract.

(13) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(14) TERMINATION: The Commission may terminate this Agreement at any time and for any reason upon not less than thirty (30) days prior written notice to the City. In the event the Commission terminates this Agreement, the City shall not be entitled to a refund of the funds expended by the City pursuant to this Agreement.

(15) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(16) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(17) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this ___ day of _____, 20__.

Executed by the Commission this ____ day of _____, 20__.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

_____

Title _____

ATTEST:

_____
Secretary to the Commission

Approved as to Form:

_____
Commission Counsel

CITY OF ST. LOUIS

By _____
Francis G. Slay
Title: Mayor of the City of St. Louis

By_____
Darlene Green
Title: Comptroller of the City of St. Louis

ATTEST:

By _____
Parrie L. May
Title: Register

Approved as to Form:

By _____
Thomas J. Ray
Title: Deputy City Counselor

Ordinance Number_____

Exhibit B is on file in the Register's Office.

Approved: July 31, 2004

ORDINANCE #66371
Board Bill No. 181
Committee Substitute

An ordinance apportioning the final costs of the Ellenwood Neighborhood Improvement District street improvements; assessing the final costs of the improvements as special assessments against the parcels described in the assessment roll and appropriating from Capital Fund 1212 a sum not to exceed One Million One Hundred Thousand Dollars to reimburse the City of Clayton, as project manager, for the initial costs of construction, as provided by Article III of the Intergovernmental Cooperation Agreement.

Whereas, the Ellenwood Subdivision Neighborhood Improvement District was previously created for the purpose of making street improvements within the District; and

Whereas, following a public hearing on the preliminary plans and specifications and the proposed assessment roll and the advertisement for bids, the Board of Aldermen approved the construction of said improvements; and

Whereas, construction of the improvements for the Ellenwood Neighborhood Improvement District is complete and the final cost for such project has been calculated; and

Whereas, the final cost of the project is $1,048,473.80 which is well below the estimated project cost set forth in the original Petition by the residents of the District;

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

SECTION ONE. Pursuant to Section 67.463.2 RSMo., this body hereby apportions the final cost of the Ellenwood Subdivision Neighborhood Improvement District street improvement project among the properties benefitted by such improvements in accordance with the method of assessment set forth in the original Petition filed by the residents of the District and the ordinances relating to the District. The apportionment of the final cost of the project is shown on the Assessment Roll, attached hereto as Exhibit 1 and made a part of this ordinance by reference.

SECTION TWO. Pursuant to Section 67.463.2 RSMo, the final cost of the improvement is assessed as a special assessment proportionately against the parcels described in the assessment roll (Exhibit 1).

SECTION THREE. In accordance with the terms of the Intergovernmental Cooperation Agreement relating to the formation and administration of the Ellenwood Neighborhood Improvement District, the City of Clayton, as project manager, is hereby instructed to prepare appropriate notices required by Section 67.463.3 RSMo. Those notices shall set forth a description of the parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of this ordinance, on or before the 30th day following the date of the notice. The Collector of Revenue is directed to mail the notice to each property with the portion of the District which lies in the City.

SECTION FOUR. Those special assessments which are paid in substantially equal annual installments shall bear interest at a rate of five percent (5%) per annum. Pursuant to Section 67.463.4 RSMo., interest on the assessment between the effective date of this ordinance and the date of the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

SECTION FIVE. This body hereby appropriates from the Capital Fund 1212 the sum not to exceed One Million One Hundred Thousand Dollars to reimburse the City of Clayton, as project manager, for the initial costs of construction, as provided by Article III of the Intergovernmental Cooperation Agreement. Those special assessments, including interest, collected by the Collector of Revenue from the properties benefitted and assessed by the Ellenwood Neighborhood Improvement District shall be paid into the Capital Fund 1212.

Approved: July 31, 2004

ORDINANCE #66372
Board Bill No. 3

An ordinance authorizing and directing the Director of Streets to temporarily close, barricade or otherwise impede the flow of traffic on Dolman Street by blocking said traffic flow at the north curb line of Lafayette Street and at the south curb line of Chouteau Avenue and containing an emergency clause.

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

SECTION ONE: The Director of Streets is hereby authorized to temporarily close and barricade, for a period of six months, Dolman Street at the north curb line of Lafayette Street and at the south curb line of Chouteau Avenue

SECTION TWO: 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.

Approved: July 31, 2004

ORDINANCE #66373
Board Bill No. 4

An ordinance recommended by the Planning Commission opening a public street from the south curb line of Chouteau Avenue to the north curb line of Lafayette in City Blocks 482 E, 483 E, 1254 and 1253, to be named Truman Parkway and containing an emergency clause.

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

SECTION ONE. A public street named as Truman Parkway is hereby opened and established from the south line of Chouteau Avenue to the north line of Lafayette in City Blocks 482 E, 483 E, 1254 and 1253.

SECTION TWO. Emergency clause.

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

Approved: July 31, 2004

ORDINANCE #66374
Board Bill No. 46
Committee Substitute

An Ordinance pertaining to communicable disease and quarantine and isolation; repealing Section 11.56.190 of Section Four of Ordinance63633, approved on February 2, 1996 , pertaining to Category I and Category II communicable diseases and enacting in lieu thereof a new section pertaining to the same subject matter; further repealing Ordinance 28798, approved April 27, 1916 and presently codified as Section 11.56.780 through 11.56.840 of the Revised Code of the City of St. Louis, pertaining to the declaration and regulations concerning quarantine and enacting in lieu thereof a new ordinance pertaining to the same subject matter; and containing a penalty clause, a severability clause and an emergency clause.

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

SECTION ONE. Section 11.56.190 of Section Four of Ordinance 63633 is hereby repealed and the following new section is hereby enacted, to-wit:

The following diseases and conditions are hereby declared reportable:

A. Category I Diseases, Conditions and Findings. Category I diseases, conditions and findings must be reported to the Saint Louis City Health Commissioner, within twenty-four (24) hours of suspected diagnosis by telephone, facsimile system or other rapid communication, followed by a written report within seven (7) days. Category I diseases, conditions and findings are:

(A) Diseases, findings or agents that occur naturally or from accidental exposure:

Animal (mammal) bite, wound, humans

Diphtheria

Haemophilus influenza, invasive disease

Hantavirus pulmonary syndrome

Hepatitis A

Hyperthermia

Hypothermia

Influenza, suspected—nosocomial outbreaks and public or private school closures

Lead (blood) level greater than or equal to forty-five micrograms per deciliter ($\geq$45 :g/dl) in any person equal to or less than seventy-two ($\leq$72) months of age

Measles (rubeola)

Meningococcal disease, invasive

Outbreaks or epidemics of any illness, disease or condition that may be of public health concern

Pertussis

Poliomyelitis

Rabies, animal or human

Rubella, including congenital syndrome

Staphylococcus aureus, vancomycin resistant

Streptococcus pneumoniae, invasive in children less than five (5) years

Syphilis, including congenital syphilis

Tuberculosis disease

Typhoid fever

(B) Diseases, findings or agents that occur naturally or that might result from a terrorist attack involving biological, radiological, or chemical weapons:

Adult respiratory distress syndrome (ARDS) in patients under 50 years of age (without a contributing medical history)

Anthrax

Botulism

Brucellosis

Cholera

Encephalitis/meningitis, Venezuelan equine

Glanders

Hemorrhagic fever (e.g., dengue, yellow fever)

Plague

Q fever

Ricin

Smallpox (variola)

Staphylococcal enterotoxin B

T-2 mycotoxins

Tularemia

(C) Diseases, findings or adverse reactions that occur as a result of inoculation to prevent smallpox, including but not limited to the following:

Accidental administration

Accidental implantation (inadvertent autoinoculation)

Bacterial infection of site of inoculation

Congenital vaccinia

Contact vaccinia (i.e., vaccinia virus infection in a contact of a smallpox vaccinee)

Eczema vaccinatum

Erythema multiforme

Generalized vaccinia

Post-vaccinial encephalitis

Progressive vaccinia (vaccinia necrosum, vaccinia gangrenosa, disseminated vaccinia)

Vaccinia keratitis

(2) Category II diseases or findings shall be reported to the local health authority or the Department of Health and Senior Services within three (3) days of first knowledge or suspicion. Category II diseases or findings are—

Acquired immunodeficiency syndrome (AIDS)

Arsenic poisoning

Blastomycosis

California serogroup viral encephalitis/meningitis

Campylobacter infections

Carbon monoxide poisoning

CD4+ T cell count

Chancroid

Chemical poisoning, acute, as defined in the most current ATSDR CERCLA Priority List of Hazardous Substances; if terrorism is suspected, refer to subsection (1)(B)

Chlamydia trachomatis, infections

Coccidioidomycosis

Creutzfeldt-Jakob disease

Cryptosporidiosis

Cyclosporidiosis

Eastern equine viral encephalitis/meningitis

Ehrlichiosis, human granulocytic, monocytic, or other/unspecified agent

Escherichia coli O157:H7

Escherichia coli, shiga toxin positive, serogroup non-O157:H7

Giardiasis

Gonorrhea

Hansen disease (leprosy)

Heavy metal poisoning including, but not limited to, cadmium and mercury

Hemolytic uremic syndrome (HUS), postdiarrhea

Hepatitis B, acute

Hepatitis B surface antigen (prenatal HBsAg) in pregnant women

Hepatitis C

Hepatitis non-A, non-B, non-C

Human immunodeficiency virus (HIV)- exposed newborn infant (i.e., newborn infant whose mother is infected with HIV)

Human immunodeficiency virus (HIV) infection, as indicated by HIV antibody testing (reactive screening test followed by a positive confirmatory test), HIV antigen testing (reactive screening test followed by a positive confirmatory test), detection of HIV nucleic acid (RNA or DNA), HIV viral culture, or other testing that indicates HIV infection Human immunodeficiency virus (HIV) test results (including both positive and negative results) for children less than two (2) years of age whose mothers are infected with HIV Human immunodeficiency virus (HIV) viral load measurement (including nondetectable results)

Influenza, laboratory-confirmed

Lead (blood) level less than forty-five micrograms per deciliter (<45 :g/dl) in any person equal to or less than seventy two (≤72) months of age and any lead (blood) level in persons older than seventy-two (>72) months of age

Legionellosis

Leptospirosis

Listeria monocytogenes

Lyme disease

Malaria

Methemoglobinemia

Mumps

Mycobacterial disease other than tuberculosis (MOTT)

Nosocomial outbreaks

Occupational lung diseases including silicosis, asbestosis, byssinosis, farmer's lung and toxic organic dust syndrome

Pesticide poisoning

Powassan viral encephalitis/meningitis

Psittacosis

Respiratory diseases triggered by environmental contaminants including environmentally or occupationally nduced asthma and bronchitis

Rocky Mountain spotted fever

Saint Louis viral encephalitis/meningitis

Salmonellosis

Shigellosis

Streptococcal disease, invasive, Group A

Streptococcus pneumoniae, drug resistant invasive disease

Tetanus

Toxic shock syndrome, staphylococcal or streptococcal

Trichinosis

Tuberculosis infection

Varicella deaths

West Nile fever

West Nile viral encephalitis/meningitis

Western equine viral encephalitis/meningitis

Yersinia enterocolitica

(3) The occurrence of an outbreak or epidemic of any illness, disease or condition which may be of public health concern, including any illness in a food handler that is potentially transmissible through food. This also includes public health threats than could result from terrorist activities such as clusters of unusual diseases or manifestations of illness and clusters of unexplained deaths. Such incidents shall be reported to the Health Commissioner by telephone, facsimile, or other rapid communication within twenty-four (24) hours of first knowledge or suspicion.

SECTION TWO. Ordinance 28798 is hereby repealed and in lieu thereof the following ordinance is hereby enacted.

SECTION THREE. Definitions. For the purposes of this section the following words or phrases shall have the meaning given herein.

1. "Board of Police Commissioners" means the appointed Board that oversees the Metropolitan St Louis Police Department.

2. "Chemical or radiological contamination" means a person has been exposed to and may physically have on their person any toxic or poisonous chemicals or precursors of toxic or poisonous chemicals, or radiation or radioactive materials at a level dangerous to human life.

3. "Chief of Police" means the Chief of the Metropolitan St Louis Police Department.

4. "City" means the City of St Louis, Missouri.

5. "Communicable disease" means a disease or condition, the infectious agent of which may pass or be carried, directly or indirectly, from the body of one person or animal or contaminated environment to the body of another person or animal.

6. "Decontamination" means the cleansing process by which chemical or radiological contamination is removed from a person, animal or environment.

7. "Exposure" is defined as contact with suspected cases of a disease or a contaminated environment where there may be contact, absorption, ingestion or inhalation of an infectious agent or chemicals or radiation or radioactive materials that may result in infection with a disease or radiation illness.

8. "Health Commissioner" means the Health Commissioner of the City of St Louis, Missouri, in the Department of Health and Hospitals or their designee.

9. "Isolation" is the separation for the longest period of communicability of infected individuals, premises and animals from other individuals and animals in places and under conditions as will prevent the direct and indirect transmission of the communicable disease from infected individuals or animals who are susceptible or who may spread the agents to others.

10. "Quarantine" the separation from others of persons, groups of persons, premises or animals who had the opportunity to acquire a communicable disease or chemical or radiological contamination through an infected person, animal or contaminated environment. The usual period of time will not be longer than the longest period of communicability of the disease or in the event of chemical and radioactive contamination, until decontamination occurs. The purpose of quarantine is to prevent direct or indirect transmission of the communicable disease, chemical or radiological contamination to other persons, animals or environments.

A. Complete quarantine is a limitation of freedom of movement of persons, groups of persons or animals exposed to a communicable disease for a usual period of time not longer than the longest period of communicability of the disease or in the event of exposure to chemicals or radiation, until decontamination occurs, in order to prevent effective contact with the general population.

B. Modified quarantine is a selective, particular limitation of freedom of movement of persons, groups of persons or animals determined on the basis of differences in susceptibility or danger of disease transmission. Modified quarantine is designed to meet particular situations and includes but is not limited to, the exclusion of persons from geographic areas or school or child care, the closure of schools, child care centers and places of public or private assembly and the prohibition or restriction of those exposed to a communicable disease or chemical or radiation contamination from engaging in travel into or from a specified area or in a particular occupation or activity.

C. Quarantine of Premises is the closure of buildings, or parts of buildings, both public and private until they have been declared safe by the Director, Commissioner or their designated representative.

SECTION FOUR. Establishment of Quarantine or Isolation

The Health Commissioner shall establish appropriate quarantine or isolation rules and regulations as necessary to prevent the introduction or transmission of communicable disease, as defined in Section 11.56 of the Revised Code, or chemical or radiological contamination into, within or from the City including the St Louis Lambert International Airport and the water works.

SECTION FIVE. Quarantine and isolation orders

1. Any quarantine and isolation order issued by the Health Commissioner shall be in writing and contain:

A. the identification of the person, group of persons, premises or animals to be confined , closed or excluded,

A. the basis for the Health Commissioner=s belief that the person, group of persons or animals have a communicable disease, may be incubating a communicable disease, or have chemical or radiological contamination and that the person, group of persons or animal(s) pose(s) a substantial threat to the public health and that quarantine or isolation is necessary to protect and preserve the public health, or that a premises is in such a condition that could lead to such communicable disease or contamination. The premises shall be posted with a NOTICE that the premises is under quarantine. It shall be a violation of this ordinance for any person without the consent of the Commissioner to remove said NOTICE.

