

**ORDINANCE #68823**  
**Board Bill No. 191**

An Ordinance establishing a Dog Park within the City of St. Louis in City Block 2777 comprising all of the real property known and numbered as 4742 -4754 Alabama Avenue; such Dog Park to be established and regulated in accordance with the rules and regulations promulgated by the Director of Parks, Recreation and Forestry under the authority of Ordinance 66595, or its successor ordinances.

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

**SECTION ONE.** There is hereby established a Dog Park in City Block 2777 comprising all of the real property known and numbered as 4742 - 4754 Alabama Avenue. Such Dog Park shall be subject to all rules and regulations promulgated by the Director of Parks, Recreation and Forestry under the authority granted in Ordinance 66595, and its successor ordinances.

**SECTION TWO.** 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 Charter, and shall become effective immediately upon approval of the Mayor of the City of St. Louis.

**Approved: January 18, 2011**

**ORDINANCE #68824**  
**Board Bill No. 232**

An ordinance pertaining to parking within "The 5800 St. Louis Avenue Residential Parking District"; authorizing the Traffic Administrator to designate the location and restrictions for curb parking of residential parking zones within the 5800 St. Louis Avenue 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 5800 Block of St. Louis Avenue Residential Parking District" is the 5800 Block of St. Louis Avenue that is bounded on the east by Goodfellow Boulevard and bounded on the west by Hamilton Avenue.

B. "Parking permit" is a valid resident or visitor parking permit issued for the 5800 Block of St. Louis Avenue 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 5800 Block of St. Louis Avenue 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 5800 Block of St. Louis Avenue 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 designate an individual or group of individuals residing within the 5800 Block of St. Louis Avenue Residential Parking District, at no cost to the City, to procure, assign and distribute such annual parking permits, and to procure and install such signs.

**Section Five. 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.

**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: January 18, 2011**

**ORDINANCE #68825  
Board Bill No. 237**

An Ordinance directing the Director of Streets to temporarily close, barricade, or otherwise impede the flow of traffic at Hornsby Avenue at the west curb line of Halls Ferry Road 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, barricade, or otherwise impede the flow traffic at Hornsby Avenue at the west curb line of Halls Ferry Road for a period of six months beginning the effective date of the passage of this ordinance.

**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: January 18, 2011**

**ORDINANCE #68826  
Board Bill No. 56**

An ordinance recommended by the Board of Public Service to vacate above surface, surface and sub-service rights for vehicle, equestrian and pedestrian travel in 1) The 20 foot wide north and south alley in City Block 3236 as bounded by Espenschied, Reilly, Catalan and Vulcan, 2) The 20 foot wide north and south alley in City Block 3237 as bounded by Espenschied, Polk, Catalan and Reilly, 3) The westernmost 20 foot wide north and south alley in City Block 3248 beginning at Lorentz and extending 310.42 feet northwardly to a point and being bounded by Catalan, Reilly, Lorentz and Vulcan, 4) The easternmost 20 foot wide north and south alley in City Block 3248 beginning at Catalan and extending 310.42 feet southwardly to a point and being bounded by Catalan, Polk, Lorentz and Reilly, 5) Catalan from the east curb line of Reilly to the east curb line of Polk, 6) Polk from the south curb line

of Espenschied to the south curb line of Catalan, 7) Reilly from the south curb line of Espenschied southwardly 136.92 feet to a point, 8) Reilly from the south curb line of Catalan to the north curb line of Lorentz in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 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 above surface, surface and sub-surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A 20 feet wide alley located in City Block 3236 of the City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at the easternmost corner of above said City Block 3236, said point also being located at the intersection of northeasterly line of Reilly Avenue, 60 feet wide with the southwesterly line of Espenschied Street, 40 feet wide; thence along said southwesterly line north 49 degrees 53 minutes 00 seconds west 138.39 feet to the southerly line of above said 20 feet wide alley, said point also being the POINT OF BEGINNING of the herein described tract; thence along said southerly line of said alley south 41 degrees 49 minutes 38 seconds west, 296.92 feet to the northeasterly line of Catalan Street as vacated by City Ordinance No. 57712; thence along said northeasterly line north 49 degrees 53 minutes 00 seconds west, 20.01 feet to the northerly line of above said alley; thence along said northerly line north 41 degrees 49 minutes 38 seconds east 296.92 feet to the southwesterly line of above said Espenschied; thence along said southwesterly line south 49 degrees 53 minutes 00 seconds east, 20.01 feet Point of Beginning and containing 5,938 square feet or 0.136 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on May 14, 2009.

Part of Reilly Avenue located between City Blocks 3236 and 3237 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the easternmost corner of above said City Block 3236, said point also being located at the intersection of northerly line of Reilly Avenue, 60 feet wide with the southwesterly line of Espenschied Street, 40 feet wide; thence crossing said Reilly Avenue south 49 degrees 53 minutes 00 seconds east, 60.03 feet to the northernmost corner of above said City Block 3237; thence along the southerly line of above said Reilly Ave. south 41 degrees 49 minutes 38 seconds west, 136.92 feet to the easternmost corner of that part of Reilly Avenue as vacated by City of St. Louis Ordinance No. 57712; thence along the northeasterly line of the portion vacated by said City Ordinance north 49 degrees 53 minutes 00 seconds west, 60.03 feet to the northerly line of above said Reilly Avenue; thence along said northerly line north 41 degrees 49 minutes 38 seconds east, 136.92 feet to the Point of Beginning and containing 8,215 square feet or 0.188 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on May 15, 2009.

A twenty (20) feet wide alley located in City Block 3237, part of Catalan Street, 50 feet wide between Reilly Avenue 60 feet wide and Polk Street, 60 feet wide and Polk Street, 60 feet wide located between City Blocks 3237 and 3240 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the northernmost corner of above said City Block 3240, said point being the intersection of the southerly line of above said Polk Street with the southwesterly line of Espenschied Street, 40 feet wide; thence along said southerly line south 41 degrees 49 minutes 38 seconds west 344.69 feet to its intersection of the direct southeasterly prolongation of the southwesterly line of above said Catalan Street, said point also being the southeasterly corner of that part of Polk Street, 60 feet wide as vacated by City of St. Louis Ordinance No. 36608; thence along last said southwesterly line north 49 degrees 53 minutes 00 seconds west, 357.37 feet to the southerly line of that part of Catalan Street as vacated by City of St. Louis Ordinance No. 57712; thence along said southerly line north 41 degrees 46 minutes 31 seconds east, 50.02 feet to the northeasterly line of above said Catalan Street;

thence along said northeasterly line south 49 degrees 53 minutes 00 seconds east, 138.69 feet to the northerly line of above said twenty (20) feet wide alley; thence along said northerly line north 41 degrees 49 minutes 38 seconds east, 296.92 feet to the southwesterly line of above said Espenschied Street; thence crossing said alley, south 49 degrees 53 minutes 00 seconds east, 20.01 feet; thence along the southerly line of above said alley, south 41 degrees 49 minutes 38 seconds west 296.92 feet to the northeasterly line of above said Catalan Street; thence along said northeasterly line south 49 degrees 53 minutes 00 seconds east, 138.69 feet to the northerly line of above said Polk Street; thence along said northerly line north 41 degrees 49 minutes 38 seconds east, 296.92 feet to the southeasterly line of above said Espenschied Street; thence crossing above said Polk Street south 47 degrees 44 minutes 03 seconds East, 60.00 feet to the Point of Beginning and containing 41,555 square feet or 0.954 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on May 15, 2009.

Part of Reilly Avenue located within City Block 3248 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the intersection of southerly line of Catalan Street, 50 feet wide, vacated by Ordinance Number 57712 with the easterly line of Reilly Avenue, 60 feet wide; thence southerly along said easterly line of Reilly Avenue south 41 degrees 43 minutes 10 seconds west 620.47' to a point on the north line of Lorentz Street, 50 feet wide, vacated by Ordinance Number 36608, thence along said north line north 49 degrees 53 minutes 00 seconds west 60.02 feet to a point on the west line of above said Reilly Avenue, thence along said west line north 41 degrees 43 minutes 10 seconds east 620.47 feet to a point on above said southerly line of Vacated Catalan Street, thence along said southerly line south 49 degrees 53 minutes 00 seconds east 60.02 feet to the Point of Beginning and containing 36,837 square feet or 0.846 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on October 6, 2009.

A twenty (20) feet wide alley located in City Block 3248 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the point of intersection of the southerly line of Catalan Avenue, 50 feet wide, with the westerly line of above said 20 feet wide alley; thence along the direct southeasterly prolongation of last said southerly line south 49 degrees 53 minutes 00 seconds east, 20.01 feet to the easterly line of said 20 feet alley; thence along said easterly line south 41 degrees 49 minutes 38 seconds west, a distance of 310.42 feet; thence departing last said easterly line north 49 degrees 53 minutes 00 seconds west, 20.01 feet to the westerly line of above said 20 feet wide alley; thence along said westerly line north 41 degrees 49 minutes 39 seconds east, 310.42 feet to the Point of Beginning and containing 6,208 sq. ft. or 0.142 acres more or less according calculations performed by Stock and Associates Consulting Engineers, Inc. on January 14, 2010.

A twenty (20) feet wide alley located in City Block 3248 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the point of intersection of the northerly line of Lorentz Street, 50 feet wide, with the westerly line of above said 20 feet wide alley; thence along said westerly line north 41 degrees 47 minutes 44 seconds east, 310.42 feet; thence departing last said westerly line south 49 degrees 53 minutes 00 sseconds east, 20.01 feet to the easterly line of above said 20 feet wide alley; thence along said easterly line south 41 degrees 47 minutes 44 seconds west, 310.42 feet; to the northerly line of above said Lorentz Street; thence along the direct northwesterly prolongation of last said northerly line north 49 degrees 53 minutes 00 seconds west, 20.01 feet to the Point of Beginning and containing 6,208 sq. ft. 0.142 acres more or less according calculations performed by Stock and Associates Consulting Engineers, Inc. on January 14, 2010.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Petitioners are Laclede Gas Company and Land Reutilization Authority of the City of St. Louis. The proposed use of the vacated area will be used to consolidate property for a commercial development known as Carondelet Coke. The Water Division has a 6" water main with appurtenances in Reilly from Espenscheid to Catalan that runs through the area of the proposed vacation of Reilly. The Water Division will require an easement for this water main and appurtenances allowing for uninhibited access to those facilities for the purposes of maintenance, repair and access to an existing meter for the purposes of reading, maintenance and/or replacement. No construction on or over the easement can occur without the prior review and approval of the Water Commissioner.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated alleys and streets, 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 alleys and streets 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 owner(s) shall not place any improvement upon, over or in the area(s) vacated without: 1) lawful permit from the Building Division or Authorized City agency as governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental service entities and franchise holders, present or future. The written consent with the terms and conditions thereof shall be filed in writing with the Board of Public Service by each of the above agencies as needed and approved by such Board prior to construction.