C. the period of time during which the order shall remain effective, and

D. the place of confinement or exclusion as designated by the Health Commissioner.

E. The steps necessary to prohibit the illegal entry or occupancy of a premises.

2. Further orders of quarantine and isolation pursuant to this section may be issued to previously quarantined or isolated persons, groups of persons, premises or animals in the event the Health Commissioner deems additional quarantine and isolation time is necessary to protect and preserve the public health.

SECTION SIX. Isolation and quarantine premises

Entry into quarantine and isolation premises shall be restricted under the following conditions:

1. The health commissioner may authorize physicians, health care workers or others access to individuals in quarantine or isolation as necessary to meet the needs of quarantined or isolated individuals;

2. No person, other than a person authorized by the Health Commissioner shall enter quarantine or isolation premises;

3. Any person entering a quarantine or isolation facility must possess infection control knowledge and use appropriate personal protective equipment;

4. Any person entering a quarantine or isolation premise with or without the authorization of the Health Commissioner may be quarantined or isolated.

5. The Health Commissioner may take whatever action necessary to decontaminate any premise and charge the owner the cost of such decontamination and said cost shall be a lien on the property..

SECTION SEVEN. Relief from Isolation and quarantine

A person confined or excluded, or owner of an animal confined under this section shall have relief from isolation if the Health Commissioner determines:

1. the person or animal ordered confined or excluded is no longer infected with a communicable disease, or

2. the person or animal no longer poses a substantial threat to the public health, and

3. confinement or exclusion of the person or animal is not necessary and the least restrictive alternative to protect and preserve the public health.

4. The owner of the quarantined premises produces documentation satisfactory to the Health Commissioner showing either mitigation or that no contamination (chemical, radiological or biological) is present and that the premises no longer presents any health hazard.

Any person aggrieved from a decision or order of the Health Commissioner may appeal such decision within ten (10) working days of the decision or order to the Director of Health and Hospitals. Said Director shall hold a hearing within ten (10) working days of the appeal. The hearing shall determine if the decision or order was appropriate. An appeal does not stay the decision of the Health Commissioner or the Director. Neither the City of St. Louis nor any of its employees, agents, contractors or members of the police department shall be held responsible for any lost wages, income or other damages due to the quarantine or isolation imposed hereunder.

SECTION EIGHT. Enforcement

Whenever an order of the Health Commissioner or Director in relation to quarantine and isolation of the City of St. Louis or property owned by the City including the St Louis Lambert International Airport and the water works, a copy of the order shall be transmitted to the Board of Police Commissioners and the Chief of Police, the City Fire Department and the City Emergency Management Agency (CEMA) and to officials in the county where the premises are located if not in the City. The Board of Police Commissioners and the Chief of Police, the City Fire Department and the City Emergency Management Agency (CEMA) are directed to aid and assist the Health Commissioner, or the Commissioner=s designee, in the enforcement of the quarantine or isolation order whenever requested to do so.

SECTION NINE. Penalty Clause.

Every person convicted of a violation of any Section of this Ordinance shall be punished by a fine of not less than one ($1) dollar, nor more than five hundred ($500) dollars, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each day that any violation shall continue, it shall constitute a separate offense.

SECTION TEN. Severability Clause

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

SECTION ELEVEN. 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 and therefore shall become effective immediately upon its passage and approval by the mayor.

Approved: July 31, 2004

ORDINANCE #66375
Board Bill No. 52

An ordinance authorizing and directing the Director of Streets to permanently close, barricade or otherwise impede the flow of traffic on Greer Avenue by blocking said traffic flow at the east curb line of Vandeventer Avenue and containing an emergency clause.

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

SECTION ONE: The Director of Streets is hereby authorized to permanently close and barricade Greer Avenue at the east curb line of Vandeventer Avenue.

SECTION TWO: 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.

Approved: July 31, 2004

ORDINANCE #66376
Board Bill No. 58

An ordinance pertaining to household goods and personal items in the public right of way or public easement of sidewalk area; repealing Ordinance 53592 and Ordinance 64273; containing an emergency clause

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

SECTION ONE. The provisions of Ordinance 53592 and Ordinance 64273 are hereby repealed.

Approved: July 31, 2004

ORDINANCE #66377
Board Bill No. 89

An ordinance to amend Ordinance No. 59121, approved April 10, 1984, as amended by Ordinance No. 60292, approved March 4, 1987, Ordinance No. 61760, approved December 27, 1989, and Ordinance No. 62276, approved March 3, 1991, and

Ordinance 64116, approved on July 18, 1997, which said Ordinance No. 59121 as so amended is now codified as Chapter 11.02 of the Revised Code of the City of St. Louis, Missouri, 1994, Annotated, as amended, pertaining to Solid Waste; by amending Section Five of said Ordinance No. 59121 which pertains to the general storage and collection of refuse to prohibit scavenging of refuse containers and containers for recyclables at all times; containing an emergency clause.

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

SECTION ONE. **SECTION TWO.** Section Five of Ordinance No. 59121, approved April 10, 1984, as amended by Ordinance No. 60292, approved March 4, 1987, Ordinance No. 61760, approved December 27, 1989, Ordinance No. 62276, approved March 3, 1991, Ordinance64116 is hereby amended to read as follows:

Section Five. Storage and collection of refuse in general.

(a) All refuse outside a structure shall be stored for collection in a refuse container as provided herein. Storage of refuse in containers not authorized by this section, for example, cardboard boxes or paper bags, is prohibited.

(b) The following refuse containers may be used for storage of refuse:

(i) Such containers as are provided by the Commissioner of Refuse Collection; or

(ii) for residential premises:

A. Plastic, rubber, or metal non-disposable trash containers which have the following characteristics:

1. Volume of not less than twenty gallon capacity and not more than thirty-two gallon capacity;

2. Suitable handles so as to facilitate safe handling and lifting by collectors;

3. Are free of sharp edges or of any other defect liable to harm or injure a collector;

4. Lids which are tight fitting and have handles;

5. Have printed or painted on the side of the container the address of the occupants of the premises storing refuse therein;

6. Are not less than twenty-two inches in height and nineteen inches in diameter.

B. Plastic bags may be used for refuse of residential premises if they are of a sufficient thickness and strength to prevent tearing and ripping in normal use and are equipped with a tying device.

(iii) For nonresidential premises; a metal container having a capacity of one cubic yard or more, or if permitted by the Refuse Commissioner, not more than two containers permitted to be used for residential premises by subsection (ii), Part A of subsection (b) of this section.

(c) All refuse containers shall be leak-proof and securely covered at all times.

(d) All refuse containers shall be constructed and maintained so as to prevent the dispersal or release of refuse placed therein.

(e) No prohibited refuse shall be placed in refuse containers from which the Refuse Division collects refuse at any time nor be collected by the Refuse Division. However, notwithstanding the provisions of this paragraph, nothing shall prevent the Refuse Commissioner from establishing special collections for major appliances, waste oil, tires, lead-acid batteries, yard waste, or other prohibited refuse. In the event that the Refuse Commissioner establishes such special collections, he shall promulgate regulations concerning the types of containers in which such items shall be placed, the manner in which they shall be collected, and the time for such collection. No person shall dump or deposit yard waste in any refuse containers from which the Refuse Division collects refuse unless (i) the refuse container has been marked "yard waste only" by the Refuse Division or (ii) the yard waste is deposited into a City roll-out cart for a yard waste collection day designated by the Refuse Commissioner; provided, however, that the Refuse Commissioner is authorized to allow placement of yard waste in refuse containers from which the Refuse Division collects refuse in emergency situations.

(f) Garbage shall be thoroughly and completely drained of all free liquid and wrapped securely before it is placed in a refuse container.

(g) The owners and the occupants of any premises within the City, producing refuse, have joint and separate responsibility, unless the Refuse Commissioner provides containers for their refuse, for providing containers for the storage of refuse produced on the premises which comply with the requirements of this ordinance, and for the collection and disposal of such refuse in compliance with the provisions of this ordinance. No occupant of a dwelling unit within a building containing two or more dwelling units shall be responsible for providing refuse containers for, or for the storage, collection or disposal of, refuse produced by or in any dwelling unit other than the one he occupies.

(h) The owner, lessee, tenant or occupant of any premises having an alley entrance shall place conspicuously at the alley entrance to such premises the house or street number thereof in figures not less than two inches high.

(i) Any refuse container not provided by the Refuse Commissioner from which the Refuse Commissioner collects refuse and which he determines to be nonusable shall be deemed to be refuse and subject to confiscation by the Commissioner after notice has been left for four days on such container, or at the premises of the apparent owner of such container.

(j) Any refuse container not provided by the Refuse Commissioner from which the Refuse Commissioner collects refuse and which he determines to be nonusable shall be deemed to be refuse and subject to confiscation by the Commissioner after notice has been left for four days on such container, or at the premises of the apparent owner of such container. In no case shall the Refuse Commissioner confiscate any container clearly marked "free items for those in need," provided that any such containers meet all the requirements for such containers as provided in this ordinance.

(k) Scavenging in or from any refuse container or in or from any container designated for recyclables is prohibited.

(l) No person shall upset or cause to upset a refuse container, or dump items removed from a refuse container; on top of any such container; or on any alley, street, or public right-of-way within the City; or on private property within the City without the written permission of the property owner.

Approved: July 31, 2004

ORDINANCE #66378
Board Bill No. 91

An ordinance pertaining to the Central West End North Special Business District; amending Section Four of Ordinance 62622, approved on May 29, 1992 by changing the necessary qualifications of the members of the Board of Commissioners for the District and containing an emergency clause.

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

SECTION ONE. Section Four of Ordinance 62622, approved on May 29, 1992 is hereby amended to read as follows.

SECTION TWO. Section Four. There shall be a Board of Commissioners to administer the District consisting of seven (7) members appointed by the Mayor with the advice and consent of the Board of Aldermen.

A. **Membership:** Five (5) members shall be owners of real property within the District and two (2) members shall be renters of real property within the District, provided that:

1. Of the five (5) members who are owners of real property: at least three (3) shall be registered voters and owner-occupants of residential real property used as a detached single family residence, condominium or a building of four (4) dwelling units or less; and at least one (1) shall be the owner of commercial real property.

2. Of the two (2) members who are renters of real property: one (1) shall be a registered voter who rents and occupies real property used as a dwelling unit; and one (1) shall be a renter who occupies real property used as a business licensed by the City.

3. No employee or elected official of the City shall be a member of the Board of Commissioners.

4. The Mayor shall not appoint any person not qualified under the provisions of this section.

B. **Term of Office**: Each member of the Board of Commissioners shall serve for a four (4) year term (except as provided herein with respect to the initial members), with terms expiring as of December 31st of the designated year or when their successors are appointed, whichever is later.

C. **Initial Members and Terms:** The initial members shall be appointed for the terms set forth as follows: one (1) member shall be appointed for a term expiring December 31, 1992; two (2) members shall be appointed for a term expiring December 31, 1993; two (2) members shall be appointed for a term expiring December 31, 1994; and two (2) members shall be appointed for a term expiring December 31, 1995. The initial members shall be appointed and confirmed no later than July 17, 1992.

D. **Removal:** The Mayor with approval of the Board of Aldermen may remove any member of the Board of Commissioners for misconduct or neglect of duty upon written charges and after a public hearing.

E. **Vacancies:** Vacancies on the Board of Commissioners, occasioned by removal, resignation, expiration of term, or otherwise, shall be reported to the Mayor by the Board of Commissioners and shall be filled in like manner as an original appointment no later than thirty (30) days after the date of said report to the Mayor. Appointments to fill vacancies shall be for the unexpired portion of a term only.

Approved: July 31, 2004

ORDINANCE #66379
Board Bill No. 94
Committee Substitute

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in three irregular portions of sidewalk on the south side of Parkview Place abutting City Block 3887, same bounded by Parkview Place, Euclid Ave., Children's Place and Kingshighway in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section l4 of Article XXI of the Charter and imposing certain conditions on such vacation; and containing an emergency clause.

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

SECTION ONE: The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A tract of land being part of a Parkview Place (60' wide), said tract of land located in City Block 3887, City of St. Louis, Missouri, and being more particularly described as follows:

> Commencing at a point, said point being the northwest corner of "St. Louis Children's Hospital Condominium" as recorded in Plat Book 58, Page 36-47 of the St. Louis City's Recorder's Office; thence along the south right-of-way line of said Parkview Place, South 82 degrees 00 minutes 00 seconds East a distance of 76.34 feet to the point of beginning; thence departing said south right-of-way line of Parkview Place, North 07 degrees 57 minutes 32 seconds East a distance of 4.86 feet to a point; thence South 82 degrees 02 minutes 28 seconds East a distance of 55.50 feet to a point; thence South 07 degrees 57 minutes 32 seconds West a distance of 4.90 feet to a point in said south right-of-way line of Parkview Place; thence along said south right-of-way line of Parkview Place, North 82 degrees 00 minutes 00 seconds West a distance of 55.50 feet to a point, being the point of beginning. Said tract of land containing 271 sq. ft. of land, more less,

A tract of land being part of a Parkview Place (60' wide), said tract of land located in City Block 3887, City of St. Louis, Missouri, and being more particularly described as follows:

> Commencing at a point, said point being the northwest corner of "St. Louis Children's Hospital Condominium" as recorded in Plat Book58, Page 36-47 of the St. Louis city's Recorder's Office; thence along the south right-of-way line of said Parkview Place, South 82 degrees 00 minutes 00 seconds East a distance of 179.84 feet to the point of beginning; thence departing said south right-of-way line of Parkview Place, North 07 degrees 57 minutes 32 seconds East a distance of 1.52 feet to a point; thence south 82 degrees 02 minutes 28 seconds East a distance of 38.25 feet to a point; thence south 07 degrees 57 minutes 34 seconds West a distance of 1.55 feet to a point in the south right-of-way line of said Parkveiw Place; thence along said south right-of-way line of Parkview Place, North 82 degrees 00 minutes 00 seconds West a distance of 38.25 feet to a point, being the point of beginning. Said tract of land containing 59 square feet of land, more or less,

A tract of land being part of a Parkview Place (60' wide), said tract of land located in City Block 3887, City of St. Louis, Missouri, and being more particularly described as follows:

> Beginning at a point, said point being the northeast corner of "St. Louis Children's Hospital Condominium" as recorded in Plat Book 58, Page 36-47 of the St. Louis City's Recorder's Office; thence along the south right-of-way line of said Parkview Place, North 82 degrees 00 minutes 00 seconds West a distance of 12.63 feet to a point; thence departing said south right-of-way line of Parkview Place, North 52 degrees 57 minutes 32 seconds East a distance of 12.01 feet to a point; thence, South 82 degrees 02 minutes 28 seconds East a distance of 4.15 feet to a point; thence South 08 degrees 00 minutes 00 seconds West a distance of 8.50 feet to a point, being the point of beginning.
>
> Said tract of land containing 71 square feet of land, more or less are, upon the conditions hereinafter set out, vacated.

SECTION TWO: St. Louis Children's Hospital and Washington University will use vacated area to place steel bracing which will give the adjoining building more stability in the event of disaster.

SECTION THREE: All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated sidewalk, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and franchise holders, except such rights as are specifically abandoned or released herein.

SECTION FOUR: The owners of the land may, at their election and expense remove the surface pavement of said so vacated sidewalk provided however, all utilities within the rights-of-way shall not be disturbed or impaired and such work shall be

accomplished upon proper City permits.

SECTION FIVE: The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation hereof within the rights-of-way for purposes associated with the maintenance, construction or planning of existing or future facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

SECTION SIX: The owners shall not place any improvement upon, permit from the City and written consent of the utilities, governmental service entities and franchise holders, present or future; and such consent together with the terms and conditions thereof shall be filed in writing with the Board of Public Service and approved by such Board prior to the undertaking of any such construction concerning the rights-of-way.

SECTION SEVEN: The owners may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

SECTION EIGHT: In the event that granite curbing or cobblestones are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified and it in turn will remove said curbing or cobblestones at the current removal price.

SECTION NINE: This ordinance shall be ineffective unless within sixty (60) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed one hundred twenty (l20) days from approval or override, the owners of the land subservient to the rights-of-way concerned shall deposit a sum with the Comptroller of the City of St. Louis for the use and benefit of the City Water Division estimated by said Division to be sufficient to cover the full expense of removal and relocation of Water facilities, if any; further, such owner or owners shall within said time deposit an additional sum of money with the Comptroller of the City of St. Louis for the use and benefit of the City Traffic and Transportation Division estimated by said Division to be sufficient to cover the full expense of removal of all lighting facilities, if any; upon such deposit being made to the benefit of the Water Division and the Traffic and Transportation Division, they shall proceed as is reasonably expedient to accomplish all work required and all useful access and occupation shall be accorded, further, such owner or owners shall within said time, deposit an additional sum with the Comptroller of the City of St. Louis estimated by the said Board as sufficient to defray the expenses required for the adjustment of the City's streets including curbs, sidewalks, driveways, roadway drainage connections and inlets, grading, paving sidewalks and roadways and road signage; provided further that said owners shall, under direction of the Director of Streets of the City of St. Louis, accomplish the aforesaid adjustments, at their own expense, but in the event said owners fail to accomplish such within allowable time, according to the direction of the Director, the Director shall cause the same to be performed and upon his certification of expenses, the Comptroller shall appropriate said deposit, or so much thereof as required to defray such expenses to the City or others; no claims or demands whatever arising out of such vacation or adjustment shall be made or prosecuted by owners, their heirs, successors or assigns; and the Comptroller after determining the total cost of the foregoing to the City shall return any unexpended part of said deposits to the owner or owners.

SECTION TEN: An affidavit stating that all of the conditions be submitted to the Board of Public Service for acceptance one year (365 days) from the date of the signing and approval of this ordinance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

SECTION ELEVEN. This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

Approved: July 31, 2004

ORDINANCE #66380
Board Bill No. 125

An Ordinance recommended by the Planning Commission on June 2, 2004, to change the zoning of three parcels of property as indicated on the District Map, to the "I" Central Business District, so as to include the described parcels of land in City Blocks 2006 and 2007; and containing an emergency clause.

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

SECTION ONE. The zoning designation of certain real property located in City Blocks 2006 and 2007 is hereby changed to the "I" Central Business District, real property being particularly described as follows:

Parcel 1

A lot in City Block 2006 of the City of St. Louis, fronting 75 feet on the North line of Washington Avenue by a depth Northwardly of 137 feet 9 inches, more or less, to the South line of Lucas Avenue; bounded West by twenty-first Street.

Parcel 2

A lot in City Block 2006 of the City of St. Louis, fronting 100 feet on the North line of Washington Avenue by a depth Northwardly between parallel lines of 137 feet more or less, to the South line of Lucas Avenue; bounded West by a line parallel to and 75 feet East of the East line or 21st Street or by property now or formerly of Craddock-Terry Co.

Parcel 3

A lot in City Block 2007 of the City of St. Louis, fronting 69 feet on the North line of Washington Avenue by a depth Northwardly of 137 feet, more or less, to the South line of Lucas Avenue, with a width thereon of 69 feet West of and parallel to the West line of Twenty-First Street, or property now or formerly of Mary Jane Blanke.

SECTION TWO. This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

Approved: July 31, 2004

ORDINANCE #66381
Board Bill No. 126

An Ordinance recommended by the Planning Commission on June 2, 2004, to change the zoning of a parcel of property as indicated on the District Map, to the "C" Multiple-Family Dwelling District, so as to include the described parcel of land in City Block 2063; and containing an emergency clause.

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

SECTION ONE. The zoning designation of certain real property located in City Block 2063 is hereby changed to the "C" Multiple-Family Dwelling District, real property being particularly described as follows:

A parcel of ground being Lots 1 through 22 inclusive of Arsenal Heights Addition and part of Nathaniel Holmes Subdivision, together with those portions of a north-south alley (15 feet wide) vacated by Ordinance Number 55129, all in Block 2063, of the City of St. Louis, Missouri; said parcel being more particularly described as follows:

> Beginning at the point of intersection of the southern line of Crittenden Street (30 feet wide) and the western line of Pennsylvania Avenue (60 feet wide); thence southwardly along said line of Pennsylvania Avenue 281 feet 8 inches, more or less, to the northern line of a private alley (7 feet 5 inches wide); thence westwardly along said line in its projection 264 feet 9 inches, more or less, to the eastern line of Minnesota Avenue (60 feet wide); thence northwardly along said line 281 feet 8 inches, more or less, to the southern line of Crittenden Street; thence eastwardly along said line 275 feet 1 inch, more or less, to the point of beginning.

SECTION TWO. This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

Approved: July 31, 2004

ORDINANCE #66382
Board Bill No. 135

An ordinance to repeal Ordinance #64947, approved June 8, 2000, and Ordinance #65518, approved June 15,2002 relating to the position classifications and salaries of the Parking Division employees, and to enact in lieu thereof certain new sections relating to the same subject matter and containing an emergency clause.

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

SECTION ONE. Ordinance 64947, approved June 8, 2000 and Ordinance #65518, approved June 15, 2002 is hereby repealed.

SECTION TWO. Position Classes.

(a) Schedule A: The following positions of the Parking Division of the Treasurer's Office whose duties shall be those indicated by their respective titles and codes, are hereby allocated as listed below and adopted as the classification of the Parking Division of the Treasurer's Office:

Class Title	Code	Grade
Parking Superintendent	T220	17M
Administrative Assistant IV	T624	17M
Director of Professional Services	T221	17M
Parking Facilities Manager		14M
Ass't Parking Facilities Manager		12M
Fleet Maintenance Supervisor	T421	15G
Personnel Manager	T515	14M
Parking System Analyst		14G
Internal Auditor	T471	14G
Parking Supervisor		13G
Program Analyst	T501	13G
Budget Compliance Officer	T461	13G
Communication Assistant	T185	13G
Parking Enforcement Supervisor	T192	12G
Accountant I		12G
Assistant Supervisor	T191	11G
Account Clerk III	T143	11G
Administrative Clerk II	T137	11G
Parking Enforcement Officer IV		10G
Parking Facilities Attendant IV		10G
Parking Enforcement Officer III	T203	10G
Assistant Parking Enforcement Supervisor	T194	10G
Parking Crew Worker III	T165	10G
Account Clerk II	T142	10G
Parking Facilities Attendant III		9G
Administrative Clerk I	T136	9G
Clerk/Secretary III	T133	9G
Parking Enforcement Officer II	T202	8G
Parking Crew Worker II		8G
Security Officer		8G
Clerk/Secretary II	T132	8G
Account Clerk I	T141	8G
Parking Facilities Attendant II		8G
Parking Crew Worker I		7G
Security Guard		6G
Parking Enforcement Officer I	T201	6G
Clerk/Secretary I	T131	6G
Parking Facilities Attendant I		6G
Parking Assistant		5G
Custodian		5G
Parking Aide		5G

(B) Schedule B: For employees of the Parking Division in the classes set forth below, and with an appointment date on or after January 1, 1995, excepting those employees eligible for reemployment under personnel rules approved by the Parking Commission, their positions will be reallocated as specified below:

Class Title	Code	Grade
Parking Superintendent	T220	15M
Administrative Assistant IV	T624	15M
Director of Professional Services	T221	15M
Parking Facilities Manager		14M
Personnel Manager	T515	14M
Fleet Maintenance Supervisor	T421	14G
Parking System Analyst		13G
Internal Auditor	T185	12G

SECTION THREE. Pay Schedule

(a) There is hereby adopted as the compensation schedule for all grades established in Section Two of this ordinance, the following ranges of salary, beginning with the bi-weekly pay period June 13, 2004.

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

GRADE	MINIMUM	MAXIMUM
5	619	928
6	674	1011
7	735	1102
8	801	1201
9	873	1309
10	951	1427
11	1037	1556
12	1130	1696
13	1251	1878
14	1439	2159
15	1654	2483
16	1904	2855
17	2189	3284
18	2517	3776
19	2895	4343
20	3330	4994
21	3596	5394
22	3883	5825
23	4194	6292

(b) There is hereby adopted as the compensation schedule for all grades established in Section Two of this ordinance, the following ranges of salary beginning with the bi-weekly pay period starting June 12, 2005.

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

GRADE	MINIMUM	MAXIMUM
5	631	947
6	687	1031
7	750	1124
8	817	1225
9	890	1335
10	970	1456
11	1058	1587
12	1153	1730
13	1276	1916
14	1468	2202
15	1687	2533
16	1942	2912
17	2233	3350
18	2567	3852
19	2953	4430
20	3397	5094
21	3668	5502
22	3961	5942
23	4278	6418

SECTION FOUR. Starting Salary

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the City Treasurer (hereinafter the "appointing authority") finds that it is impractical to recruit employees with adequate qualifications at the minimum rate.

If an advanced starting salary is necessary, the appointing authority may establish a recruitment rate for a single position or all positions in a class and authorized employment at a figure above the minimum but within the regular range of salary established for the class.

SECTION FIVE. Promotion, Demotion, Reallocation and Transfer

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his or her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with a higher pay grade.

(1) When an employee is promoted to a position which is only one grade higher, the employee's salary shall be set at a rate which is five percent (5%) higher than the rate received immediately prior to promotion. An appointing authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position.

Such salary determination shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position.

(b) Demotion: This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade.

(2) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position which is five percent (5%) lower than the rate received immediately prior to demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) The salary of an employee which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his or her position has been allocated or may be reallocated shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he or she remains in the class of position, except as otherwise provided by this ordinance.

(2) If the employee's position is reallocated to a class in a lower pay grade and the rate of pay for the previous position is within the salary range of the new position, his or her salary shall remain unchanged.

(3) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this section relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, regardless of pay schedule, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

SECTION SIX. Salary Adjustment

(a) A decrease in the salary range for poor performance of the duties of the position or for job performance which does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(1) Exceptional performance of duties:

The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may, advance the employee by not more than ten percent (10%)after twenty-six weeks of employment at the same rate in the salary range.

(2) Substandard performance of duties:

The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(b) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen percent (15%) of the current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods, providing, however, that such decrease shall not be effective for more than twenty-six (26) weeks.

(c) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service in the armed forces, and leaves of absence for study to improve performance of City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

SECTION SEVEN. Income Sources

Any salary paid to an employee in the city service shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which the employee may

undertake or volunteer to perform.

Whenever an employee not on an approved, paid leave works for a period less than the regularly established number of hours a day, days a week or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class. The Parking Division of the Treasurer's Office shall reimburse the City's General Revenue Fund from the Parking Fund $33,000.00 annually on or about the end of each fiscal year for the Chief Fiscal Officer's services for that year.

SECTION EIGHT. Conversion

(a) All pay schedules in Section 3(a) shall continue in effect until the pay period starting June 12, 2005, after which time the rates to be paid to employees in positions of any class for which a rate is established or changed in Section 3(b) of this ordinance shall become effective and be adjusted as follows:

(1) The salary of each employee whose pay range is established in Section 3(a) of this ordinance and whose class title remains unchanged or whose class title is changed to better describe his/her position, without a substantial revision in the class of position shall remain the same.

(2) The salary of each employee whose pay range is established in Section 3(b) of this ordinance and whose class title remains unchanged or whose class title is changed to better describe his/her position, without a substantial revision in the class of position shall have their current salary increased by a factor of two percent (2%), rounded to the nearest whole dollar or the minimum of the salary range, whichever is higher. This provision shall not apply to employees whose rate is deemed to be above the new maximum of the range as a result of demotion or reallocation.

(b) No employee shall be compensated at a rate above the maximum of the new salary range except as provided in below.

(c) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance. The Appointing Authority may establish a special conversion procedure for a class or position in the event that the Appointing Authority determines that a serious inequity would be created by the application of the conversion procedures established in this Section.

SECTION NINE. Whenever the Appointing Authority finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the appointing authority shall allocate or reallocate the class to an appropriate grade in this ordinance, and notify the Board of Aldermen or Parking commission of his action.

SECTION TEN. PASSAGE OF ORDINANCE

The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

Approved: July 31, 2004

ORDINANCE #66383
Board Bill No. 145

An ordinance pertaining to parking within "The O'Fallon Park/West Florissant Residential Parking District";authorizing the Traffic Administrator to designate the location and restrictions for curb parking of residential parking zones within the O'Fallon Park/West Florissant Residential Parking District; authorizing the placement of Residential Permit Parking Only signs within the District; and prohibiting the parking, within the District, of any vehicle which does not display the authorized permit; containing definitions, a penalty clause and an emergency clause.

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

SECTION ONE. Definitions.

A. "The O'Fallon Park/West Florissant Residential Parking District" is the area beginning at the southeast corner of Pope Avenue at it's intersection with West Florissant; thence southeast along West Florissant to Harris Street; thence northeast along Harris Street to Algernon Street; thence southeast along Algernon Street to Adelaide Avenue; thence southwest along Adelaide Avenue to Rosalie Street; thence north to Pope Avenue; thence northeast to the point of beginning.

B. "Parking permit" is a valid resident or visitor parking permit issued for the O'Fallon Park/West Florissant Residential Parking District by the Traffic and Transportation Administrator of the City of St. Louis.

C. "Resident" is a person who lives in property abutting a street designated in whole or in part as a residential parking zone.

D. "Residential parking zone" is any street, or any portion of a street, within the boundaries of the O'Fallon Park/West Florissant Residential Parking District which is designated and posted by the Traffic and Transportation Administrator as a residential parking zone with specific parking restrictions.

E. "Visitor" is any person who is a household guest, a visitor, a worker performing services for, or domestic help for, a resident.

SECTION TWO. Designation of residential parking zones.

The Traffic and Transportation Administrator is hereby authorized to designate the location and restrictions for curb parking of residential parking zones within the O'Fallon Park/West Florissant Residential Parking District on any street, or any portion of a street, on which the predominant land used is zoned A single-family dwelling district, when 65 percent of the registered voters living on said street indicate by petition that they desire a street, or a portion of a street, to be made a residential parking zone and when the Alderman from the ward, wherein the street is located, indicate that such alderman recommends the designation.

SECTION THREE. Permit use.

A. When signs are erected upon streets in residential parking zones designating "Residential Permit Parking Only" during certain hours of the day on certain days, no person, firm or corporation shall park or cause to be parked any vehicle during such hours of such days that does not display either a resident or visitor parking permit.

B. When signs are erected upon streets in residential parking zones restricting public curb parking to certain amounts of time during certain hours of the day on certain days, no person, firm or corporation shall park or cause to be parked in excess of the prescribed parking time limit any vehicle that does not display either a resident or visitor parking permit.