**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. Owner(s) must have curbing cobblestones returned to the Department of Streets in good condition.

**SECTION NINE:** This ordinance shall be ineffective unless within three hundred sixty (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed three (3) days prior to the affidavit submittal date as specified in the last section of this ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements, if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will be deposited by these agencies with the Comptroller of the City of St. Louis.

- 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of Water facilities, if any.
- 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of removal, relocation and/or purchase of all lighting facilities, if any. All street signs must be returned.
- 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as specified in Sections Two and Eight of the Ordinance.

**SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director of Streets for review of compliance with conditions 2 years from the date of the signing and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

**Approved: January 27, 2011**

**ORDINANCE #68827**  
**Board Bill No. 168**

An ordinance approving a blighting study and redevelopment plan dated September 21, 2010 for the 3500 Watson Road Redevelopment Area (as further defined herein, the "Plan") after finding that said Redevelopment Area ("Area") is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, as amended (the "Statute" being Sections 99.300 to 99.715 RSMo inclusive, as amended); containing a description of the boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Attachment "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 Plan attached hereto and incorporated herein as Attachment "B", pursuant to Section 99.430 RSMo, as amended; 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"), a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that none of the property within the Area is occupied, but if it should become occupied, the Redeveloper(s) (as defined herein) shall be responsible for providing relocation assistance pursuant to the Plan to 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 up to a five (5) year real estate tax abatement; and pledging cooperation of this 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; and containing a severability clause.

**WHEREAS**, the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes 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 and 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**, this Board has considered the "Blighting Study and Redevelopment Plan for the 3500 Watson Road Redevelopment Area" dated September 21, 2010, consisting of a Title Page; a Table of Contents Page, eight (8) numbered pages and Exhibits "A" – "F" attached hereto and incorporated herein as Attachment "B" ("Plan"); and based on the information in the Plan, specifically the Blighting Report in Exhibit "F" to the Plan, considered each parcel of property in the Area and found the preponderance of the Area to be blighted, and

**WHEREAS**, there is a need for the LCRA to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4) RSMo, as amended; and

**WHEREAS**, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board; and

**WHEREAS**, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan; 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 RSMo, as amended, 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 that general plan; and

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

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

**WHEREAS**, the Plan prescribes 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 RSMo, as amended, this Board placed public notices in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Plan, and a hearing was held at the time and place designated in those notices 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, as amended (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Attachment "A", attached hereto and incorporated herein, known as the 3500 Watson Road Area ("Area"). The existence of deteriorated property and other conditions constitutes an economic or social 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 99.320(3) RSMo, as amended, and are evidenced by the Blighting Report attached as Exhibit "F" ("Blighting Report") to the Blighting Study and Redevelopment Plan for the Area dated September 21, 2010, which is attached hereto, and labeled Attachment "B" and incorporated herein by reference ("Plan").

**SECTION TWO.** The redevelopment of the 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 Plan (including the Blighting Report) 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 the Plan with the Minutes of this meeting.

**SECTION FIVE.** The Plan 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, 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 redevelopments to be sought pursuant to the requirements of the Statute.

**SECTION EIGHT.** The Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of eminent domain.

**SECTION NINE.** None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced by the Redeveloper(s) (as defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper(s) at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**SECTION TEN.** The Plan 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(s)") 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(s) 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, Redeveloper(s) 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 (as further defined below, "MBEs") and Women's Business Enterprises ("as further defined below ("WBEs") 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 MBEs and WBEs established by the City;
- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997, as has been extended.
- (e) To comply with applicable requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);
- (f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction pursuant to the Plan. The Redeveloper(s) will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director-Certification and Compliance 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 entered into directly by Redeveloper(s).

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by Minority Group Member(s) (as defined below) who have at least fifty-one percent (51%) ownership therein. 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 having 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(s)" as used in this Section shall include heirs, successors in interest, and assigns.

**SECTION FOURTEEN.** A Redeveloper(s) 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 five (5) 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 up to the five (5) years after the date the redevelopment corporation shall acquire title to property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year two years preceding the calendar year during which the corporation shall have acquired title to that property. In addition to such taxes, any such corporation shall for up to the same five (5) 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 two years preceding the calendar year during which such corporation shall have acquired title to that property. If property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for up to the five (5) years of the 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 two years preceding the calendar year during which such corporation shall lease that 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 five (5) 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 the property as provided in this Plan and in any agreement with the LCRA. In no event shall such benefits extend beyond five (5) 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.

**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"**

**3500 WATSON ROAD REDEVELOPMENT AREA  
LEGAL DESCRIPTION**

CB 5999 WATSON RD  
45 FT X 115 FT  
SOUTHWEST PARK ADDN  
BLOCK 2 LOT 1

**5999-00-03300  
3500 Watson Road**

**ATTACHMENT "B"  
Form: 09/08/10**

BLIGHTING STUDY AND PLAN  
FOR THE  
**3500 WATSON ROAD REDEVELOPMENT AREA**  
PROJECT #1517  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
SEPTEMBER 21, 2010

MAYOR

FRANCIS G. SLAY

**BLIGHTING STUDY AND PLAN FOR  
3500 WATSON ROAD REDEVELOPMENT AREA**

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#### **A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

##### **1. DELINEATION OF BOUNDARIES**

The 3500 Watson Rd. Redevelopment Area ("Area") encompasses approximately 0.12 acres in the Lindenwood Park neighborhood of the City of St. Louis ("City") and is located on the southeast corner of Watson Rd. and Potomac Ave. with Oleatha Ave. to the south and Marquette Ave. to the north.

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

##### **2. GENERAL CONDITION OF THE AREA**

The Area comprises one parcel of City Block 5999. The Area is in poor condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" ("Project Area Plan-Existing Uses and Conditions") and enumerated in Exhibit "F" "Blighting Report".

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate a 12.2% unemployment rate for the City for the month of June, 2010. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

##### **3. PRESENT LAND USE OF THE AREA**

Existing land uses within the Area include two unoccupied commercial buildings.

The land uses within the Area, 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 used primarily for commercial and residential purposes.

Residential density for the surrounding neighborhoods is approximately 10.67 persons per acre.

##### **5. CURRENT ZONING**

The Area is currently zoned "F" Neighborhood Commercial District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

##### **6. FINDING OF BLIGHT**

None of the property within the Area is occupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300 *et seq.* RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

**B. PROPOSED REDEVELOPMENT AND REGULATIONS****1. REDEVELOPMENT OBJECTIVES**

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment 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 zones designated "F" Neighborhood Commercial District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall not be permitted to use the property within the Area for any of the following:

pawn shops, adult bookstores, X-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), pinball arcades, pool halls, secondhand or junk shops, tattoo parlors, truck or other equipment rentals requiring outside storage, blood donor facilities, free standing package liquor stores, check cashing centers, any use (except for financial institutions or pharmacies) that utilizes a sales or service window or facility for customers who are in cars, or restaurants that sell products to customers who are in cars or who consume the sold products in cars parked on the restaurant premises, or sell products through a sales window to customers who are in cars or to pedestrians outside the building for immediate consumption by the customer either on or off the premises, automobile service or stations.

Exhibit "C" (Project Area Plan-Proposed Land Use) shows the proposed uses for the Area. The General Plan for the City, which includes the "Strategic Land Use Plan" (as amended 2009) designates the Area as a Neighborhood Commerce Area ( NCA).

**3. PROPOSED ZONING**

The zoning for the Area may remain "F" Neighborhood Commercial 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 which includes the "Strategic Land Use Plan" (as amended 2009). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, light and air, sound design and arrangement, and improved employment opportunities.

**5. PROPOSED EMPLOYMENT FOR THE AREA**

Approximately 2 to 10 new permanent full time equivalent jobs are expected to be created if the Area is redeveloped in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed redevelopment.

**6. CIRCULATION**

The Project Area Plan-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 City 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.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the redevelopment agreement ("Agreement") (if any), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGN

a. **Urban Design Objectives**

The property in the Area shall be redeveloped such that it is an attractive commercial asset to the surrounding neighborhood.

b. **Urban Design Regulations**

- 1.) **Rehabilitation** shall respect the original exterior of the structures in the Area in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design
- 2.) **New construction** or alterations shall be positioned on the lot so that any existing recurrent building masses and spaces along the street are continued as well as the pattern of setback from the street.
- 3.) **New Exterior Materials** on facades of structures in the Area visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Permastone" is not permitted. A submission of all building materials shall be required prior to building permit approval.
- 4.) **Architectural Details** on existing structures in the Area shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. Both new and replacement window and doorframes shall be limited to wood or color finished aluminum on the street facing facades, including basement windows. Raw or unfinished aluminum and glass block are not acceptable. Awnings of canvas only are acceptable.
- 5.) **Roof Shapes** that are employed in a predominance of existing buildings in a block shall set the standard of compatibility for any proposed new construction or alteration.
- 6.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

c. **Landscaping**

The Area 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.

d. **Fencing**

New fencing may be ornamental metal, chain link or a good quality, privacy fence provided it is not wood stockade style. In no case shall the fencing have razor or brushed wire on top if it is visible from any street. In residential or commercial zoning districts and fencing across from residential uses in any zoning district new fencing in front yards or along streets shall be limited to ornamental metal or good quality privacy fencing provided it is not wood stockade style.