SECTION FOUR. Permit issuance.

The Traffic and Transportation Administrator may issue annual parking permits to the residents of any designated residential parking zone. The Traffic and Transportation Administrator may contract with a Missouri nonprofit corporation at no cost to the City for the procurement, assignment and distribution of said annual parking permits, and the procurement and installation of said signs. This permit shall not guarantee or reserve any parking space, nor shall it exempt the holder from the observance of any traffic parking regulation.

SECTION FIVE. Disabled Parking

The provisions of this ordinance shall not supercede or diminish the authority of the Traffic Administrator, upon the recommendation of the Commissioner for the Disabled, to issue, under the provisions of Ordinance 65142, a residential disabled parking permit for any parking space with the O'Fallon Park/West Florissant Residential Parking District. The holder of a residential disabled parking permit shall be exempt from the provisions of this ordinance.

SECTION SIX. Penalty for violation.

A. Any person, firm or corporation who shall park or cause to be parked any vehicle in violation of the provisions of this ordinance shall upon the conviction thereof be fined twenty dollars ($20.00) for each such offense.

B. Any person, firm or corporation who shall distribute a resident or visitor parking permit to any person, firm or corporation not authorized to display such parking permit shall have his or her parking permits suspended by the Traffic and Transportation Administrator for a period not to exceed one year.

Approved: July 31, 2004

ORDINANCE #66384
Board Bill No. 146

An ordinance repealing Ordinance 65206 and enacting in lieu thereof a new ordinance pertaining to the regulation of dogs and cats in the City of St. Louis, to be codified as Chapter 10.04 of the Revised Code of the City of St. Louis; containing a penalty clause, a severability clause and an emergency clause.

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

SECTION ONE. Ordinance 65206 is hereby repealed and enacted in lieu thereof are the following sections:

10.04.010 Definitions.

For the purpose of this chapter the following words or phrases shall have the meaning given herein.

A. "Animal agency" means any corporation, association, individual, partnership, or entity of any kind under contract with the City of St. Louis to perform services under this chapter.

B. "Cat" means all members of the Felis domesticus, either male or female, four months of age or older.

C. "City" means the City of St. Louis, Missouri.

D. "Commercial Breeder" means a person, other than a hobby or show breeder, engaged in the business of breeding animals for sale or for exchange in return for a consideration, and who harbors more than one (1) intact females for the primary purpose of breeding animals for sale.

E. "Dangerous dog" means any dog that, according to the records of the Commissioner of Health, (1) has inflicted severe injury on a human being without provocation on public or private property, (2) has killed a domestic animal without provocation while off the owner/guardian's property, (3) has been previously found to be potentially dangerous, the owner/guardian having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans or domestic animals.

F. "Dog" means Canis familiaris either male or female, four (4) months of age or older.

G. "Federal Laboratory Animal Welfare Act" means Public Law 89-544, as amended (7 U.S.C. 2131), and all regulations issued pursuant thereto.

H. "Commissioner of Health" means the Health Commissioner of the City of St. Louis, Missouri, in the Department of Health and Hospitals, or the Commissioner's designee.

I. "Health officer or agent" means any individual employed by, contracted with, or appointed by the City or the Commissioner of Health for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the regulation or licensure of animals, control of animals, or seizure and impoundment of animals, and including any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

J. "Hobby or show breeder" means a non-commercial breeder who breeds dogs or cats with the primary purpose of exhibiting or showing dogs or cats, improving the breed or selling the dogs or cats, and having no more than ten (10) intact females. These breeders shall be classified as hobby or show breeders if they sell only to other breeders or to individuals.

K. "Kitten" means all members of the Felis domesticus, under four (4) months of age.

L. "Owner/Guardian" means a person who possesses, has title to or an interest in, harbors or has control, custody or possession of an animal and who is responsible for an animal's safety and well being.

M. "Potentially dangerous dog" means any dog that when unprovoked; (i) inflicts bites on a human or domestic animal either on public or private property, (ii) chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to cause injury or otherwise to threaten the safety of humans or domestic animals, (iii) has been found running or being at large and collected by the City twice in any eighteen (18) month period or (iv) has been found running or being at large with a group of three (3) or more at large dogs.

N. "Private practitioner" means a graduate Veterinarian licensed by the State of Missouri to practice medicine.

O. "Property enclosure of a dangerous dog" means, while on the owner/guardian's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog.

P. "Puppy" means Canis familiaris, either male or female, under four (4) months of age.

Q. "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or breaking of skin.

R. "Spay or neuter" means to alter surgically, chemically or by any other methods approved by the Commissioner of Health a dog or cat for the purpose of rendering such animal incapable of reproduction.

S. "Veterinarian" means a graduate of an accredited Veterinary College who is approved by the Commissioner of Health to perform certain rabies control functions.

10.04.020 Service animals.

It is unlawful for any service animal trained to guide or assist a person with a disability, including those persons with mobility, visual or hearing impairments, when actually accompanying this person with a disability, to be prohibited admission to any place or vehicle which a person with a disability has a lawful right to enter. The service animal must wear the proper restraints and/or harness. At all times, the service animal or person must have in or on their possession, identification of training as a service animal, for the service animal. The service animal is allowed to accompany the person with a disability in all areas of public accommodation

open to other patrons. The service animal shall not be separated from the person with a disability that it serves.

10.04.040 Transient dogs.

An owner/guardian who is either passing through the City or who has been a resident thereof for less than thirty days and in possession or control of dog shall show evidence of the dog's having received rabies immunization, of any approved type, which would produce an immunization period covering the time in St. Louis. If the imported dog remains in St. Louis more than thirty days, the owner/guardian shall procure a St. Louis vaccination-registration certificate in accordance with the provisions of this chapter.

10.04.050 Vaccination-registration certificate required.

No dog or cat, as defined in Section 10.04.010, shall be permitted within the limits of the City unless such dog or cat is registered and the fee imposed by this chapter is paid, except that transient dogs, as defined herein, are excepted from such certificate for the period stipulated above.

10.04.060 Vaccination-registration of dogs, cats, kittens, puppies required—Kennels—Exceptions—Tags.

A. Every person who owns any dog, cat, kitten or puppy, whether in a kennel or not, that is kept any time during the year within the City, or permits a dog, cat, kitten or puppy to come upon, on or in the City, or to remain in or about such person's home, place of business or other premises in the area affected by this chapter, shall have such dog, cat, kitten or puppy vaccinated against rabies, and registered as provided in Section 10.04.070. Such dogs or cats must be vaccinated with a vaccine approved by the Commissioner of Health, and at a frequency approved by the Commissioner of Health for said vaccine.

B. Puppies and kittens shall be confined to their owner/guardian's premises. Every person who is responsible for any puppy or kitten shall have such puppy or kitten vaccinated against rabies, and registered as provided in this chapter on or before the puppy or kitten reaches four (4) months of age, but not earlier than three (3) months of age.

C. Every dog or cat which has been vaccinated in accordance with the provisions of the chapter shall at all times wear the registration tag in the manner herein prescribed in subsection D of Section 10.04.070.

D. It shall be unlawful for any person to own any dog or cat unless such dog or cat has been vaccinated against rabies and wears a current, unexpired registration tag, and the owner/guardian possesses a certificate issued in accordance with the provisions of this chapter.

10.04.070 Vaccination-registration system— Requirements, fees and information files.

A. The Commissioner shall prepare certificates in triplicate and numbered tags for distribution to veterinarians in a form the Commissioner deems is best calculated to further the progress of the program provided for in this chapter. Spaces shall be provided for the following information and for such other information as the Commissioner of Health may require to be filled in by the veterinarians legally authorized to vaccinate dogs and cats:

1. The name and address and phone number of the owner/guardian;

2. The date the vaccination was administered and the type of vaccine administered;

3. The breed, markings, sex and name of the vaccinated dog or cat.

B. The Health Department shall establish a fee of Fifty Dollars ($50.00) for each combined unit of corresponding vaccination-registration certificate and tag for the purpose of maintaining the system of vaccination-registration except that the fee shall be Forty-Six Dollars ($46.00) less for the vaccination-registration certificate and tag for dogs or cats that have been spayed or neutered or any animal documented and certified by a licensed veterinarian as not being a proper subject for spaying and neutering or micro-chipping due to health or age reasons. The fee shall be the same for all vaccination-registration certificates and tags issued, regardless of the length of time for which they are issued. Maintenance expenses shall include materials, notification, filing, investigation, and enforcement to increase and maintain a high level of rabies immunization in the City. Each registrar shall order from the Health Department the number of certificates and tags needed to perform the duties as registrar, and pay to the Health Department with the order, the fee for each certificate and tag ordered. The registrar shall be reimbursed and paid the fee for each certificate and tag by the owner/guardian of or other person assuming responsibility over the dog or cat being vaccinated and registered, and which reimbursement and payment may be retained by the registrar.

C. It shall be the duty of every veterinarian to be a registrar under this program and when vaccinating any dog or cat to fill out in triplicate copies, the certificate obtained from the Commissioner of Health, with the information required in subsection A of this section, and immediately present one copy to the owner/guardian of the vaccinated dog or cat and mail one (1) copy to the Health Department, by the tenth (10th) day of the following month, for filing and statistical purposes. The Health Department shall maintain cross files of certificates by the name of the owner/guardian and the number of the certificate. The remaining copy of the certificate shall be retained by the person performing the vaccination. The owner/guardian's copy of the certificate shall be retained by the owner/guardian of the vaccinated dog or cat for inspection by an authorized representative of the Commissioner of Health or any police officer.

D. At the time of the vaccination of any dog or cat, the person performing the vaccination shall also deliver to the owner/guardian of the said dog or cat, the tag obtained from the Health Department, as evidence of such inoculation. Every owner/guardian of a vaccinated dog or cat shall attach the tag evidencing rabies vaccination and registration to the collar or harness of the vaccinated dog or cat and such collar or harness shall be worn by that dog or cat at all times. Any dog or cat found without a tag shall be deemed to be not vaccinated, unless proof of vaccination is provided to the satisfaction of the Animal Regulation Center.

E. No person shall divulge, distribute, disseminate, give, transfer, show, make available or allow a copy to be made of the name or address of any owner/guardian of a dog or cat registered under this chapter to or by any person other than an officer of a county, municipal, state or federal office or department for the purpose of licensing, tax collection, law enforcement, or rabies or other disease control in his respective jurisdiction; nor shall any of the persons authorized to be in possession of such names or addresses use such information for any purpose other than those allowed above nor shall any other person make any use, relating to dogs or puppies, cats or kittens, of any such name or address that has been obtained as a direct or indirect result of the vaccination-registration program provided for in this chapter; nor shall any person pose as, or falsely claim to be a Health Department employee or an agent of the Commissioner of Health or of any other governmental agency while soliciting, or making a survey of the names and addresses of dog or cat owner/guardians.

10.04.080 Registration tags—Nontransferability and prohibited uses.

Registration tags shall not be transferred from dog or cat to another dog or cat and no person shall affix a registration tag to a dog, cat, puppy or kitten other than the animal for which the tag was issued at the time of its rabies vaccination-registration, nor shall any person affix a registration tag to an animal that has not been vaccinated against rabies, nor shall any person counterfeit, alter, obliterate or attempt to counterfeit, alter or obliterate any rabies-registration tags.

10.04.090 Registration tag—Replacement after loss.

The owner/guardian of a dog or cat who loses the assigned registration tag shall report the loss promptly to the Commissioner of Health, and upon proof of prior registration there shall be issued a new dog or cat registration and tag upon the payment of one dollar ($1.00). The Commissioner of Health shall enter the number of the replacement tag on the original immunization certificate.

10.04.100 Registration tag—Unauthorized use prohibited.

No person shall make use of, or have in such person's possession, any St. Louis dog or cat registration tag not authorized by the Commissioner of Health or make use of, or have possession of a stolen or counterfeit registration tag.

10.04.110 Animal regulation center established—Functions and operation.

There shall be a facility, to be called the Animal Regulation Center, which is to have all legitimate functions of a municipal animal pound, which may be operated by the City or animal agency. The Commissioner of Health shall establish the standards of operations of such Animal Regulation Center. In addition to the above functions, the Animal Regulation Center will perform such rabies and animal disease control functions as are required by this chapter or assigned by the Commissioner of Health.

10.04.120 Housing of stray and biting animals.

A. All stray animals collected shall be confined at the Animal Regulation Center; provided, however, that during an emergency period when facilities are inadequate at the Center, the Commissioner of Health is authorized to make provisions for adequate housing and care elsewhere.

B. Biting dogs or cats or dogs or cats suspected of having rabies confined for isolation and observation shall be handled under procedures established by the Commissioner of Health. The Commissioner of Health is authorized to provide for such isolation and observation at the Animal Regulation Center, at a hospital or facility of a private veterinary practitioner having the staff and equipment to handle such cases, or in a home, provided that any dog or cat authorized by the Director of Animal Regulation Center for home observation is impounded in an escape-proof enclosure for a period of not less than ten (10) days.

C. Should the Commissioner of Health authorize observation at a hospital or facility of a private veterinary practitioner, the owner/guardian of a cat or dog may request such treatment by application to the Director of the Animal Regulation Center. Such application shall contain the name and address of the facility where the isolation and observation will be done, a description of the dog or cat, and any other information required by the Director of the Animal Regulation Center. Release will be ordered by the Director of the Animal Regulation Center upon verification by the veterinarian that there were no clinical symptoms of rabies on the tenth day after the bite. Verification shall include proof of possession of a valid current license tag.

D. Should the Commissioner of Health authorize home observation, the owner/guardian of a dog or cat may request such treatment by application to the Director of the Animal Regulation Center. Such application shall contain any information reasonably required by the Director of the Animal Regulation Center, and the filing of such application authorizes the Director of the Animal Regulation Center, to conduct reasonable investigations of the premises proposed for the home observation. Release from home observation will be ordered by the Director of the Animal Regulation Center upon verification that there were no clinical symptoms of rabies on the tenth day after the bite and in the case of a dog or cat held for observation, verification shall include proof

of a valid current license tag.

E. Any carnivorous animal, other than a dog or cat, running at large that has bitten any person, or any other animal other than a dog or cat, that is suspected of being afflicted with rabies may be destroyed immediately for the purpose of being tested for rabies, at the direction of the Animal Regulation Center.

F. All animals collected and confined shall be properly housed, fed, watered, and cared for. The Commissioner of Health or agency under contract with the City shall provide for all necessary facilities, food, water, vehicles and other equipment required to carry out the provisions of this chapter. Where confinement for isolation and observation is mandatory, the owner/guardian may order that certain protective sera or other medication be administered to his dog. This may be done for a fee, determined by the Commissioner of Health or the Commissioner's agent, which is payable in advance.

G. No biting animal should be finally released unless procedures approved by the Commissioner of Health to have it spayed or neutered and micro-chipped for identification have been followed.

10.04.130 Notice to owner/guardian.

Upon the collection and holding of any animal there shall be kept in the records of the Animal Regulation Center a detailed description of each animal. The Animal Regulation Center shall immediately notify the owner/guardian from whom the animal was taken, if the owner/guardian can be determined. These records shall be available for public inspection.