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.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and agreements between the LCRA and the Redeveloper(s). A uniform signage plan must be prepared by the Redeveloper(s) 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.

Projecting signs shall be governed by the City Code, but may not obstruct an architectural building element.

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 citing of the structure.

Painted wall signs, roof signs, pole 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 recommendation 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 redevelopment. The cost of such utility improvements will be borne by the Redeveloper(s).

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 redeveloped in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious redevelopment that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and

economy of the City.

**C. PROPOSED SCHEDULE OF REDEVELOPMENT**

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year(s) of approval of this Plan by City ordinance and completed within approximately two (2) year(s) of approval of this Plan by City 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 redevelopment 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.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

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(s).

2. PROPERTY ACQUISITION

The Project Area Plan-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(s) who shall agree to redevelop such property in accordance with this Plan and the agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper(s) 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. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of this 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 the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

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 five (5) 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 five (5) 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 two years prior to 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 five (5) 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 two years prior to 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 five (5) 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 two years prior to 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 five (5) 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 five (5) 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**

A Redeveloper(s) 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, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

### **2. CONSTRUCTION AND OPERATIONS**

A Redeveloper(s) 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(s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

### **4. ENFORCEMENT**

All of the provisions of this Section G shall be incorporated in an Agreement between the LCRA and a Redeveloper(s), 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(s), 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, redevelopment schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the PDA.

## **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 City ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan at 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"**

**3500 WATSON ROAD REDEVELOPMENT AREA  
LEGAL DESCRIPTION**

CB 5999 WATSON RD  
45 FT X 115 FT  
SOUTHWEST PARK ADDN  
BLOCK 2 LOT 1

**5999-00-03300**  
**3500 Watson Road**

See attached Exhibits B, C & D

**EXHIBIT "E"**  
**FORM: 03/10/08**

**EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES**

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper(s) (which term shall include Redeveloper(s), any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper(s) 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(s) shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper(s) and its contractors 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(s) shall fully comply with Executive Order #28 dated July 24, 1997 (as may be extended) relating to minority and women-owned business participation in City contracts.

The Redeveloper(s) 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(s), 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(s) shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 (First Source Jobs Policy) which is codified at Chapter 3.90 of the Revised Ordinances of the City of St. Louis.

EXHIBIT "F"

Blighting Report for the 3500 WATSON ROAD  
Redevelopment Area

As outlined below, the Area suffers from a multitude of physical and economic deficiencies including defective and inadequate streets, insanitary or unsafe conditions, deteriorating or inadequate site improvements, improper subdivision or obsolete platting and conditions which endanger life or property by fire or other causes.

As a result of these factors the preponderance of the property in the Area is an economic liability for the City, its residents and the taxing districts that depend upon it as a revenue source, as well as a public, health and safety liability. It, therefore, qualifies as a "blighted area" as such term is defined in Section 99.320(3) of the Missouri Revised Statute (2000) as amended.

Subject Property is: \_\_\_\_\_ vacant land \_\_\_\_\_ unoccupied/occupied residential  
\_\_\_\_\_X\_\_\_\_\_ unoccupied commercial

Subject Property is: \_\_\_\_\_ secured \_\_\_\_\_X\_\_\_\_\_ unsecured

The subject property \_\_\_\_\_ has \_\_\_\_\_X\_\_\_\_\_ has not a predominance of defective or inadequate streets  
If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_X\_\_\_\_\_ has \_\_\_\_\_ has not insanitary or unsafe conditions  
If answer is yes, explain: The vacant property has been used for illegal dumping

The subject property \_\_\_\_\_X\_\_\_\_\_ has \_\_\_\_\_ has not deterioration of site conditions  
If answer is yes, explain: Sidewalks and other concrete surfaces need repair or replacement.

The subject property \_\_\_\_\_ has \_\_\_\_\_X\_\_\_\_\_ has not improper subdivision or obsolete platting  
If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_X\_\_\_\_\_ has \_\_\_\_\_ has not conditions which endanger life or property by fire or other cause. If answer is yes, explain: Plate glass windows may need covering during construction. Also front and rear doors should be secured.

The subject property \_\_\_\_\_ does \_\_\_\_\_X\_\_\_\_\_ does not retard the provision of housing accommodations  
If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_X\_\_\_\_\_ does \_\_\_\_\_ not constitute an economic liability  
If answer is yes, explain: In its current condition, the property is not income producing

The subject property \_\_\_\_\_ does \_\_\_\_\_X\_\_\_\_\_ does not constitute a social liability  
If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_X\_\_\_\_\_ is \_\_\_\_\_ is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: Property has been cited for stray animals reports

The subject property \_\_\_\_\_X\_\_\_\_\_ is \_\_\_\_\_ is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The property, built in 1948 will require a complete rehabilitation

The subject property \_\_\_\_\_ is \_\_\_\_\_X\_\_\_\_\_ is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_ is \_\_\_\_\_X\_\_\_\_\_ is not detrimental because of high density of population.  
If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_ is \_\_\_\_\_X\_\_\_\_\_ is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_X\_\_\_\_\_ has \_\_\_\_\_ has not conditions which endanger life or property by fire and other

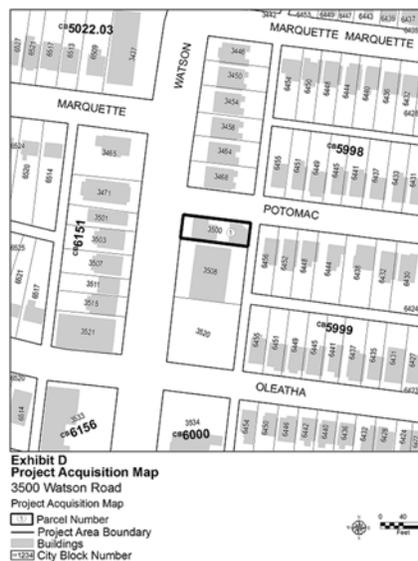
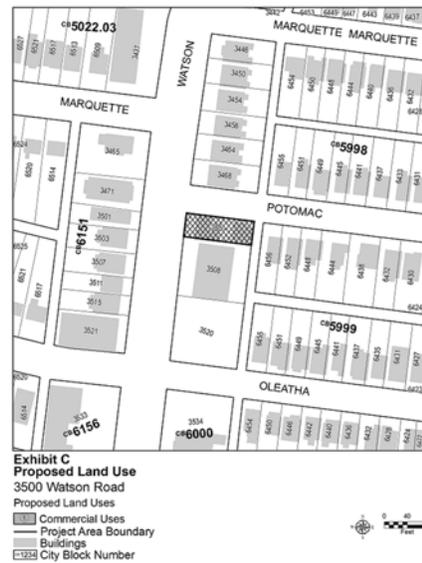
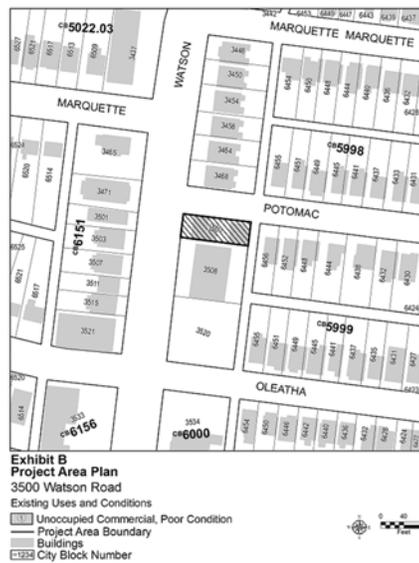
causes. If answer is yes, explain: While under construction, the property should be secured to deter vandalism as well as fire

The subject property \_\_\_\_\_ has \_\_\_\_\_X\_\_\_\_\_ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency.

If answer is yes, explain: \_\_\_\_\_

Approved: January 27, 2011

ORDINANCE NO. 68827 – EXHIBITS B, C & D



**ORDINANCE #68828**  
**Board Bill No. 169**  
**Floor Substitute**

An ordinance approving a blighting study and redevelopment plan dated September 21, 2010 for the 2227 Arsenal Street Redevelopment Area (as further defined herein, the "Plan") after finding that said Redevelopment Area ("Area") is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, as amended (the "Statute" being Sections 99.300 to 99.715 RSMo inclusive, as amended); containing a description of the boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Attachment "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 Plan severability hereto and incorporated herein as Attachment "B", pursuant to Section 99.430 RSMo, as amended; 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"), a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that none of the property within the Area is occupied, but if it should become occupied, the Redeveloper(s) (as defined herein) shall be responsible for providing relocation assistance pursuant to the Plan to 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 up to a five (5) year real estate tax abatement; and pledging cooperation of this 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; and containing a severability clause.

**WHEREAS**, the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes 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 and 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**, this Board has considered the "Blighting Study and Redevelopment Plan for the 2227 Arsenal Street Redevelopment Area" dated September 21, 2010, consisting of a Title Page; a Table of Contents Page, eight (8) numbered pages and Exhibits "A" – "F" attached hereto and incorporated herein as Attachment "B" ("Plan"); and based on the information in the Plan, specifically the Blighting Report in Exhibit "F" to the Plan, considered each parcel of property in the Area and found the preponderance of the Area to be blighted, and

**WHEREAS**, there is a need for the LCRA to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4) RSMo, as amended; and

**WHEREAS**, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board; and

**WHEREAS**, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan; 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 RSMo, as amended, 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 that general plan; and

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

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

**WHEREAS**, the Plan prescribes 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 RSMo, as amended, this Board placed public notices in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Plan, and a hearing was held at the time and place designated in those notices 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, as amended (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Attachment "A", attached hereto and incorporated herein, known as the 2227 Arsenal Street Area ("Area"). The existence of deteriorated property and other conditions constitutes an economic or social 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 99.320(3) RSMo, as amended, and are evidenced by the Blighting Report attached as Exhibit "F" ("Blighting Report") to the Blighting Study and Redevelopment Plan for the Area dated September 21, 2010 which is attached hereto, and labeled Attachment "B" and incorporated herein by reference ("Plan").