10.04.140 Running at large.

The Commissioner of Health or the Commissioner's agents shall take up and hold any dog which may be found running or being at large in the City contrary to the provisions of this chapter or any lawful order made pursuant thereto. Dogs found running at large may be pursued across, or taken upon, unenclosed private property, unless specifically prohibited by the owner/guardian.

10.04.150 Release fees—Licensed dogs or cats.

Licensed animals taken up and confined in the Rabies Control Center may be released to the owner/guardian upon the furnishing of adequate proof that the animal was licensed at the time of the confinement and the payment of a service fee to the Center. The service fee shall be Twenty dollars ($20.00) for the first three (3) days and Ten dollars ($10.00) per day additional after that period of time. After a five (5) day holding period, the animal may be disposed of by any method provided by City Ordinance. No dog or cat should be finally released unless procedures approved by the Commissioner of Health to have it spayed or neutered and micro-chipped for identification have been followed.

10.04.160 Release fees—Unlicensed animals.

Unlicensed animals taken up and confined at the Animal Regulation Center may be released to the owner/guardian by having them licensed and the payment of a service fee of Twenty dollars ($20.00) for the first three (3) days and Ten dollars ($10.00) per day additional after that period. After five (5) days confinement, the Animal Regulation Center may order disposal of the animal by any method provided by this chapter. No dog or cat should be finally released unless procedures approved by the Commissioner of Health to have it spayed or neutered and micro-chipped for identification have been followed.

10.04.065 Neuter Assistance and Education Fund.

All fees and penalties collected under the provisions of Sections 10.04.150 and 10.04.160, not to exceed Twenty Thousand Dollars ($20,000) each fiscal year, shall be deposited into a special fund to be known as the Neuter Assistance and Education Fund (the Fund). The purpose of the Fund shall be to offer financial assistance to qualified St. Louis City residents for the spaying or neutering of their dogs and cats and to create public awareness regarding efforts to control pet overpopulation in the City of St. Louis. The Commissioner of Health is authorized and directed to establish rules and regulations for the administration of the Fund and the criteria by which residents shall be deemed qualified for financial assistance from the Fund.

10.04.170 Adoption of strays.

After notice required by Section 10.04.130 has been given, if the owner/guardian is known, and after the five (5) days of holding for all stray animals required by Ordinance 60878, or any subsequent ordinance, has elapsed, then such animal may be released to any person upon payment of the fees required under this section or any other ordinance and provided all other requirements for adoption are met. No dog or cat should be finally released unless procedures approved by the Commissioner of Health to have it spayed or neutered have been followed.

10.04.180 Release of animals held for observation.

Biting and other animals that must be observed for a period of ten (10) days at the Animal Regulation Center shall be released to their owner/guardians upon payment of a Fifty dollar ($50.00) service fee for the observation period, provided all other requirements of this chapter are met. Animals may be held for the owner/guardian for a maximum of three days past the observation period for a fee of Ten dollars ($10.00) per day if the owner/guardian makes such a request. If no such request for extra holding time is made, the animal may be disposed of in any way provided by in this chapter at the discretion of the Director of the Animal

Regulation Center.

10.04.190 Disposal of unclaimed animals.

Animals not claimed by their owner/guardians shall be held for five (5) days or for ten (10) days for dogs or cats under observation for rabies, after which the animals may be disposed of as provided for in Section 10.04.170 or 10.04.200 or may be humanely put to death in a manner prescribed by the Commissioner of Health.

10.04.210 Destruction of sick and severely injured animals.

Collected, unidentified animals which are brought to the Center by the fieldsmen in a visibly sick condition due to canine distemper, hepatitis, leptospirosis, advanced demodectic or sarcoptic mange, or other serious communicable disease, or are severely injured, which in a veterinarian's judgment renders the animal beyond a reasonable hope of recovery, may be ordered destroyed at once by the veterinarian or, in his absence, by the Director of the Animal Regulation Center. Sick animals whose owner/guardian can be determined shall be placed in isolation until the owner/guardian can be contacted for instructions as to destruction, treatment, or release to a private veterinarian for treatment. Such release shall be made only after all requirements of this chapter, as to licensing and fees, are met or provided for.

10.04.220 Leashing of dogs.

No owner/guardian of any dog shall permit such dog to be found at large on the streets of the City or in any public place or on another person's private property, unless such dog is on a leash, not longer than six (6) feet in length and held by or under control of a responsible person so as to effectively prevent it from biting any person or animal. All dogs are prohibited from running or being at large unless under restraint as described above.

10.04.225 Stray cats, prohibited.

No owner/guardian of any cat shall permit such cat to be found at large on the streets of the City or in any public place or on another person’s property.

10.04.230 Enticing dog or cat—Refusal to surrender.

No person shall entice any dog or cat out of the enclosure of the owner/guardian thereof or molest or seize any dog or cat while lawfully held or led by any responsible person, except that no person shall refuse to surrender any dog that has bitten a person to an agent of the Commissioner of Health for isolation and observation as required by this chapter.

10.04.240 Rabies or suspicion of rabies.

Every person owning or harboring an animal known to have or suspected of having rabies, or which has been bitten by or exposed to a rabid animal, shall confine and isolate such animal in some secure place and immediately notify the Animal Regulation Center as to where the animal is confined. If required by the Commissioner of Health or the Rabies Control Officer, such person shall surrender the animal to the Animal Regulation Center for disposal.

10.04.250 Veterinarian reports.

Every veterinarian in the City shall report at once, by telephone and also in writing, every case of clinical rabies, of which the veterinarian has knowledge, to the Commissioner of Health. Veterinarians shall submit the brain of all animals treated by them and dying of rabies or suspected rabies to the Health Department Laboratory for confirmation of diagnosis. Veterinarians vaccinating dogs that are kept within the City shall furnish the owner/guardian with a certificate of immunization giving the name and address of the owner/guardian, the date of immunization, the type of vaccine used, the sex and complete description of the dog and any other information required by the Commissioner of Health.

10.04.260 Procedure when animal bites person.

In case an animal bites any person, the Animal Regulation Center shall immediately be notified by any person with knowledge of such incident. Such animal immediately comes under the jurisdiction of the Commissioner of Health or the Commissioner’s assigns, and the Animal Regulation Center shall supervise the isolation and observation of such animal. Dogs and cats that have bitten any person shall be handled in accord with subsections B, C and D of Section 10.04.120, and all other animals shall be handled in accord with subsection E of Section 10.04.120.

10.04.270 Dangerous dogs.

A. It is unlawful for any person to have a dangerous dog in the City without a certificate of registration issued under this chapter. This section shall not apply to dogs used by law enforcement officials for police work.

B. The Commissioner of Health of the City shall issue a certificate of registration to the owner/guardian of each dangerous dog if the owner/guardian presents to the animal control unit sufficient evidence of:

1. A proper enclosure to confine a dangerous dog and the posting of a notice conspicuously visible to the public at each entrance to the premises and on each side of the proper enclosure, reading in letters not less than two inches high "DANGEROUS DOG — BEWARE." In addition, each such notice shall conspicuously display a warning symbol that informs children of the presence of a dangerous dog;

2. a. A surety bond issued by a surety insurer qualified under the chapter in a form acceptable to the animal control authority in the sum of at least fifty thousand ($50,000.00) dollars, payable to any person injured by the dangerous dog; or

b. A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified in the amount of at least fifty thousand ($50,000.00) dollars, insuring the owner for any personal injuries inflicted by the dangerous dog. Such surety bond or insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days written notice is first given to the Commissioner of Health.

3. Sufficient evidence that such animal has been spayed or neutered and micro-chipped for identification.

4. In addition, the owner/guardian shall provide the Commissioner of Health with the following information prior to the issuance of a certificate of registration:

a. Name and address of owner/guardian;

b. Dog's name;

c. Photograph of dog;

d. Location where dog is to be enclosed;

e. Veterinarian's name;

f. Dog's immunization number.

In case a minor is the keeper or owner/guardian of such dog, the duties imposed by this section shall devolve upon the adult person in whose family the minor lives or who is in charge of the premises where such dog is kept.

C. The fee for the registration of dangerous dogs shall be established by the Commissioner of Health and shall equal the estimated costs of administering the provisions of this chapter with respect to dangerous dogs.

D. It is unlawful to permit or allow a dangerous dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash not longer than six (6) feet and under physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

E. Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a wilful trespass or other tort upon the premises occupied by the owner/guardian of the dog or was tormenting, abusing or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

F. Any dangerous dog shall be immediately confiscated by an animal control authority if the (a) dog is not validly registered under this chapter, (b) owner/guardian does not secure and maintain the liability insurance coverage required by this chapter, (c) dog is not maintained in the proper enclosure; or (d) dog is outside of the dwelling of the owner/guardian or outside of the proper enclosure and not under physical restraint of the responsible person.

G. Upon any attack or assault by a dangerous dog, the Commissioner of Health or the Commissioner's designee is hereby empowered to confiscate and destroy such vicious dog.

H. Upon any aggressive attack or assault by any dog causing the severe injury or death of any human, the Commissioner of Health or the Commissioner's designee is hereby empowered to confiscate and destroy such vicious dog.

10.04.275 Neutering and spaying, exceptions.

The provisions of this ordinance regarding the neutering, spaying and micro-chipping of dogs and cats shall not apply to any animal that is to be trained and actively used by law enforcement agencies for law enforcement and rescue activities; any guide, signal or service dog; any animal documented and certified by a licensed veterinarian as not being a proper subject for spaying and neutering or micro-chipping due to health or age reasons; and all animals owned by certified and licensed breeders or hobby/show breeders.

10.04.280 Dogfighting.

No person shall enter a dog in a dog fight.

10.04.285 Tethering, confinement and treatment of dogs and cats on owner/guardians property.

A. No dog or cat shall be tied, hitched or fastened to any rope, chain or cord that is directly attached to the animal's neck. Animals that must be tied, hitched or fastened to restrain them must wear a properly fitted collar or harness made of leather or nylon, not of the choker type. The tying device shall be attached to the animal's collar or harness and shall be at least ten (10) feet in length and free from obstruction or items which may cause the tying device to become caught, wrapped or twisted or prevent the animal from reaching food, water or shelter.

B. All areas where an animal is confined or tethered shall be kept in a sanitary manner. The person responsible for the animal shall sanitize the area regularly to prevent health, odor or sanitation problems.

C. All dogs and cats shall be treated humanely and shall not be beaten, tormented, overworked, neglected or cruelly treated, except that reasonable force may be used to drive off vicious animals. No animal shall be induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices which may cause physical injury or suffering.

10.04.290 Emergency decrees.

In times of emergency conditions which, in the opinion of the Commissioner of Health, present real or potential dangers to the human or animal population of the City because of a weakness in the rabies control program or the threat or actual presence of rabies in the City, the Commissioner of Health shall be authorized to issue any decrees or use any other available means necessary to eliminate or abate hazards to the people of the City. Such decrees may order confinement, or other regulation, of animals other than dogs, low-cost mass immunization clinics, or any other measure reasonably related to the protection of the health and welfare of the public.

10.04.300 Regulations by Commissioner of Health.

The Commissioner of Health, after consultation with the Board of Health and with the approval of the Director of Health and Hospitals, may make and adopt such reasonable rules and regulations as are necessary for the proper and efficient administration of this chapter.

10.04.310 Feces removal—Required.

It shall be the duty of every dog owner/guardian, defined and identified under the provision of Sections 10.04.010 et al. of the Revised Code of the City and the applicable provisions of Ordinance 57980 of the City of St. Louis, 1980, to remove any feces left by said dog on any sidewalk, gutter, street, park or other public area, or on any private property used by said dog for depositing any feces, if the same is done in the presence of the owner/guardian of said dog, or in the presence of any person exercising control over said dog at the time of said offense.

10.04.330 Feces removal—Confinement of dog.

Every dog found to be in violation of Sections 10.04.310 and 10.04.320 that is not properly registered and vaccinated, as required by Section 10.04.070, shall be confined as a stray dog, whether the same at the time of detention for violation of Sections 10.04.310 and 10.04.320 is on a leash or other restraining device or not; and the same shall be held and detained in all respects as called for by Section 10.04.010 et al. of the Revised Code of the City of St. Louis, 1980, until released or provided by Section 10.04.160, and upon release, shall still be answerable and chargeable with an offense under Sections 10.04.310 and 10.04.320.

10.04.340 Feces removal— Service dog excepted.

The provisions of Sections 10.04.310 through 10.04.320 shall not apply to a service dog accompanying any person with visual or mobility disabilities.

10.04.350 Penalty for violation.

Every person found guilty for the first time of a violation of any provision of this ordinance shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Upon a finding of guilt of a second violation, the person shall be punished by a fine of not less than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment; upon a third and subsequent violation, the person shall be punished by a fine of not less than five hundred dollars ($500.00) and by imprisonment for not less than ten (10) days.

SECTION TWO. SEVERABILITY CLAUSE. The provisions of this ordinance shall be severable. In the event that any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid

provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION THREE. Emergency clause.

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

Approved: July 31, 2004

ORDINANCE #66385
Board Bill No. 147

An Ordinance recommended by the Planning Commission on June 2, 2004, to change the zoning of fifteen (15) parcels of property as indicated on the District Map, to the "D" Multiple-Family Dwelling District, so as to include the described parcels of land in City Block 3881; and containing an emergency clause.

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

SECTION ONE. The zoning designation of certain real property located in City Block 3881 is hereby changed to the "D" Multiple-Family Dwelling District, real property being particularly described as follows:

A tract of land being the westerly part of Lot 2, all of Lots 3 and 4, the northerly parts of Lots 5, 6 and 7, and all of Lots 8, 9 and 10, of Maryland Place, according to plat attached to agreement recorded in book 1888 page 37 of the City of St. Louis Records, and in City Block 3881 of the City of St. Louis, Missouri, and said tract being more particularly described as follows:

Commencing at the intersection of the eastwardly line of N. Kingshighway Blvd., 100 feet wide, with the northerly line of Maryland Plaza, 80 feet wide; thence along said northerly line, South 75 degrees East 150.00 feet to the southwesterly corner of said Lot 10, and said corner being the true point of beginning of the tract of land herein described; thence along the westerly line of said Lot 10, North 15 degrees 17 minutes 42 seconds East 213.68 feet to the southerly line of Carriage Lane, 20 feet wide; thence along said southerly line, South 75 degrees East 453.07 feet to the westerly line of a parcel described in deed to Fairmont Monticello, LLC, recorded as daily no. 133 on March 26, 1999 in the City of St. Louis Records; thence along said westerly line, South 13 degrees 26 minutes 14 seconds West 213.76 feet to the northerly line of said Maryland Plaza, 80 feet wide; thence along said northerly line, North 75 degrees West 145.66 feet to the easterly line of that part of Lots 5, 6 and 7 dedicated for Wheel well, Sidewalk and Fountain in Book 153M Page 1633 of the City of St. Louis Records; thence along said easterly line North 05 degrees West 36.18 feet to the northerly line of said dedicated part of Lots 5, 6 and 7; thence along said northerly line, North 75 degrees West 83.39 feet to the westerly line of said dedicated parts of Lots 5, 6 and 7; thence along said westerly line, South 35 degrees West 36.18 feet to the northerly line of said Maryland Plaza, 80 feet wide; thence along said northerly line, North 75 degrees West 206.20 feet to the true point of beginning, and containing 2.16 acres, more or less, according to Survey No. 178312 executed by James Engineering & Surveying Co., Inc., in March, 2003.

SECTION TWO. This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

Approved: July 31, 2004

ORDINANCE #66386
Board Bill No. 155
Committee Substitute

An ordinance pertaining to parking within "The Buckingham Court Residential Parking District"; authorizing the Traffic Administrator to designate the location and restrictions for curb parking of residential parking zones within The Buckingham Court Residential Parking District; authorizing the issuance of Residential Permit Parking Only permits within the District by the Traffic Administrator; authorizing the use of a Missouri nonprofit corporation to administer the issuance of permits; prohibiting the parking, within the District, of any vehicle which does not display the authorized permit; containing definitions, exemptions, a penalty clause and an emergency clause.

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

SECTION ONE: Definitions.

A. "The Buckingham Court Residential Parking District" is the area beginning at the west curbline of North Court at the intersection of North Court and West Pine; thence south along the west curblin of North Court to Buckingham Court; thence west along the north and south curbline of Buckingham Court to Laclede Avenue; thence east along the north curbline of Laclede Avenue to its intersection with South Court.

B. "Parking Permit" is a valid resident or parking permit issued for The Buckingham Court Residential Parking District by the Supervisor of Parking.

C. "Resident" is a person who lives in property abutting a street designated in whole or in part as a residential parking zone.

D. "Residential Parking Zone" is any street, or any portion of a street, within the boundaries of The Buckingham Court Residential Parking District which is designed and posted by the Traffic Administrator as a Residential Parking Zone with specific parking restrictions.

SECTION TWO: Designation of Residential Parking Zones.

The Traffic Administrator is hereby authorized to designate the location and restrictions for curb parking of Residential Parking Zones on any street or portion of any street within the Buckingham Court Residential Parking District upon the completion of a traffic survey which documents that thirty-three percent (33%) or more of the parked vehicles on a given block within the Buckingham Court Residential Parking District are not owned by the residents.

SECTION THREE: Permit Issuance.

The Traffic Administrator may issue annual parking permits to the residents of the Buckingham court Residential Parking District. The Traffic Administrator may contract with a Missouri nonprofit corporation, at no cost to the City, for the procurement, assignment, and distribution of such annual parking permits, and the procurement and installation of necessary signage.

SECTION FOUR: Permit Use.

When signs are erected upon streets in Residential Parking Zones designating "Residential Permit Parking Only" during certain hours of the day on certain days, no person, firm or corporation shall park or cause to be parked any vehicle during any time that does not display a Resident Parking Permit.

SECTION FIVE: Disabled Parking

The provisions of this ordinance shall not supercede or diminish the authority of the Traffic Administrator, upon the recommendation of the Commissioner for the Disabled, to issue, under the provisions of Ordinance 65142, a residential disabled parking permit for any parking space within the Buckingham Court Residential Parking District. The holder of a residential disabled parking permit shall be exempt from the provisions of this ordinance.

SECTION SIX. Penalty for Violation.

A. Any person, firm or corporation who shall park or cause to be parked any vehicle in violation of the provisions of this ordinance shall upon the conviction thereof be fined twenty dollars ($20.00) for each such offence.

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.

Approved: July 31, 2004

ORDINANCE #66387
Board Bill No. 165

An Ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment, ratifying and adopting the actions of the Mayor and the Comptroller of the City of St. Louis (the “City”), the owner and operator of Lambert-St. Louis International Airport (the “Airport”), in accepting and executing on behalf of the City a certain grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-83-2004, dated June 3, 2004, for a maximum federal obligation of Three Million Seven Hundred Thousand Dollars ($3,700,000), which is filed in the Office of the City Register (Comptroller Document No. 48428), for the reimbursement of all direct costs associated with the Airport’s noise mitigation acoustical program for residences within 65-69 DNL (Phase 4) and conduct section 106 evaluation; and containing an emergency clause.

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

SECTION ONE. The actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City, a grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-83-2004, dated June 3, 2004, for a maximum federal obligation of Three Million Seven Hundred Thousand Dollars($3,700,000), which is filed in the Office of the City Register (Comptroller Document No. 48428), and made a part hereof, for the reimbursement of all direct costs associated with the Airport's noise mitigation acoustical program for residences within 65-69 DNL (Phase 4)and conduct section 106 evaluation, is hereby ratified and approved.

SECTION TWO. All terms, conditions, statements, warranties, representations, covenants, agreements, and assurances contained in the project application and the incorporated materials referred to in the Grant Agreement are hereby ratified and approved and made a part hereof.

SECTION THREE. This being an ordinance providing for a Public Work and Improvement Program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City's Charter, and shall become effective immediately upon approval of the Mayor of the City.

Approved: July 31, 2004

ORDINANCE #66388
Board Bill No. 166

An Ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment, ratifying and adopting the actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City a certain grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-84-2004, dated June 3, 2004, for a maximum federal obligation of Six Hundred Twenty Eight Thousand Eighty Five Dollars ($628,085), which is filed in the Office of the City Register (Comptroller Document No. 48429), for the reimbursement of all direct costs associated with the functional Replacement of the Berkeley High School complex (Phase 8; and containing an emergency clause.

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

SECTION ONE. The actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City, a grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-84-2004, dated June 3, 2004, for a maximum federal obligation of Six Hundred Twenty Eight Thousand Eighty Five Dollars($628,085), which is filed in the Office of the City Register (Comptroller Document No. 48429), and made a part hereof, for the reimbursement of all direct costs associated with the Functional Replacement of the Berkeley High School complex (Phase 8), is hereby ratified and approved.

SECTION TWO. All terms, conditions, statements, warranties, representations, covenants, agreements, and assurances contained in the project application and the incorporated materials referred to in the Grant Agreement are hereby ratified and approved and made a part hereof.

SECTION THREE. This being an ordinance providing for a Public Work and Improvement Program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City's Charter, and shall become effective immediately upon approval of the Mayor of the City.

Approved: July 31, 2004

ORDINANCE #66389
Board Bill No. 167

An Ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment, ratifying and adopting the actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City a certain grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-85-2004, dated June 3, 2004, for a maximum federal obligation of Four Million One Hundred Seventy One Thousand Nine Hundred Fifteen Dollars ($4,171,915), which is filed in the Office of the City Register (Comptroller Document No.48430), for the reimbursement of all direct costs associated with land acquired in fee for noise mitigation within 70-74 DNL; and containing an emergency clause.

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

SECTION ONE. The actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and

operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City, a grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-85-2004, dated June 3, 2004, for a maximum federal obligation of Four Million One Hundred Seventy One Thousand Nine Hundred Fifteen Dollars ($4,171,915), which is filed in the Office of the City Register (Comptroller Document No. 48430), and made a part hereof, for the reimbursement of all direct costs associated with land acquired in fee for noise mitigation within 70-74 DNL, is hereby ratified and approved.

SECTION TWO. All terms, conditions, statements, warranties, representations, covenants, agreements, and assurances contained in the project application and the incorporated materials referred to in the Grant Agreement are hereby ratified and approved and made a part hereof.

SECTION THREE. This being an ordinance providing for a Public Work and Improvement Program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City's Charter, and shall become effective immediately upon approval of the Mayor of the City.

Approved: July 31, 2004

ORDINANCE #66390
Board Bill No. 168

An Ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment, ratifying and adopting the actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City a certain grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-86-2004, dated June 3, 2004, for a maximum federal obligation of One Million Three Hundred Fifty Five Thousand Six Hundred Thirty Two Dollars ($1,355,632), which is filed in the Office of the City Register (Comptroller Document No. 48431), for the reimbursement of all direct costs associated with the rehabilitation of Runway 12L-30R (Phase 2); and containing an emergency clause.

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

SECTION ONE. The actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City, a grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-86-2004, dated June 3, 2004, for a maximum federal obligation of One Million Three Hundred Fifty Five Thousand Six Hundred Thirty Two Dollars ($1,355,632), which is filed in the Office of the City Register (Comptroller Document No. 48431), and made a part hereof, for the reimbursement of all direct costs associated with the rehabilitation of Runway 12L-30R (Phase 2), is hereby ratified and approved.

SECTION TWO. All terms, conditions, statements, warranties, representations, covenants, agreements, and assurances contained in the project application and the incorporated materials referred to in the Grant Agreement are hereby ratified and approved and made a part hereof.

SECTION THREE. This being an ordinance providing for a Public Work and Improvement Program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City's Charter, and shall become effective immediately upon approval of the Mayor of the City.

Approved: July 31, 2004

ORDINANCE #66391
Board Bill No. 169

An Ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment, ratifying and adopting the actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City a certain grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-87-2004, dated June 16, 2004, for a maximum federal obligation of Five Million Six Hundred Two Thousand Six Hundred Thirty Two Dollars ($5,602,632), which is filed in the Office of the City Register, for the reimbursement of all direct costs associated with the rehabilitation of Taxiway C (D) from Runway 12R to Taxiway S (C); and containing an emergency clause.

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

SECTION ONE. The actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City, a grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-87-2004, dated June

16, 2004, for a maximum federal obligation of Five Million Six Hundred Two Thousand Six Hundred Thirty Two Dollars ($5,602,632), which is filed in the Office of the City Register, and made a part hereof, for the reimbursement of all direct costs associated with the rehabilitation of Taxiway C (D) from Runway 12R to Taxiway S (C), is hereby ratified and approved.

SECTION TWO. All terms, conditions, statements, warranties, representations, covenants, agreements, and assurances contained in the project application and the incorporated materials referred to in the Grant Agreement are hereby ratified and approved and made a part hereof.

SECTION THREE. This being an ordinance providing for a Public Work and Improvement Program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City's Charter, and shall become effective immediately upon approval of the Mayor of the City.

Approved: July 31, 2004

ORDINANCE #66392
Board Bill No. 170

An Ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment, ratifying and adopting the actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City a certain grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-89-2004, dated June 3, 2004, for a maximum federal obligation of Eleven Million One Hundred Seventy One Thousand Nine Hundred Fifteen Dollars ($11,171,915), which is filed in the Office of the City Register (Comptroller Document No. 48432), for the reimbursement of all direct costs associated with land acquired in fee for W-1W noise mitigation within 70-74 DNL (Phase 1); and containing an emergency clause.

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

SECTION ONE. The actions of the Mayor and the Comptroller of the City of St. Louis (the "City"), the owner and operator of Lambert-St. Louis International Airport (the "Airport"), in accepting and executing on behalf of the City, a grant agreement offered by the United States of America (the "Grant Agreement"), acting through the Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-89-2004, dated June 3, 2004, for a maximum federal obligation of Eleven Million One Hundred Seventy One Thousand Nine Hundred Fifteen Dollars ($11,171,915), which is filed in the Office of the City Register (Comptroller Document No. 48432), and made a part hereof, for the reimbursement of all direct costs associated with land acquired in fee for W-1W noise mitigation within 70-74 DNL (Phase 1), is hereby ratified and approved.

SECTION TWO. All terms, conditions, statements, warranties, representations, covenants, agreements, and assurances contained in the project application and the incorporated materials referred to in the Grant Agreement are hereby ratified and approved and made a part hereof.

SECTION THREE. This being an ordinance providing for a Public Work and Improvement Program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City's Charter, and shall become effective immediately upon approval of the Mayor of the City.

Approved: July 31, 2004

ORDINANCE #66393
Board Bill No. 171
Committee Substitute

An ordinance recommended by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment authorizing and directing the Director of Airports and the Comptroller of the City of St. Louis, Missouri, a municipal corporation ("St. Louis") to enter into and execute on behalf of St. Louis an "Agreement and Contract of Sale" (substantially in the form as set out in ATTACHMENT "1" which is incorporated herein), between St. Louis, the owner and operator of Lambert–St. Louis International Airport ("Airport") which is located in St. Louis County, Missouri, and the City of Hazelwood, Missouri, a municipal corporation ("Hazelwood"), necessary for the sale by St. Louis to Hazelwood of certain surplus property (the "Property") located in St. Louis County that is more fully described in Section 1 and EXHIBIT A of the Agreement and Contract of Sale in accordance with and subject to rules and regulations of the Federal Aviation Administration ("FAA"); authorizing the Director of Airports or his/her designee, on behalf of St. Louis, to negotiate the "Purchase Price" for the Property as defined and provided for in Section 2 of the Agreement and Contract of Sale for a sum not less than the fair market value as approved by the FAA and such transfer of sale of the Property to Hazelwood shall also comply with the applicable provisions of the Airport's Amended and Restated Indenture of Trust dated October 15, 1984 and amended and restated on September 10, 1997 (as amended, "Airport Indentures"); providing for the deposit of the proceeds from the Agreement and Contract of Sale; authorizing and directing the Mayor and the Comptroller of St. Louis to enter into and execute on behalf of St. Louis the "Quit Claim Deed" substantially in the form as set out in EXHIBIT C to the Agreement and Contract of Sale subject to and in accordance with the terms of the Agreement and Contract of Sale, remising, releasing and forever quit-claiming unto Hazelwood, its successors and assigns the Property subject to the easement and restrictive covenants as defined and provided for in the Quit Claim Deed; conditioning the execution and delivery by St. Louis

of the agreements, documents, and instruments contemplated in this Ordinance on the FAA's prior written approval of: a) the release and sale of the surplus Property to Hazelwood, b) the provisions of the Agreement and Contract of Sale, c) Hazelwood's Development Plan for the surplus Property, and d) any other related matter required to be submitted to and approved by the FAA; authorizing the Mayor, the Comptroller, the Register, the City Counselor, and other appropriate officers, officials, agents, and employees of St. Louis with the advice of the Director of Airports to enter into and execute on behalf of St. Louis and in St. Louis' best interest any attendant or related documents, agreements, affidavits, certificates, or instruments deemed necessary to effectuate the terms set forth in the Agreement and Contract of Sale or the Quit Claim Deed, and/or deemed necessary to preserve and protect St. Louis' interest and to take such actions as are necessary or appropriate in connection with the sale of the Property or the consummation of the transactions contemplated herein; providing that the provisions set forth in this Ordinance shall be applicable exclusively to the agreements, documents, and instruments approved and/or authorized by this Ordinance, and containing a severability clause, and an emergency clause.

WHEREAS, pursuant to certain City of St. Louis ("St. Louis") ordinances approving the purchase of real estate required for noise abatement purposes and/or the development or improvement of Lambert-St. Louis International Airport ("Airport"), and in accordance with Federal Aviation Regulation ("FAR") part 150 Noise Compatibility Program and the Federal Aviation Administration Airport Improvement Program (the "AIP"), St. Louis, acting through Airport Authority of St. Louis, has acquired and St. Louis is the fee owner of approximately eighty two and one half (82½) acres of real property (the "Property") adjacent to the north western perimeter of Lambert-St. Louis International Airport (the "Airport") and within the corporate limits of the City of Hazelwood, Missouri ("Hazelwood") and is legally described in EXHIBIT A to the Agreement and Contract of Sale, which is attached hereto and incorporated herein;

WHEREAS, pursuant to Section 809 of the Lambert-St. Louis International Airport Amended and Restated Indenture of Trust dated October 15, 1984 and amended and restated on September 10, 1997 (as amended, the "Airport Indentures"), St. Louis and the Airport Authority have determined that the Property is not necessary or useful in the operation of the Airport and is not needed for further aviation purposes of the Airport and, therefore, St. Louis may dispose of or transfer the Property in order that it may be redeveloped for uses compatible with the Airport;

WHEREAS, pursuant to the AIP, St. Louis may dispose of the Property only upon a showing that such disposition is at a fair market value, and is in accordance with a fully developed land use plan as approved by the Federal Aviation Administration ("FAA") which permits only commercial or development uses of the Property that are compatible with the operation of the Airport, due to Airport noise, over-flight patterns, and height restrictions;

WHEREAS, pursuant to Section 16 of Article VI of the Missouri Constitution and Sections 70.210 to 70.320 Missouri Revised Statutes, as amended (the "Intergovernmental Agreement Act"), St. Louis is authorized to enter into the Agreement and Contract of Sale with Hazelwood; and

WHEREAS, the Board of Aldermen hereby determines that the terms of the Agreement and Contract of Sale are acceptable and that the execution, delivery and performance by St. Louis and Hazelwood of their respective obligations under the Agreement and Contract of Sale are in the best interests of St. Louis and the Airport and promote the health, safety, and welfare of its residents and the traveling public.