**SECTION TWO.** The redevelopment of the 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 Plan (including the Blighting Report) 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 the Plan with the Minutes of this meeting.

**SECTION FIVE.** The Plan 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, 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 redevelopments to be sought pursuant to the requirements of the Statute.

**SECTION EIGHT.** The Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of eminent domain.

**SECTION NINE.** None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced by the Redeveloper(s) (as defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper(s) at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**SECTION TEN.** The Plan 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(s)") 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(s) 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, Redeveloper(s) 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 (as further defined below, "MBEs") and Women's Business Enterprises ("as further defined below ("WBEs") 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 MBEs and WBEs established by the City;

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

(e) To comply with applicable requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);

(f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction pursuant to the Plan. The Redeveloper(s) will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director-Certification and Compliance 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 entered into directly by Redeveloper(s).

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by Minority Group Member(s) (as defined below) who have at least fifty-one percent (51%) ownership therein. 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 having 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(s)" as used in this Section shall include heirs, successors in interest, and assigns.

**SECTION FOURTEEN.** A Redeveloper(s) 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 five (5) 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 up to the five (5) years after the date the redevelopment corporation shall acquire title to property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, as of January 1, 2010. In addition to such taxes, any such corporation shall for up to the same five (5) 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 as of January 1, 2010. If property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for up to the five (5) years of the 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, as of January 1, 2010.

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 five (5) 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 the property as provided in this Plan and in any agreement with the LCRA. In no event shall such benefits extend beyond five (5) 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.

**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 2227 ARSENAL STREET AREA  
LEGAL DESCRIPTION**

CB 1979 ARSENAL ST  
17.00 FT X 121.57 FT  
LOTS A & B SCHARLOTT'S ARSENAL  
LOT A

**1979-00-00150  
2227 Arsenal Street**

**ATTACHMENT "B"  
Form: 12/23/10**

BLIGHTING STUDY AND REDEVELOPMENT PLAN  
FOR THE  
**2227 ARSENAL STREET REDEVELOPMENT AREA**  
PROJECT # 1514  
SEPTEMBER 21, 2010  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS

MAYOR  
FRANCIS G. SLAY

**BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR  
2227 ARSENAL STREET REDEVELOPMENT AREA**

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#### **A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

##### **1. DELINEATION OF BOUNDARIES**

The 2227 Arsenal St. Redevelopment Area ("Area") encompasses approximately 0.05 acres in the Benton Park neighborhood of the City of St. Louis ("City") and is located on the northeast corner of Arsenal St. and Indiana Avenue with S. Jefferson Ave. to the west and Missouri Ave. to the east.

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

##### **2. GENERAL CONDITION OF THE AREA**

The Area comprises one parcel of City Block 1979. The Area is in poor condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" ("Project Area Plan-Existing Uses and Conditions") and enumerated in Exhibit "F" "Blighting Report".

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate a 12.2% unemployment rate for the City for the month of June, 2010. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

##### **3. PRESENT LAND USE OF THE AREA**

Existing land uses within the Area include an unoccupied single family residential building.

The land uses within the Area, 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 used primarily for residential purposes.

Residential density for the surrounding neighborhoods is approximately 12.98 persons per acre.

##### **5. CURRENT ZONING**

The Area is currently zoned "C" Multiple Family Dwelling District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

##### **6. FINDING OF BLIGHT**

None of the property within the Area is occupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300-99.715 *et seq.* RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

**B. PROPOSED DEVELOPMENT AND REGULATIONS**1. DEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment 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 zones designated "C" Multiple Family Dwelling District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall be permitted to use the property within the Area for only the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2009) designated it as a Neighborhood Preservation Area (NPA).

3. PROPOSED ZONING

The zoning for the Area may 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 which includes the "Strategic Land Use Plan" (as amended 2009). Any specific proposal to the LCRA for redevelopment 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 THE AREA

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

6. CIRCULATION

The Project Area Plan-Proposed Land Uses 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 City 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.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the Redevelopment Agreement (if any) ("Agreement"), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) 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 DESIGNa. **Urban Design Objectives**

The property in the Area shall be redeveloped such that it is an attractive residential asset to the surrounding neighborhood.

b. **Urban Design Regulations**

- 1.) **Rehabilitation** shall respect the original exterior of the structures in the Area in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design
- 2.) **New construction** or alterations shall be positioned on the lot so that any existing recurrent building masses and spaces along the street are continued as well as the pattern of setback from the street.
- 3.) **New Exterior Materials** on facades of structures in the Area visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Permastone" is not permitted. A submission of all building materials shall be required prior to building permit approval.
- 4.) **Architectural Details** on existing structures in the Area shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. Both new and replacement window and doorframes shall be limited to wood or color finished aluminum on the street facing facades, including basement windows. Raw or unfinished aluminum and glass block are not acceptable. Awnings of canvas only are acceptable.
- 5.) **Roof Shapes** that are employed in a predominance of existing buildings in a block shall set the standard of compatibility for any proposed new construction or alteration.
- 6.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

c. **Landscaping**

The Area 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.

d. **Fencing**

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

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 in the Area 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 ½) feet high on planting and maintained at three and one-half (3 ½) 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 recommendation 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 redevelopment. 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, general welfare, efficiency and economy of the City.

**C. PROPOSED SCHEDULE OF DEVELOPMENT**

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately two (2) years of approval of this Plan by City 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 redevelopment 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.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

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(s).

2. PROPERTY ACQUISITION

The Project Area Plan-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 Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the Agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to Redeveloper(s) will be sold at not less than its fair

value, taking into account and giving consideration to those factors enumerated in Section 99.450, RSMo. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of this 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 the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

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 five (5) 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 five (5) 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, as of January 1, 2010. In addition to such taxes, any such corporation shall for the same five (5) 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 as of January 1, 2010. If property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for five (5) 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, as of January 1, 2010.

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 five (5) 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 five (5) 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

A Redeveloper(s) 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, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper (s) 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

Redeveloper (s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Minimum

Utilization of Minority Enterprises, dated January 1, 1981 as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in an Agreement between the LCRA and a Redeveloper (s), 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 (s), 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 PDA.

**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 City ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan at 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 2227 ARSENAL STREET AREA  
LEGAL DESCRIPTION**

CB 1979 ARSENAL ST  
17.00 FT X 121.57 FT  
LOTS A & B SCHARLOTT'S ARSENAL  
LOT A

**1979-00-00150  
2227 Arsenal Street**

See attached Exhibits B, C & D



The subject property  does \_\_\_\_\_ does not retard the provision of housing accommodations  
If answer is yes, explain: The property is uninhabitable in its current condition

The subject property  does \_\_\_\_\_ does not constitute an economic liability  
If answer is yes, explain: No income can be derived from the property in its current condition

The subject property \_\_\_\_\_ does  does not constitute a social liability  
If answer is yes, explain: \_\_\_\_\_

The subject property  is \_\_\_\_\_ is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: The basement has been reported to the Environmental Health Department because of waste water in the basement

The subject property  is \_\_\_\_\_ is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The property, built in 1889 is obsolete and requires complete updating of its systems

The subject property \_\_\_\_\_ is  is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: \_\_\_\_\_

The subject property \_\_\_\_\_ is  is not detrimental because of high density of population.  
If answer is yes, explain: \_\_\_\_\_

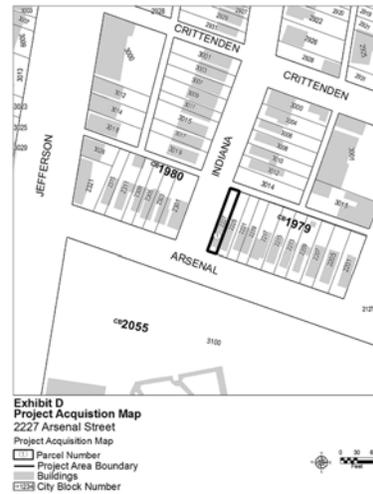
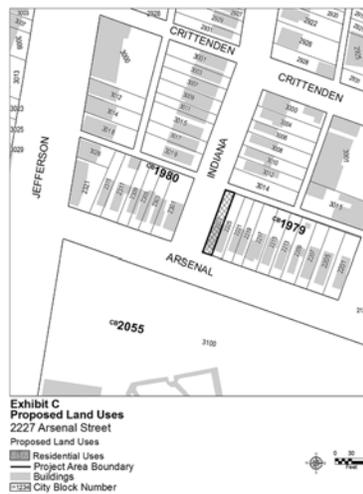
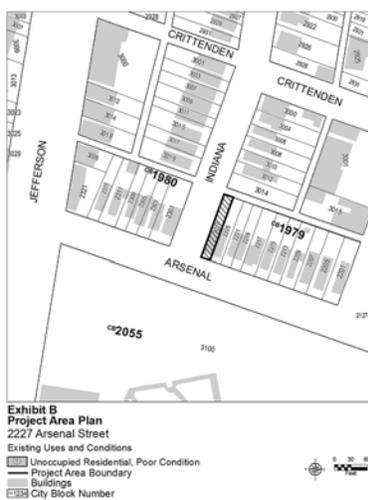
The subject property  is \_\_\_\_\_ is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: The property shares a fire wall with the adjacent building and has a 17 ft frontage

The subject property  has \_\_\_\_\_ has not conditions which endanger life or property by fire and other causes. If answer is yes, explain: Since the building is unsecured, fire is a definite consideration

The subject property  has \_\_\_\_\_ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency.  
If answer is yes, explain: Until the water/sewer issues are repaired/replaced, the property is a health risk

Approved: January 27, 2011

**ORDINANCE NO. 68828 – EXHIBITS B, C & D**



**ORDINANCE #68829**  
**Board Bill No. 223**

An ordinance recommended by the Board of Public Service to vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in 12 foot wide north/south alley in City Block 269 as bounded by Biddle, Tucker, Carr and 13th St. in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 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 above surface, surface and sub-surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

That part of City Block Number 269 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the northwest corner of Lot 13 of H.M. Shreve's Addition, as recorded in Plat Book 1 Page 75 of the City of St. Louis Records, said point being the intersection of the south line of Biddle Street, 50 feet wide, with the east line of an alley, 12 feet wide; thence along said east line, south 00 degrees 11 minutes 50 seconds east a distance of 335.00 feet to the north line of Carr Street, 50 feet wide; thence along said north line, south 89 degrees 46 minutes 43 seconds west a distance of 12.00 feet to the west line of said alley; thence along said west line, north 00 degrees 11 minutes 50 seconds west a distance of 335.00 feet to said south line of Biddle Street; thence along said line, north 89 degrees 46 minutes 43 seconds east a distance of 12.00 feet to the Point of Beginning and containing 4,020 square feet or 0.09 acres, more or less.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Vacated area will be used to consolidate property for construction of a new McDonald's Restaurant.

**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 owner(s) shall not place any improvement upon, over or in the area(s) vacated without: 1) lawful permit from the Building Division or Authorized City agency as governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental service entities and franchise holders, present or future. The written consent with the terms and conditions thereof shall be filed in writing with the Board of Public Service by each of the above agencies as needed and approved by such Board prior to construction.

**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. Owner(s) must have curbing cobblestones returned to the Department of Streets in good condition.

**SECTION NINE:** This ordinance shall be ineffective unless within three hundred sixty (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed three (3) days prior to the affidavit submittal date as

specified in the last section of this ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements, if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will be deposited by these agencies with the Comptroller of the City of St. Louis.

- 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of Water facilities, if any.
- 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of removal, relocation and/or purchase of all lighting facilities, if any. All street signs must be returned.
- 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as specified in Sections Two and Eight of the Ordinance.

**SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director of Streets for review of compliance with conditions one year (365 days) from the date of the signing and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

**Approved: January 27, 2011**

**ORDINANCE #68830  
Board Bill No. 236**

An ordinance approving the petition to establish a Community Improvement District, establishing the Dutchtown Community Improvement District, finding a public purpose for the establishment of the Dutchtown Community Improvement District, finding a determination of blight, and containing a severability clause.

**WHEREAS**, Mo. Rev. Stat. §67.1400 et seq. (the "CID Act") authorized the City of St. Louis to approve the petitions of property owners to establish a Community Improvement District; and

**WHEREAS**, a petition (the "Petition") signed by an authorized representative of the owners of all property located within the Dutchtown Community Improvement District has been filed with the City, requesting the establishment of the Dutchtown Community Improvement District; and

**WHEREAS**, the Register of the City of St. Louis did review and determine that the Petition substantially complies with the requirements of the CID Act; and

**WHEREAS**, a public hearing, duly noticed and conducted as required by and in accordance with the CID Act was held on December 21, 2010 at 9 am by the Board of Aldermen; and

**WHEREAS**, this Board of Aldermen hereby finds that the adoption of this ordinance is in the best interest of the City of St. Louis and that the property owners of the Dutchtown Community Improvement District, as well as the City as a whole, will benefit from the establishment of the Dutchtown Community Improvement District.

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

**Section One.**

(a) A community improvement district, to be known as the "Dutchtown Community Improvement District" (hereinafter referred to as the "District"), is hereby established pursuant to the CID Act on that real property identified at the time of adoption of this ordinance by Parcel Identification Numbers [INSERT PARCEL IDENTIFICATION NUMBERS], also known as [INSERT STREET ADDRESSES], to provide services, construct improvements, impose special assessments and carry out other functions as set forth in the Petition, which is attached here as Appendix A and incorporated herein by this reference.

(b) The District boundaries are set forth in the legal description included in the Petition in Appendix A and are legally described as follows:

Beginning at a point on the EL of a 15 ft alley intersecting the SL of Meramec Street in CB 2646. Thence, east along the SL of Meramec Street to a point 163' 4" west of the LB of Louisiana Avenue. Thence, south along the

eastern boundary of parcel 2648 000 0500 (3418 Meramec Street) to a point. Thence east 25 ft along the northern boundary of 2648 0002000 (3501 Kingsland Ct). Thence, south along the eastern boundary of said parcel to the intersection of Kingsland Court. Thence 43 ft south along the east line of Kingsland Court to a point. Thence east 19' 4" along the north boundary of 26500001000 (3500 Kingsland CT) to the eastern boundary of said parcel. Thence south along the eastern boundary to an alley. Then east 20 feet along said alley to a point which is the intersection of a prolongation of the eastern boundary of 2650 000 1900 ( 3517 Bingham Avenue) and the NL of said alley. Thence along the eastern boundary of said parcel to the intersection of NL of Bingham Avenue. Then 485 ft west along the NL of Bingham Avenue to the intersection of the NL of Bingham Avenue and the EL of South Grand Boulevard. Then north along the EL of South Grand to a pt 175 ft south of the SL of Meramec Street. Then west along a prolongation of the south boundary of 2646 000 1600 (4205 S. Grand) to the intersection of the EL of a 15 ft alley. Then north 131 ft to the Point of Beginning.

#### **Section Two.**

(a) The District is authorized by the CID Act to use any one or more of the assessments or other funding mechanisms specifically authorized by the CID Act to provide funds to accomplish any power, duty or purpose of the District.

(b) The District is authorized by the CID Act to establish different classes of real property within the District for purposes of special assessments. The levy rate for special assessments may vary for each class or subclass based on the level of benefit derived from services or improvements funded, provided or caused to be provided by the District.

(c) The District, pursuant to § 67.1501 and § 67.1521 of the Act, may, by resolution, levy special assessments against real property benefited within the District for the purpose of providing revenue for the Project. The commercial class shall consist of all property located in the District used primarily for commercial purposes (the "Commercial Class"). Special assessments applicable to the Commercial Class will be calculated on the basis of assessed value, not to exceed more than one percent (1%) of total assessed value. The residential class shall consist of all property located in the District used primarily for residential purposes (the "Residential Class"). Special assessments applicable to the Residential Class will be calculated on the basis of assessed value, not to exceed one percent (1%) of total assessed value.

(d) The District is authorized, upon due election of the qualified voters pursuant to the Act, to impose by resolution a sales tax not to exceed one percent (1%) on all sales which are subject to taxation pursuant to Sections 144.010 to 144.525, RSMo.

(e) The District shall have no power to levy any real property tax upon real property within its boundaries.

**Section Three.** The District is authorized by the CID Act, at any time, to issue obligations, or to enter into agreements with other entities with the authority to issue obligations, for the purposes of carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all, part or any combination of the revenues of the District and may be further secured by all or any part of any property or any interest in any property by mortgage or any other security interest granted. Such obligations shall be authorized by resolution of the District, and if issued by the District, shall be such date or dates, and shall mature at such time or times, but not more than fifty (50) years from the date of issuance, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in such place or places, be subject to redemption as such resolution may provide and be sold at either public or private sale at such prices as the District shall determine subject to the provisions of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in whole or in part, obligations previously issued by the District.

#### **Section Four.**

(a) Pursuant to the Petition, the District shall be in the form of a political subdivision of the State of Missouri, known as the Dutchtown Community Improvement District.

(b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District shall be in the same as the fiscal year for the City of St. Louis.

(c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to the first day of each fiscal year, the District shall submit to the Board of Aldermen a proposed annual budget for the District, setting forth expected expenditures, revenues, and rates of assessments, if any, for such fiscal year. The Board of Aldermen may review and comment on this proposed budget, but if such comments are given, the Board of Aldermen shall provide such written comments no later than sixty (60) days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements, but shall only be recommendations.

(d) The District shall hold an annual meeting and adopt an annual budget no later than thirty (30) days prior to the first day of each fiscal year.

**Section Five.** The District is authorized to use the funds of the District for any of the improvements, services or other activities authorized under the CID Act.

**Section Six.** Pursuant to the CID Act, the District shall have all of the powers necessary to carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act.

**Section Seven.** The City of St. Louis hereby finds that the uses of the District proceeds as provided for in the Petition hereto will serve a public purpose by remediating blight and encouraging the redevelopment of real property within the District.

**Section Nine.** Within one hundred twenty (120) days after the end of each fiscal year, the District shall submit a report to the Clerk of the City and the Missouri Department of Economic Development stating the services provided, revenues collected and expenditures made by the District during such fiscal year, and copies of written resolutions approved by the board of the District during the fiscal year. The Clerk shall retain this report as part of the official records of the City and shall also cause this report to be spread upon the records of the Board of Aldermen, pursuant to Section 67.1471 of the CID Act.

**Section Ten.** The term for the existence of the District shall begin on the date this Ordinance becomes effective and shall continue for the term set forth in the Petition, as may be amended from time to time.

**Section Eleven.** Pursuant to the CID Act, the City of St. Louis shall not decrease the level of publicly funded services in the District existing prior to the creation of the District or transfer the burden of providing the services to the District unless the services at the same time are decreased throughout the City, nor shall the City discriminate in the provision of the publicly funded services between areas included in the District and areas not so included.

**Section Twelve.** The Register shall report in writing the creation of the Dutchtown Community Improvement District to the Missouri Department of Economic Development.

**Section Thirteen.** The Petition provides that the District shall be governed by a Board of Directors consisting of five individual directors (collectively the "Directors" and each a "Director"), such Directors shall be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the CID Act. By his approval of this Ordinance, the Mayor does hereby appoint the following named individuals as Directors of the District for the terms set forth in parentheses below, and by adoption of this Ordinance, the Board of Aldermen hereby consents to such appointments.

- (1) Ellen Quain (four years); and
- (2) Sue Luepker (four years); and
- (3) Jessica Hathaway (two years); and
- (4) Alan Sheehy (two years); and
- (5) Jimmy Hogenmiller (two years).

Each of these Directors is the designated representative of an owner of real property within the District.

**Section Fourteen.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate, district and independent provision of this Ordinance, and such holding or holdings shall not affect the validity of the remaining portions of this Ordinance.