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

SECTION ONE. The Director of Airports and the Comptroller of the City of St. Louis ("St. Louis") are hereby authorized and directed to enter into and execute on behalf of St. Louis the "Agreement and Contract of Sale" (substantially in the form as set out in ATTACHMENT "1" which is incorporated herein), between St. Louis, the owner and operator of Lambert–St. Louis International Airport ("Airport") which is located in St. Louis County, Missouri, and the City of Hazelwood, Missouri, a municipal corporation ("Hazelwood"), necessary for the sale by St. Louis to Hazelwood of certain surplus property (the "Property") located in St. Louis County that is more fully described in Section 1 and EXHIBIT A of the Agreement and Contract of Sale in accordance with and subject to rules and regulations of the Federal Aviation Administration ("FAA").

SECTION TWO. The Director of Airport or his/her designee, on behalf of St. Louis, is hereby authorized and direct to negotiate the "Purchase Price" for the Property as defined and provided for in Section 2 of the Agreement and Contract of Sale for a sum not less than the fair market value as approved by the FAA and such transfer of sale of the Property to Hazelwood shall also comply with the applicable provisions of the Airport's Amended and Restated Indenture of Trust dated October 15, 1984 and amended and restated on September 10, 1997 (as amended, "Airport Indentures").

SECTION THREE. Proceeds from the sale of the Property shall be held by St. Louis in accordance with the provisions of the Agreement and Contract of Sale and in accordance with applicable FAA rules and regulations for the release and sale or transfer of the surplus Property.

SECTION FOUR. The Mayor and the Comptroller of St. Louis are hereby authorized and directed to enter into and execute on behalf of St. Louis the "Quit Claim Deed" substantially in the form as set out in EXHIBIT C to the Agreement and Contract of Sale subject to and in accordance with the terms of the Agreement and Contract of Sale, remising, releasing and forever quit-claiming unto Hazelwood, its successors and assigns the Property subject to the easement and restrictive covenants as defined and provided for in the Quit Claim Deed.

SECTION FIVE. The execution and delivery by St. Louis of the agreements, documents, and instruments contemplated

in this Ordinance are hereby expressly conditioned on the Federal Aviation Administration's ("FAA") prior written approval of: a) the release and sale of the surplus Property to Hazelwood, b) the provisions of the Agreement and Contract of Sale, c) Hazelwood's Development Plan for the surplus Property, and d) any other related matter required to be submitted to and approved by the FAA.

SECTION SIX: The Mayor, the Comptroller, the Register, the City Counselor, and other appropriate officers, officials, agents, and employees of St. Louis with the advice of the Director of Airports are hereby authorized to enter into and execute on behalf of St. Louis and in St. Louis' best interest any attendant or related documents, agreements, affidavits, certificates, or instruments deemed necessary to effectuate the terms set forth in the Agreement and Contract of Sale or the Quit Claim Deed, and/or deemed necessary to preserve and protect St. Louis' interest, and to take such actions as are necessary or appropriate in connection with the sale Property or the consummation of the transactions contemplated herein.

SECTION SEVEN. The terms, covenants, and conditions set forth in this Ordinance shall be applicable exclusively to the agreements, documents, and instruments approved or authorized by this Ordinance and shall not be applicable to any other existing or future agreements, documents, or instruments unless specifically authorized by an ordinance enacted after the effective date of this Ordinance. All provisions of other ordinances of St. Louis which are in conflict with this Ordinance shall be of no force or effect as to the agreements, documents, and instruments approved and/or authorized by this Ordinance.

SECTION EIGHT. The sections, conditions, or provisions of this Ordinance or portions thereof shall be severable. If any section, condition, or provision of this Ordinance or portion thereof contained herein is held invalid by the court of competent jurisdiction, such holding shall not invalidate the remaining sections, conditions or provisions of this Ordinance.

SECTION NINE. This being an Ordinance providing for public peace, health, or safety, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of St. Louis' Charter and shall become effective immediately upon its approval by the Mayor of St. Louis.

Attachment 1
is on file in the Register's Office.

Approved: July 31, 2004

ORDINANCE #66394
Board Bill No. 10

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in the 17 foot wide east/west alley in City Block 4072-S as bounded by Botanical Ave., Marconi St., Southwest Ave. and Edwards St. in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section l4 of Article XXI of the Charter and imposing certain conditions on such vacation.

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

SECTION ONE: The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A tract of land 17 feet in width being all of the east-west alley in City Block 4072S, bounded on the west by the east line of Edwards Street (50 feet wide) in the City of St. Louis, Missouri; said being more particularly described as follows:

> Beginning at intersection of the east line of said Edwards Street with the northwest corner of a tract of land conveyed to Frank H. Schwaiger, Jr. as recorded in Book M743, Page 1297 of the City of St. Louis Records; thence along the east line of said Edwards Street north 09 degrees 46 minutes 22 seconds east, 17.00 feet to a point being the southwest corner of a tract of land conveyed to Evelyn DiGraci as recorded in Book 461, Page 334 of said City of St. Louis records; thence leaving Edwards Street and along the southern line of said DiGraci tract the following courses and distances: south 81 degrees 05 minutes 03 seconds east, 132.25 feet; north 49 degrees 43 minutes 26 seconds east, 7.12 feet to a point being the southeasternmost corner of said DiGraci tract; thence leaving said DiGraci tract south 09 degrees 46 minutes 22 seconds west, 22.00 feet to a point in the northern line of the aforementioned Schwaiger tract; thence along said northern line north 81 degrees 05 minutes 03 seconds west, 137.25 feet to the point of beginning and containing 2,345.76 square feet more or less.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: Evelyn DiGraci and Frank Schwaiger, Jr. will use vacated area to create a private drive and as a means to discourage through traffic from adjoining commercial parking lot.

SECTION THREE: All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated alley, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and franchise holders, except such rights as are specifically abandoned or released herein.

SECTION FOUR: The owners of the land may, at their election and expense, remove the surface pavement of said so vacated alley provided however, all utilities within the rights-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

SECTION FIVE: The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation hereof within the rights-of-way for purposes associated with the maintenance, construction or planning of existing or future facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

SECTION SIX: The owners shall not place any improvement upon, over or in the land traversed by the rights-of-way without a lawful permit from the City and written consent of the utilities, governmental service entities and franchise holders, present or future; and such consent together with the terms and conditions thereof shall be filed in writing with the Board of Public Service and approved by such Board prior to the undertaking of any such construction concerning the rights-of-way.

SECTION SEVEN: The owners may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

SECTION EIGHT: In the event that granite curbing or cobblestones are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified and it in turn will remove said curbing or cobblestones at the current removal price.

SECTION NINE: This ordinance shall be ineffective unless within sixty (60) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed one hundred twenty (l20) days from approval or override, the owners of the land subservient to the rights-of-way concerned shall deposit a sum with the Comptroller of the City of St. Louis for the use and benefit of the City Water Division estimated by said Division to be sufficient to cover the full expense of removal and relocation of Water facilities, if any; further, such owner or owners shall within said time deposit an additional sum of money with the Comptroller of the City of St. Louis for the use and benefit of the City Traffic and Transportation Division estimated by said Division to be sufficient to cover the full expense of removal of all lighting facilities, if any; upon such deposit being made to the benefit of the Water Division and the Traffic and Transportation Division, they shall proceed as is reasonably expedient to accomplish all work required and all useful access and occupation shall be accorded, further, such owner or owners shall within said time, deposit an additional sum with the Comptroller of the City of St. Louis estimated by the said Board as sufficient to defray the expenses required for the adjustment of the City's streets including curbs, sidewalks, driveways, roadway drainage connections and inlets, grading, paving sidewalks and roadways and road signage; provided further that said owners shall, under direction of the Director of Streets of the City of St. Louis, accomplish the aforesaid adjustments, at their own expense, but in the event said owners fail to accomplish such within allowable time, according to the direction of the Director, the Director shall cause the same to be performed and upon his certification of expenses, the Comptroller shall appropriate said deposit, or so much thereof as required to defray such expenses to the City or others; no claims or demands whatever arising out of such vacation or adjustment shall be made or prosecuted by owners, their heirs, successors or assigns; and the Comptroller after determining the total cost of the foregoing to the City shall return any unexpended part of said deposits to the owner or owners.

SECTION TEN: An affidavit stating that all of the conditions of this ordinance have been/will be fulfilled and/or complied with must be submitted to the Board of Public Service for acceptance one year (365 days) from the date of the signing and approval of this ordinance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

Approved: August 2, 2004

ORDINANCE #66395
Board Bill No. 85

An ordinance approving a redevelopment plan for the 1359 Belt Avenue Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Blighting Study and Plan dated April 27, 2004 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain, finding that the property within the Area is unoccupied, but if it should become occupied the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the St. Louis Board of Aldermen ("Board") and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions which endanger life or property by fire or other causes and constitute an economic or social liability or a menace to the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully described in Exhibit "A"; and

WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the redevelopment of the above described Area as a land clearance project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board, titled "Blighting Study and Plan for the 1359 Belt Avenue Redevelopment Area," dated April 27, 2004, consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

WHEREAS, under the provisions of the Statute, and of the federal financial assistance statutes, it is required that this Board take such actions as may be required to approve the Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan in the Area; and

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Plan has been presented and recommended by LCRA and the Planning Commission to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Plan conforms to said general plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and the Planning Commission; and

WHEREAS, the Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Plan.

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

SECTION ONE. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 1359 Belt Avenue Redevelopment Area ("Area").

SECTION TWO. The redevelopment of the above described Area, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City.

SECTION THREE. The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 of the Statute.

SECTION FOUR. The Blighting Study and Plan for the Area, dated April 27, 2004, ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

SECTION FIVE. The Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the

requirements of the Statute.

SECTION EIGHT. The Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may not acquire any property in the Area by the exercise of eminent domain.

SECTION NINE. The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Plan for the Area gives due consideration to the provision of adequate public facilities.

SECTION ELEVEN. In order to implement and facilitate the effectuation of the Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

(a) Pledges its cooperation in helping to carry out the Plan;

(b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Plan; and

(c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

(a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;

(b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;

(c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by the City;

(d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997.

(e) To comply with the requirements of Ordinance No. 60275 of the City;

(f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women contractors, subcontractors and material supplier participation in the construction pursuant to the Plan. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Contracts Administration Manager of the City and the President of this Board; and

(g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control, interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control, interest in capital and earnings commensurate with their percentage of ownership.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN. The Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 -

99.715, Revised Statutes of Missouri, 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax-exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan must be approved by this Board in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Plan.

The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of the Plan.

SECTION SIXTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board 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.

EXHIBIT "A"

THE 1359 BELT AVENUE AREA
LEGAL DESCRIPTION

City Block 3807 E. B. Belt Avenue, 31ft. x. 118 ft. 6 in. Crosswhite Addn,
Lot PT 9 BND 32 ft 5 in N. of Minerva.
Parcel I.D. 380708310

EXHIBIT "B"
Form: 4/20/04

BLIGHTING STUDY AND PLAN
FOR THE
1359 BELT AVENUE AREA
PROJECT # 9712
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
APRIL 27, 2004

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
THE 1359 BELT AVE. AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 1359 Belt Ave. Area ("Area") encompasses approximately 0.08 acre in the Hamilton Heights Neighborhood of the City of St. Louis ("City") and is located on the west side of Belt Avenue, between Ridge Avenue to the north and Minerva Avenue to the south.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises part of City Block 3807.08 and is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 8.3% unemployment rate for the City as of March, 2004. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area. There are currently no jobs within the Redevelopment Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include a two-family unoccupied dwelling.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily residential.

Residential density for the surrounding neighborhoods is approximately 12.48 persons per acre.

5. CURRENT ZONING

The Area is zoned "C" Multiple-Family Dwelling District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in poor condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri, 2000, as amended, (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive residential uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "C" Multiple Family Dwelling District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall be permitted to use said property only for the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

3. PROPOSED ZONING

The zoning for the Area can remain "C" Multiple Family Dwelling District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

No permanent new jobs will be created in this Area because the proposed development is residential.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

a. Urban Design Objectives

The property shall be developed so it is an attractive residential asset to the surrounding neighborhood.

b. Urban Design Regulations

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design.