**APPENDIX A**  
**Community Improvement District Petition**

**IS ON FILE WITH THE REGISTER OF THE CITY OF ST. LOUIS.**

**Approved: February 3, 2011**

**ORDINANCE #68831**  
**Board Bill No. 112**  
**Committee Substitute**

An ordinance adopting the National Electrical Code, 2011 Edition, as the Electrical Code of the City of Saint Louis; repealing Ordinance 65020; and containing a savings clause, a penalty clause and an emergency clause.

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

**SECTION ONE.** Ordinance 65020, approved August 1, 2000, pertaining to the 1999 National Electrical Code, is hereby repealed.

**SECTION TWO.** The National Electrical Code, 2011 Edition as published by the National Fire Protection Association, Inc., three copies of which are on file in the Office of the Register of the City of Saint Louis, is hereby adopted as "The Electrical Code of the City of Saint Louis, in the State of Missouri", pursuant to this Ordinance and in conformity with Section 71.943 RSMo, for the governing of the design, installation, construction and maintenance of electrical systems, by providing reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe electrical systems and installations as herein provided; and that each and all of the regulations, provisions, penalties, conditions and terms of said National Electrical Code are hereby referred to, adopted and made a part hereto, as if set out in this ordinance with the additions, insertions, deletions and changes prescribed in Section Three of this Ordinance.

**SECTION THREE.** The National Electrical Code 2011 is amended and changed in the following respects:

Add Definitions in Article 100 to read as follows:

**Administrative Authority:** The individual, official, board, department, or agency established and authorized by the City of Saint Louis to administer and enforce the provisions of the electrical code as adopted or amended. Except as otherwise noted in this code, the Administrative Authority, also referred to as the code official, shall mean the Electrical Inspection Supervisor or the Building Commissioner or duly authorized employees.

**Employee:** A person directly employed by a person, firm, corporation, or a limited liability company or other business entity, institution or organization (license holder as defined in Section 80.21) for wages or salary.

**Workmanship:** Executed in a skilled manner; e.g., installed plumb, level, square, in-line, undamaged, and without marring adjacent work.

Add new subsection 110.24 to read as follows:

**110.24 Seismic:** When seismic bracing is required by the Building Code on any project, electrical systems shall also be braced in accordance with nationally recognized standards.

Adopt and Change Annex H to read as follows:

**Annex H**  
**Administration and Enforcement**

**80.1 General.**

**80.1.1 Title:** These regulations shall be known as the Electrical Code of the City of Saint Louis herein referred to as "this code".

**80.1.2 Scope:** The design, installation, maintenance, alteration and inspection of electrical systems shall comply with the requirements of this code.

**80.1.3 Intent:** This code shall be construed liberally and justly to secure its expressed intent, which is to insure public health, safety and welfare insofar as they are affected by the installation and maintenance of electrical systems.

**80.2 Applicability.**

**80.2.1 General:** The provisions of this code shall apply to all matters affecting or relating to structures or premises as set forth in

Section 80.1.1.

**80.2.1.1 Matters not provided for:** Any electrical requirement essential for the safety of an existing or proposed building or structure or essential for the safety of the occupants thereof, and which is not specifically covered by this code, shall be determined by the code official.

**80.2.2 Existing structures:** The legal use and occupancy of any structure existing on the effective date of adoption of this code, or for which it has been heretofore approved, shall be continued without change except as shall be specifically covered in this code or the current International Property Maintenance Code.

**80.2.3 Change in occupancy:** It shall be unlawful to make any change in the use or occupancy of any structure which will subject the structure to any special provisions of this code without approval of the code official. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new use and occupancy and that such change does not result in any hazard to public health, safety or welfare.

**80.2.3.1 Continuation of unlawful use:** The continuation of occupancy or use of a building or structure or part thereof contrary to the provisions of this code shall be deemed a violation, and subject to the penalties prescribed in 80.15.4.

**80.2.4 Alterations or repairs:** Alterations or repairs to any electrical system shall conform to that required for a new electrical system without requiring the existing electrical system to comply with all the requirements of this code, except as stated in 80.2.2. Alterations or repairs shall not cause an existing electrical system to become unsafe nor adversely affect the performance of the electrical system.

**80.2.4.1 Additional loads:** Where additions or alterations subject parts of existing systems to loads exceeding those permitted herein, such parts shall be made to comply with this code.

**80.2.5 Referenced standards:** Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

### **80.3 Repairs and Maintenance.**

**80.3.1 Repairs:** Minor repairs or replacement of any existing system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved. Minor repairs or replacement for purposes of this code shall be defined as:

1. Replacement of a convenience outlet, except where the existing outlet is of the ungrounded type when replaced with grounding type that requires new wiring to provide grounding connection. Replacement units shall have the same current carrying capacity as the existing outlet.
2. Light switch with the same current carrying capacity as the existing switch.
3. Light socket and holder.
4. Light fixture (1 maximum) installed on the same outlet box and having the same current rating.
5. Within a dwelling unit, a fan, blower, pump or other fractional horsepower motors of the same horsepower rating and having the same electrical characteristics and current rating as the existing, limited to 240 volts.

**80.3.2 Maintenance:** All electrical systems, both existing and new, shall be maintained in a safe condition. All service equipment, devices and safeguards which are required by this code or which were required in a building or structure by previous statute, shall be maintained in working order. All abandoned electrical/communications systems shall be removed and disposed in a lawful manner.

**80.3.2.1 Abandoned or unsafe wiring, electrical equipment, fixtures and devices:** Installed wiring, electrical equipment, fixtures or devices of any premise found to be in an unsatisfactory or hazardous condition shall be repaired, renovated, replaced or removed immediately subsequent to the issuance of a written notice of the unsafe or hazardous condition by the Electrical Inspection Section of the Division of Building and Inspection.

**80.3.3 Responsibility:** The owner, the owner's agent or the person collecting rent shall be responsible for the safe maintenance of the electrical system in any building or structure at all times.

### **80.4 Validity.**

**80.4.1 Partial invalidity:** In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of

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

**80.4.2 Segregation of invalid provisions:** Any invalid part of this code shall be segregated from the remainder of the code by the court holding such part invalid, and the remainder shall remain effective.

**80.4.3 Existing structures:** The invalidity of any provision in any section of this code as applied to existing buildings, premises and structures shall not be held to affect the validity of such section in its application to buildings and structures hereafter erected unless otherwise ordered by the Court.

## **80.5 Code Official.**

**80.5.1 General:** There is a Section of Electrical Regulations and Inspections within the Division of Building and Inspection which shall have control and enforce all codes, regulations and ordinances pertaining to electrical installations and systems in accordance with this code. The head of this section shall be known as the Electrical Inspection Supervisor who shall be appointed by the Building Commissioner. Throughout this code the Electrical Inspection Supervisor, the Building Commissioner and their authorized employees shall be referred to as the code official. The Building Commissioner shall be the final decision maker as to the interpretation of this code.

**80.5.2 Electrical inspection supervisor:** There shall be appointed by the Building Commissioner an Electrical Inspection Supervisor. The Supervisor shall have ten years experience and possess the qualifications established by the Department of Personnel.

**80.5.2.1 Electrical inspectors:** There shall be appointed by the code official a sufficient number of electrical inspectors to adequately perform all inspection duties and enforce all ordinances pertaining to the Section of Electrical Regulation and Inspection in accordance with subsequent sections of this code and City of Saint Louis budgetary constraints. All electrical inspectors shall have had at least five years experience in the electrical industry and possess the qualifications set forth by the Department of Personnel. One such inspector shall assist the Chief Electrical Inspector. The assistant shall assume the responsibilities of the Chief Electrical Inspector in the Chief's absence.

**80.5.3 Relief from personal responsibility:** The code official and employees charged with the enforcement of this code, while acting for the City of Saint Louis, shall not thereby be rendered liable personally, and are hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties.

Any suit instituted against any code official or employee because of an act performed in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the City of Saint Louis until the final termination of the proceedings. The code official or any employees shall not be liable for any cost in or arising from any action, suit or proceeding that is instituted in pursuance of the provisions of this code. Any code official or employee of the Division of Building and Inspection, Department of Public Safety, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

The above protection shall also extend to former employees for work performed during their period of employment with the City of Saint Louis.

**80.5.4 Restriction of employees:** Any code official or employee connected with the Electrical Inspection Section, except one whose only connection is that of a member of the Board of Building Appeals established under the Building Code or the Committee of Electrical Examiners, shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building within the City of Saint Louis, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such code official or employee engage in any work that conflicts with official duties or with the interests of the department.

## **80.6 Duties and Powers of the Code Official.**

**80.6.1 General:** The code official shall enforce all of the provisions of this code and shall act on any question relative to the mode or manner of construction and the materials to be used in the installation of electrical work, except as otherwise specifically provided for by other requirements or in the following Sections 80.6.1.1 through 80.6.7.

**80.6.1.1 Suspensions and cancellations:** The code official shall have the power to recommend to the Committee of Electrical Examiners a suspension or revocation of any license granted hereunder if, after notice and opportunity to be heard, the party named therein is found guilty by the Committee of Electrical Examiners of violating this ordinance or the

rules and regulations established by this ordinance. The Committee of Electrical Examiners shall be obligated without further hearing to suspend or revoke such license.

**80.6.1.2 Emergency condemnation:** Whenever the code official shall find any building, structure, premise or portion thereof no matter for what purpose used, to be in an unsafe or dangerous condition and that there is an actual and potential danger to the occupants or those in the proximity of any building, structure or premise which poses an immediate danger to public safety or welfare, the code official shall order the immediate evacuation of said building, structure or premise. All of the occupants so notified shall immediately vacate the building, structure, or premise and no person shall reenter until authorized to do so by the code official.

Any person who refuses to leave, interferes with the evacuation of other occupants, or continues any operation after having been given an evacuation order, except such person(s) directed to perform work to remove a violation or unsafe condition shall be deemed in violation of this section whereupon it shall be the duty of the Police Department to immediately remove such person(s) from said building, structure, or premise and prevent anyone from reentering the building, structure or premise until such time that the Police Department shall have been notified that the same is in a safe condition.

Any person who shall violate any provisions of this section shall be, upon conviction, subject to the penalties as provided in 80.15.4 of this code.

**80.6.1.3 Authority to placard:** The code official has the authority to post a placard in a conspicuous place on a building or premise where the electrical system has been found to be unsafe or inadequate.

**80.6.1.4 Placarded building:** Placards shall remain on said building until the required repairs, replacements or improvements have been made and accepted by the code official and it shall be unlawful to deface or willfully remove any such placard that has been posted on a building without first obtaining consent of the code official. It shall be unlawful for any person to reside in, use, rent, lease or occupy such building for any purpose while so placarded.

**80.6.2 Applications and permits:** No wiring system or electrical equipment shall be installed within or on any building, structure or premise, nor shall any alterations or additions be made in any such existing installations, without first filing in the office of the code official an application for a permit to do the work contemplated. Such application shall describe in detail the nature of the work, the location thereof by street and number, the date of the beginning of such work and the tentative completion date thereof. No person shall begin such work unless and until they shall have submitted a proper application and received a permit. In the case of an emergency, work shall be permitted to begin upon the verbal request of the license holder and verbal permission of the code official, upon the condition that such written application shall be filed in the office of the code official per the code official's instructions. No permit provided for in this section shall be assignable or transferable or used to aid or abet any non-licensed person in the performance of electrical work. Should the code official find that such work is completed in accordance with the provisions of this code the official shall, upon the payment of the prescribed inspection fee, approve such work. If the code official should find that the work is not completed in accordance with the provisions of this code or that the work was done by a non-16 employee as hereinafter provided, the code official is hereby empowered and directed, in addition to the other penalties in this code to order the electric power company to disconnect the electric service or power from said building, structure or premise where such work has been done or disconnect the electric service or power from that portion of the building, structure or premise where such work was done. It shall be unlawful to use or permit the use of or to supply electric current for heating, lighting or power in any building, structure, or premise unless the required permit has been issued by the code official.

**Exceptions:**

1. Minor repair work, including the replacement of lamps, fuses or breakers up to 60 amps.
2. The installation, alteration or repair work, performed by a Public Service Agency or Public Utility, of communication equipment located outdoors or in building spaces used exclusively for such installations (commonly known as regulated work), up to the customer's point of demarcation, and which is under the exclusive control of that utility or agency.
3. The installation, alteration or repair of electrical equipment of a power or public service company for its use in the generation, transmission, distribution or metering of electricity.
4. Buildings, structures or premises owned and operated by the United States of America or the State of Missouri.
5. The installation, alteration or repair of elevator systems, escalators, moving walks, dumbwaiters, and lifts when inspection and tests are performed in accordance with Missouri Statute 701.359-701.380 and the code of the state regulation (Rules of the Department of Public Safety Division 40-Division of Fire Safety and Chapter Elevators).

6. Temporary movie sets where there is no public participation.

**80.6.2.1 Homeowners:** The owner of a single family dwelling, which is owner occupied and used exclusively for living purposes, along with the usual accessory buildings, may apply for an electrical permit. The homeowner who qualifies as above must pass a written test, which will be given to each applicant one time only for each scope of work. This test will be administered without charge. The applicant shall pay the permit fees required by this code. The homeowner will personally purchase all materials and personally perform all labor in connection with the permit being issued. This permit shall be limited to a room addition, repairs, or modifications of existing systems and shall not include electrical service changes, rehab, or new construction.

**80.6.3 Notices and orders:** The code official shall issue all necessary notices or orders to assure compliance with this code. The notice to the person having responsibility for the building or structure found by the code official to be dangerous or in violation of this code shall be directed to that person by name, if known; if not known, then under the name of the owner or owners of the building or structure as indicated by the records of the Saint Louis Recorder of Deeds Office, and shall be served in any one of the following ways:

- A) Deliver to owner - by causing said notice to be delivered to such owner, either in the City of Saint Louis or elsewhere.
- B) Posting - by posting a copy of such notice upon the building or structure or premise.
- C) Mailing - by mailing such notice or copy thereof enclosed in a sealed envelope, postage prepaid, directed to such owner, either at the owner's place of business or residence address in the city or elsewhere, said notice to be deemed served twenty-four hours after the mailing of said notice, in case it is directed to the business or residence address of the owner in the city. Provided that if said owner or owners be nonresidents of the city and have no business addresses or offices in the city, then the said notice shall be deemed served at the end of such period after the mailing thereof as in the ordinary course of transmission of the mail by the United States Postal Service.
- D) Publication - by publication in a newspaper of general circulation in the City of Saint Louis or in the "The City Journal", said notice to be deemed served twenty-four hours after publication.

**80.6.4 Inspections:** The code official shall make all of the required inspections, or shall be permitted to accept reports of inspection by authoritative and recognized services or individuals. All reports of such inspections shall be in writing and certified by a responsible officer of such authoritative service or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise. All inspections shall be deemed valid for 30 days.

**80.6.5 Identification:** The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**80.6.6 Rule making authority:** The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall have the effect of furthering safety.

**80.6.7 Department records:** The code official shall keep official records of electrical applications received, permits, licenses issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for three years except notices and orders which have been complied need not be kept.

## **80.7 Approval.**

**80.7.1 Approved materials and equipment:** All materials, equipment and devices shall be approved by a nationally recognized testing agency and shall be constructed and installed in accordance with such approval.

**80.7.2 Modifications:** For minor variations and where there are practical difficulties or undue hardship, the code official shall have the right to vary or modify the provisions of this code upon application by the owner or the owner's representative, provided that the spirit and intent of the law is observed and public health, safety and welfare is assured.

**80.7.3 Materials and equipment reuse:** Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved by the code official.

**80.7.4 Alternative materials and equipment:** The provisions of this code are not intended to prevent the use of any material or equipment not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material,

equipment or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**80.7.4.1 Research and investigations:** Sufficient technical data shall be submitted by the applicant to substantiate the proposed use of any material or assembly. If it is determined that the evidence submitted is satisfactory proof of performance for the use intended, the code official shall approve its use subject to the requirements of this code. The costs of all tests, reports and investigations required under these provisions shall be paid by the applicant.

## **80.8 Application for Permit.**

**80.8.1 Permit required:** No person shall commence any electrical work until a permit for such work has been issued by the code official. An electrical permit is not required for minor repairs as defined in section 80.3.1. The fees for said permits shall be paid to the City of Saint Louis for each permit herein required. All work shall be done by a certified employee, firm, corporation, Limited Liability Company or other business entity, institution or organization who holds an Electrical License in whose name the permit or permits required by this section and section 80.21.3 are issued. Any person, firm or corporation who shall fail to comply with or who shall violate any of the provisions of this section or the permit shall be subject to the penalty provisions of 80.15.4.

**80.8.2 Form:** The application for a permit for electrical work shall be recorded on forms prepared and provided by the code official and accompanied by an adequate written description of the proposed electrical work.

**80.8.3 By whom application is made:** The application for a permit shall be made by the license holder responsible for the installation of all or part of any electrical system.

**80.8.4 Description of work:** The applicant shall describe the work to be installed, the location of the work, the cost of the work, the use and occupancy of the building in which the work is to be performed and the date such work is to commence.

**80.8.5 Construction documents:** The code official is authorized to require the submission and approval of construction documents in triplicate showing the nature and extent of the proposed work before a permit is issued. If, in the course of the work, it is found necessary to make any change from the approved construction documents on which a permit has been issued, amended construction documents shall be submitted, and if approved, a supplementary permit shall be issued to cover the change after the same conditions required to secure the original permit have been satisfied.

**80.8.6 Amendments to application:** Subject to the time limitations of Section 80.9-2, amendments to the construction documents, application or other records accompanying the same shall be filed at any time before completion of the work for which the permit is sought or issued. Such amendments shall be deemed part of the original application and shall be filed in the same manner as the original.

## **80.9 Permits.**

**80.9.1 Action on application:** The code official shall examine or cause to be examined all applications for permits, and amendments thereto. If the application or construction documents do not conform to the requirements of all pertinent laws relating to electrical systems, such application shall be rejected in writing, by fax or by phone stating the reasons therefore. If the code official is satisfied that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, a permit shall be issued as soon as practicable. An electrical permit shall not be transferable.

**80.9.2 Time limitation of permit:** A permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, except rehabs and new construction for one year, unless such permit has been diligently prosecuted. If abandonment has occurred, initial fees due, plus any penalties, shall still be paid and re-application submitted together with new fees. The code official shall be permitted to grant one or more extensions of time for additional periods not exceeding one hundred eighty days if there is reasonable cause.

**80.9.3 Previous approvals:** Except for unsafe electrical systems or installations, this code shall not require changes in the electrical system of a building for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the installation of which shall have been actively prosecuted within 90 days after the effective date of this code and completed with dispatch.

**80.9.4 Revocation of permit:** The code official shall revoke a permit or approval issued under the provisions of this code in case of any false statement or misrepresentation of fact in the application or on the construction documents upon which the permit or approval was based. A permit shall also be considered for revocation under the following provisions:

1. The owner of the property or the contractor shall request cancellation in writing stating the reasons for the request for cancellation. No refund of fees shall be made.
2. The code official shall be permitted to revoke the permit for fraud, misrepresentation on the application for permit, for non-compliance with the code or for failure to pay the prescribed fees.

**80.9.4.1 Work not in compliance:** Should the electrical contractor install work that is not in compliance with the electrical, fire or building code, the contractor shall be directed by the code official to make necessary corrections to assure code compliance and no other permits shall be issued to said contractor until such work is corrected and approved by the code official. Violations shall be corrected within 30 calendar days from notice of non-compliance.

**80.9.5 Approval in part:** The code official is authorized to issue a permit for the installation of part of an electrical system before the application for the whole system has been submitted, provided adequate information and detailed statements have been filed complying with all the pertinent requirements of this code. Holders of such permits shall proceed at their own risk with the work and without assurance that a permit for the entire system shall be granted. No premise shall be energized until an appropriate electrical inspection is completed and a permit is issued for any interior modification.

**80.9.6 Start of work:** An application for a permit shall be made to the code official at least 24- 33 hours prior to start of work, except for emergency work as set forth in Section 80.6-2.