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

c. Landscaping

The property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Where feasible, parking shall be limited to the rear of the property off the alley, and at least one space shall be provided for each residential unit. In addition, surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. All new signs shall be restricted to standard sale/lease signs.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

The LCRA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

E. COOPERATION OF THE CITY

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax-exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper, its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

THE 1359 BELT AVENUE AREA
LEGAL DESCRIPTION

City Block 3807 E. B. Belt Avenue, 31ft. x. 118 ft. 6 in. Crosswhite Addn,
Lot PT 9 BND 32 ft 5 in N. of Minerva.
Parcel I.D. 380708310

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 05/26/99

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redevelopment shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

The Redevelopment shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

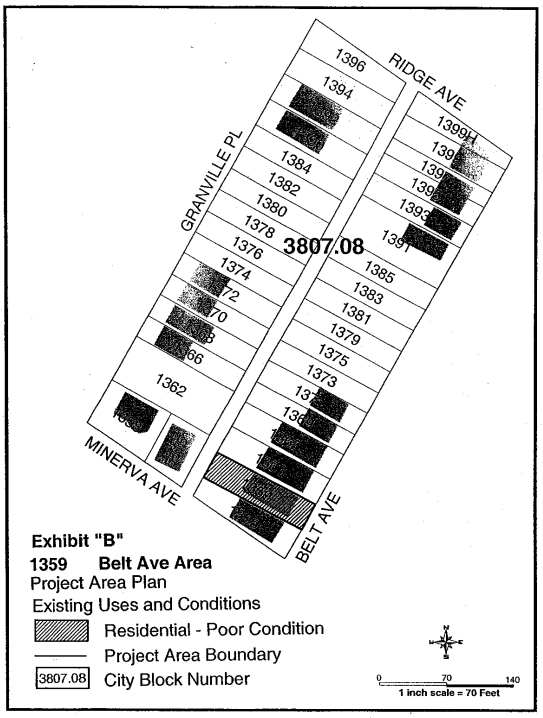
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: August 2, 2004

ORDINANCE NO. 66395 - EXHIBITS B, C & D

66395



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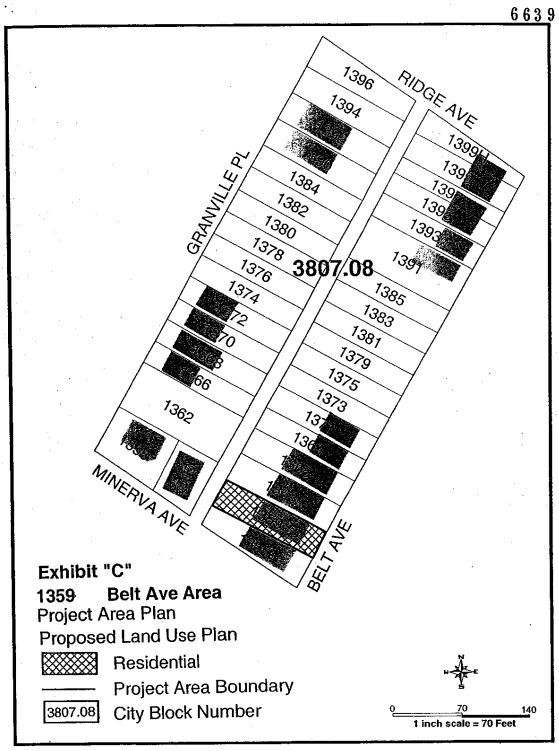

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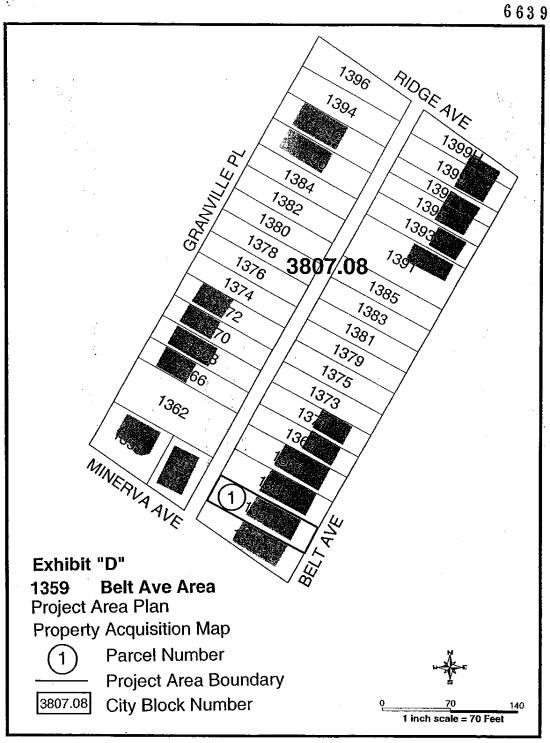

ORDINANCE #66396
Board Bill No. 86

An ordinance approving a redevelopment plan for the 5151 Natural Bridge Avenue Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Blighting Study and Plan dated April 27, 2004 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain, finding that the property within the Area is unoccupied, but if it should become occupied the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the St. Louis Board of Aldermen ("Board") and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions which endanger life or property by fire or other causes and constitute an economic or social liability or a menace to the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully described in Exhibit "A"; and

WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the redevelopment of the above described Area as a land clearance project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis (“Planning Commission”) and to this Board, titled "Blighting Study and Plan for the 5151 Natural Bridge Avenue Redevelopment Area," dated April 27, 2004, consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

WHEREAS, under the provisions of the Statute, and of the federal financial assistance statutes, it is required that this Board take such actions as may be required to approve the Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan in the Area; and

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Plan has been presented and recommended by LCRA and the Planning Commission to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Plan conforms to said general plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and the Planning Commission; and

WHEREAS, the Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Plan.

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

SECTION ONE. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 5151 Natural Bridge Avenue Redevelopment Area ("Area").

SECTION TWO. The redevelopment of the above described Area, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City.

SECTION THREE. The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 of the Statute.

SECTION FOUR. The Blighting Study and Plan for the Area, dated April 27, 2004, ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

SECTION FIVE. The Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may not acquire any property in the Area by the exercise of eminent domain.

SECTION NINE. The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Plan for the Area gives due consideration to the provision of adequate public facilities.

SECTION ELEVEN. In order to implement and facilitate the effectuation of the Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

(a) Pledges its cooperation in helping to carry out the Plan;

(b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Plan; and

(c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

(a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;

(b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;

(c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by the City;

(d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997.

(e) To comply with the requirements of Ordinance No. 60275 of the City;

(f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women contractors, subcontractors and material supplier participation in the construction pursuant to the Plan. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Contracts Administration Manager of the City and the President of this Board; and

(g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control, interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control, interest in capital and earnings commensurate with their percentage of ownership.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN. The Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax-exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan must be approved by this Board in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Plan.

The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of the Plan.

SECTION SIXTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board 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.

EXHIBIT "A"

5151 NATURAL BRIDGE ROAD AREA
LEGAL DESCRIPTION

PARCEL 1:

Lots 1 to 15 inclusive of Kuhn's Subdivision and the South one-half of a former 20-foot wide alley adjoining said lots on the North, vacated by Ordinance No. 56777 of the City of St. Louis, approved June 21, 1974, and in Block 4386 of the City of St. Louis, having an aggregate front of 393 feet 8-3/4 inches on the North line of Natural Bridge Road, by a depth Northwardly of 184 feet 1-1/4 to the center line of said former alley, vacated as aforesaid; bounded West by Geraldine Avenue.

PARCEL: 2

Lots 48 to 55 inclusive of Kuhn's Subdivision and the North one-half of a former 20-foot wide alley, adjoining said Lots on the South, vacated by Ordinance 56777 of the City of St. Louis, approved June 21, 1974, and in Block 4386 of the City of St. Louis, having an aggregate front of 200 feet on the South line of San Francisco Avenue, by a depth Southwardly of 182 feet 1-1/4 inches to the center line of said former alley, vacated as aforesaid. EXCEPTING THEREFROM the West 20 feet of Lot 55 and the South one-half of said former alley adjacent thereto conveyed to Maurice J. Gabriel and wife, by deed recorded in Book 899M, Page 554.
(PARCEL I.D. #438600150)

EXHIBIT "B"
Form: 04/12/04

BLIGHTING STUDY AND PLAN
FOR THE
5151 NATURAL BRIDGE AVENUE AREA
PROJECT #9693
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
April 27, 2004

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
5151 NATURAL BRIDGE AVENUE AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 5151 Natural Bridge Avenue Area ("Area") encompasses approximately 1.554 acres in the Mark Twain/I-70 Industrial Neighborhood of the City of St. Louis ("City") and is located on the north side of Natural Bridge Road, between Geraldine Avenue on the west and N. Kingshighway Blvd. on the east.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises part of City Block 4386. The Area is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 8.3% unemployment rate for the City as of March, 2004. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an unoccupied two-story commercial structure.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are mostly industrial. Residential density for the surrounding neighborhoods is approximately 1.76 persons per acre.

5. CURRENT ZONING

The Area is zoned "J" Industrial District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in poor condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive commercial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial uses permitted in Areas designated "J" Industrial District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for any use not allowed in the "J" Industrial District. Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

3. PROPOSED ZONING

The zoning for the Area can remain "J" Industrial District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

Approximately five (5) new permanent jobs will be created if the Area is developed in accordance with this Plan.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

8. URBAN DESIGN

a. Urban Design Objectives

The property shall be redeveloped so it is an attractive commercial structure within the surrounding neighborhood.

b. Urban Design Regulations

Rehabilitation of the existing structure shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design of the building.

c. Landscaping

The property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, as determined by the Parks Department of the City depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. Existing, healthy trees and shrubs shall be retained, if feasible.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

If parking lots exceed twenty-five (25) spaces, three percent (3%) of the interior of the parking lots shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. These trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low-lying ground cover or other plant material.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, and shall project no more than eighteen (18) inches from the face of the building: Upper Level signage shall be located just below or above the top floor windows facing in any direction regardless of street orientation, shall not exceed 2% of the area of the façade on which it appears nor have letters more than one foot in height for each ten foot (10') of building height provided that the maximum shall be ten foot (10') high letters (i.e. maximum sign letter height on a fifty foot (50') high building shall be five feet (5'). Pedestrian level signage shall be below the second floor window sill of a structure and/or above the store front windows or on the sides of building perpendicular to the street. The total pedestrian level signage per business per façade shall be the lessor of fifty (50) sq. ft. on ten percent (10%) of the ground floor façade area.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed and are placed neatly within the window or door opening. Signage on awnings may be located on the sloping portion of the canvas awning, on the front of a canopy or on the awning valance. In no case shall signage be allowed on both an awning and a building for the same business. Logos and graphic elements may be up to ten (10) sq. ft. in size (depending on the size of the awning), while names or brand copy shall be in proportion to the size of the awning, but in no case shall lettering be more than twelve inches (12") high.

One ground or monument sign per use may be permitted provided it does not exceed ten (10) feet in height nor exceed fifty (50) square feet per side, and provided the LCRA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA confirms that there is need based upon the use, location, or siting of the building.

Painted wall signs, roof signs, pole signs, monument signs, moving signs, animated or flashing signs, or permanent or portable message board signs shall not be permitted in the Area, and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the area, except that construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the

LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) year(s) of approval of this Plan by ordinance.

The LCRA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state, and local laws, ordinances, regulations and policies.

E. COOPERATION OF THE CITY

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District taxes which may be assessed for the property located in a Special Business District.

In lieu of the ten (10) year abatement outlined above, a redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement, which shall not include any Special

Business District taxes which may be assessed for the property located in a Special Business District, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan.

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax-exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper, its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with

the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

5151 NATURAL BRIDGE ROAD AREA
LEGAL DESCRIPTION

PARCEL 1:

Lots 1 to 15 inclusive of Kuhn's Subdivision and the South one-half of a former 20-foot wide alley adjoining said lots on the North, vacated by Ordinance No. 56777 of the City of St. Louis, approved June 21, 1974, and in Block 4386 of the City of St. Louis, having an aggregate front of 393 feet 8-3/4 inches on the North line of Natural Bridge Road, by a depth Northwardly of 184 feet 1-1/4 to the center line of said former alley, vacated as aforesaid; bounded West by Geraldine Avenue.

PARCEL: 2

Lots 48 to 55 inclusive of Kuhn's Subdivision and the North one-half of a former 20-foot wide alley, adjoining said Lots on the South, vacated by Ordinance 56777 of the City of St. Louis, approved June 21, 1974, and in Block 4386 of the City of St. Louis, having an aggregate front of 200 feet on the South line of San Francisco Avenue, by a depth Southwardly of 182 feet 1-1/4 inches to the center line of said former alley, vacated as aforesaid. EXCEPTING THEREFROM the West 20 feet of Lot 55 and the South one-half of said former alley adjacent thereto conveyed to Maurice J. Gabriel and wife, by deed recorded in Book 899M, Page 554.
(PARCEL I.D. #438600150)

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 08/02/99

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

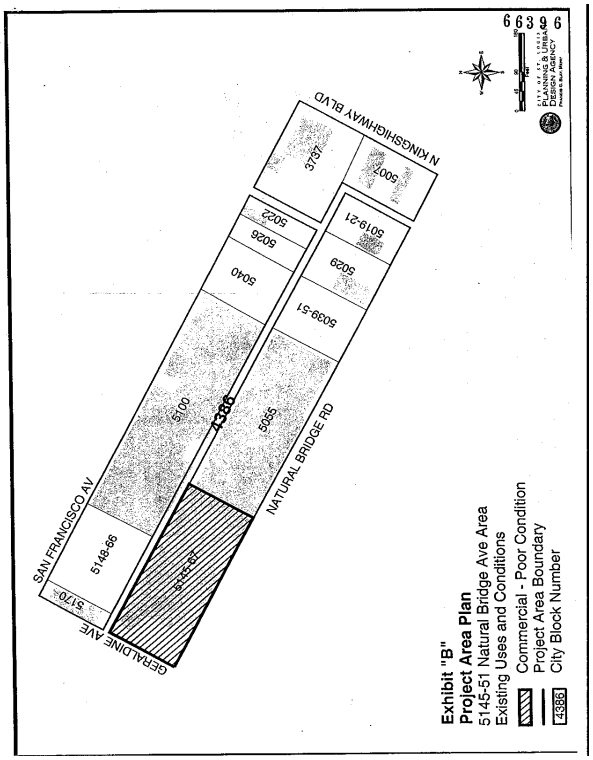
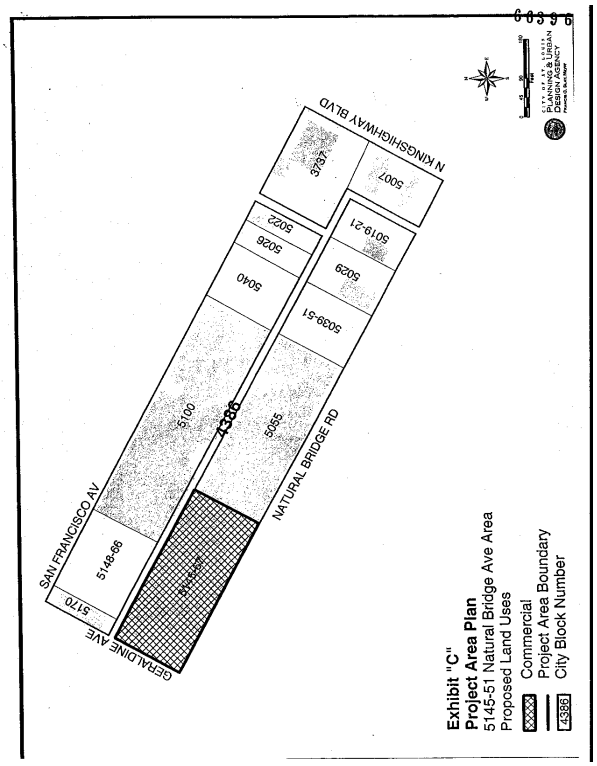
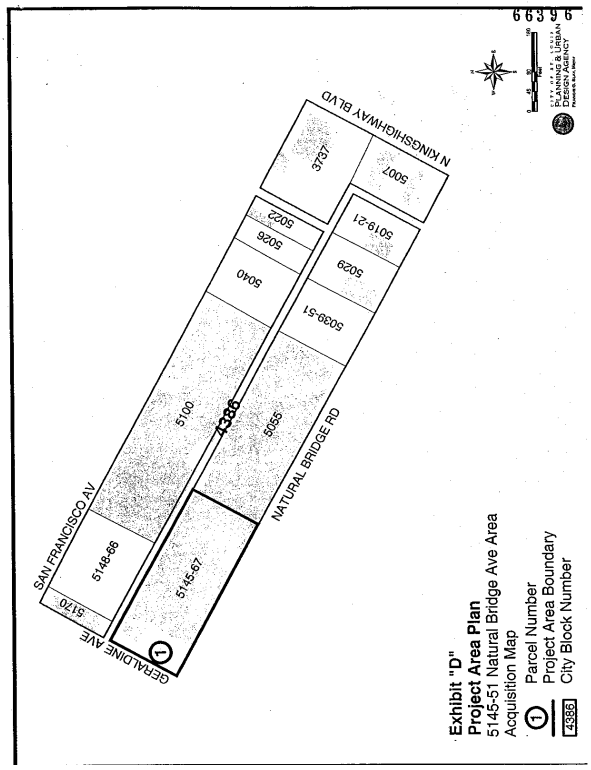
In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: August 2, 2004

ORDINANCE NO. 66396 - EXHIBITS B, C & D