#### **80.10 Moved Structures.**

**80.10.1 General:** Before any structure that has been moved within or into the City of Saint Louis is occupied, the electrical system shall be inspected and tested for safe operation and compliance with the requirements of this code. The testing shall be done by a licensed electrician.

**Exception:** Electrical systems within manufactured units bearing certification of the Missouri Public Service Commission.

#### **80.11 Conditions of Permit.**

**80.11.1 Payment of fees:** A permit shall not be issued until the fees prescribed in Section 80.12.2 have been paid unless arrangements have been made for monthly billing. A permit shall be permitted to be revoked if payment is returned for insufficient funds or if monthly payments, when allowed, are not made. An additional \$50.00 shall be added to each invoice not paid within 60 days of receipt. This fee shall be added each month that the invoice is unpaid.

**80.11.1 Non-payment of Fees:** License Holders whom are in arrears of monthly permit fees shall appear before the Board of Electrical Examiners and will be required to pay all fees and penalties due and submit permit fees with each new permit application.

**80.11.2 Compliance with code:** The permit shall grant permission to proceed with the work and shall not be construed as authority to violate, cancel or set aside any of the provisions of this code, except as specifically stipulated by variation as granted by the Board of Building Appeals.

**80.11.3 Compliance with permit:** All work shall conform to the approved application for which the permit has been issued and any approved amendments thereto.

#### **80.12 Fees and Surcharges.**

**80.12.1 General:** Fees for the inspection herein prescribed shall be paid to and collected by the City of Saint Louis. These fees shall be paid upon permit application or paid from an escrow account established by the contractor and/or license holder with the City of Saint Louis, or billed monthly at the option of the Electrical Inspection Section of the City of Saint Louis..

**2 80.12.2 Fees:** Table 80.12.2 represents the electrical inspection fees that are to be collected.

| TABLE 80.12.2<br>ELECTRICAL INSPECTION FEES                     |  |   |          |                                   |
|---|--|---|----------|-----------------------------------|
| Item  | Inspection Fee<br>1 <sup>st</sup> Unit | Inspection Fee<br>each additional<br>unit | Fee      | Remarks and Requirements          |
| Application Fee   |  |   | \$25.00  |                                   |
| Electrical Outlets (A)  | \$60.00                                | \$2.00                                    |          | Commercial/Industrial             |
| Service Equipment under 600V (B)                                |  |   |          | Commercial/Industrial             |
| a) Service up to and including 400A                             | \$60.00                                | \$60.00                                   |          |                                   |
| b) Service over 400A and up to<br>and including 600A            | \$90.00                                | \$90.00                                   |          |                                   |
| c) Service over 600A  | \$150.00                               | \$150.00                                  |          |                                   |
| Service Equipment 600V and over (B)                             | \$150.00                               | \$150.00                                  |          | Commercial/Industrial             |
| Sub-Panels and Disconnects (C)                                  | \$50.00                                | \$10.00                                   |          | Commercial/Industrial             |
| Transformers (D)  | \$50.00                                | \$10.00                                   |          | Commercial/Industrial             |
| X-Rays (E)  | \$60.00                                | \$60.00                                   |          | Commercial/Industrial             |
| Carnivals – per location (F)                                    |  |   | \$75.00  |                                   |
| Re-inspection (G)(H)  |  |   | \$30.00  | Disconnected Service or Requested |
| Re-inspection (I)   |  |   | \$50.00  | Faulty or Incomplete Work         |
| Re-inspection for Certification (L)                             |  |   | \$125.00 |                                   |
| Residential (J) Repair or Modify<br>Service Only                | \$60.00                                | \$60.00                                   |          |                                   |
| Repair or Modify with Service                                   | \$60.00                                | \$60.00                                   |          |                                   |
|   | \$100.00                               | \$100.00                                  |          |                                   |
| Residential New Construction, including<br>Rehab of 50% or more | \$120.00                               | \$120.00                                  |          |                                   |

**TABLE 80.12.2 Con't.**  
**NOTES**

- A) Electrical Outlets. Each and every point on the electrical system where power or light is derived for any purpose whatsoever. Each point on communications, data, burglar or fire alarm equipment shall be considered an electrical outlet. In computing for signs, each 500W of load or fraction thereof shall be considered an electrical outlet. In computing outlets for fluorescent fixtures, each fixture shall be counted as an electrical outlet. Each 10 feet or fraction thereof of raceways for future use shall be counted the same as outlets.
- B) Service Equipment. Each and every point on the electrical system where power is derived from the public utility or a private generating plant.
- C) Sub-Panels and Disconnects. Each and every point on the electrical system where disconnects or protective devices are mounted on individual panel or single framework.
- D) Transformers. Each and every point on the electrical system where the primary voltage is either increased or decreased. This shall be limited to 25kW or larger.
- E) X-Rays. Each and every point on the electrical system where an individual X-ray device or machine is served.
- F) Carnivals. The fee shall be charged for the inspection of a carnival or circus wiring and electrical equipment. An inspection is required for every change of location.
- G) Re-inspection – Disconnected Service. The fee shall be charged for re-inspection of structures or premises for which the electrical service has been not in use for a period of six months or more. It shall be unlawful to use, or permit the use of, or to supply electric current for heating, lighting or power in any structure or on any premise until the required re-inspection has been made. Should the required re-inspection not be applied for, the Electrical Inspection Supervisor shall order the electrical power company, who, upon receiving notice from the Electrical Inspection Supervisor shall immediately disconnect the electrical service or current to such building, structure or premise and no electric service shall be furnished until so ordered by the Electrical Inspection Supervisor.
- H) Property Maintenance Inspection. The fee shall be charged for inspection of existing installation of electrical work made upon the request of the owner, tenant or buyer.
- I) Re-inspection – Faulty or Incomplete Work. The fee shall be charged when a re-inspection is required due to faulty work, work not complete or unable to gain entry at the time of requested inspection. The re-inspection fee shall be doubled for each occurrence.
- J) Residential - Rewiring. Inspections of rewiring, rehabilitation, additions and alterations to existing electrical wiring and equipment installation where no new electrical service is to be installed shall be made for a fee of \$60.00 for the first residential (housing) unit and \$60.00 for each additional unit in the same building. This shall include burglar and fire alarm systems and takeover of an existing system. Where new electrical service is to be installed in buildings designated and described above, and as part of additions and alterations to electrical systems and equipment installation, the fee shall be \$100.00 for the first unit and \$100.00 for each additional unit in the same building. Where a new electrical service(s) only is installed, the fee shall be \$100.00 for the first unit and \$100.00 for each additional unit in the same building.
- K) Residential – New Construction/Rehab. Inspection of new construction, including new electrical service shall be made for a fee of \$120.00 for the first residential (housing) unit and \$120.00 for each additional unit in the same building.
- L) Re-inspection for Certification. Inspections of nursing homes, drug rehabilitation and similar facilities shall be made for an inspection fee of \$125.00

**80.12.2.1 City of Saint Louis Projects:** Electrical permit fees shall be waived for contractors working in structures and property owned and operated by the City of Saint Louis. This shall apply only to those structures located within the geographic limits of the City of Saint Louis. However, permits and inspections shall be required.

**80.12.3 Fees for abandoned work or revoked permit:** Fees shall not be waived or forgiven for any electrical permit that has been

abandoned or revoked. The fees shall be computed from Table 80.12.2 as if all work had been completed.

**80.12.4 Work started surcharge:** In case any work for which a permit required by this code is started or proceeded with prior to the permit being issued, the total normal fees applicable shall be increased by the amount as set forth in Table 80.12.4. The payment of said surcharge shall not relieve any persons from fully complying with the requirements of this code for performance or execution of the work, nor from other penalties prescribed by law

| <b>Table 80.12.4 SCHEDULE FOR SURCHARGE</b> |                  |
|---|------------------|
| <b>Permit fee</b>                           | <b>Surcharge</b> |
| \$ 0 TO \$ 50                               | \$ 30.00         |
| \$ 51 TO \$ 200                             | \$ 90.00         |
| \$ 201 TO \$ 500                            | \$ 240.00        |
| \$ 501 TO \$ 2,000                          | \$ 360.00        |
| \$ 2,001 TO \$ 10,000                       | \$ 480.00        |
| Over \$ 10,000                              | \$1000.00        |

### **80.13 Inspection.**

**80.13.1 During installation:** During the installation of electric systems and equipment, the code official shall make inspections to insure compliance with the provisions of this code.

**Exception:** Where applications for unusual design or magnitude of construction are filed or where code reference standards require special or engineering inspections, the code official is authorized to require project representation by an engineer. This project representative shall keep records and submit reports as required by the code official. This special professional service requirement shall be determined prior to the issuance of the permit and shall be a prerequisite for the permit issuance. All fees and costs related to the performance of special professional services shall be borne by the owner.

**80.13.2 Concealing work:** Work in connection with an electric system shall not be covered or concealed until it has been inspected and permission to conceal has been approved. The code official shall have the authority to require any concealment to be removed. Failure to comply with this order of the code official shall result in condemnation of the structure or any part thereof and prohibition of occupancy.

**80.13.2.1 Notice before concealing:** Every contractor, after the completion of any electrical work, shall notify the Electrical Inspection Section before it is concealed. This notice shall describe in detail the work accomplished, giving the address by street and number, and the permit number; and thereupon the code official shall inspect same. The surcharge for failure to notify the code official before concealing work shall be as set forth in Table 80.12.4.

**80.13.3 Final inspections:** Upon completion of the electrical work and before final approval is given, a final inspection shall be made. All violations of the code and any approved construction documents and permit shall be noted, and the holder of the permit shall be notified of the violations.

**80.13.3.1 Notice:** Every contractor, within twenty-four hours after the completion of any electrical work, shall notify the Electrical Inspection Section. This notice shall describe in detail the work accomplished, giving the address by street and number, and the permit number; and thereupon the code official shall inspect same. The surcharge for failure to notify the code official shall be as set forth in Table 80.12.4.

**80.13.4 Re-inspection - Discontinued service:** An electrical inspection shall be required on structures from which the service has been disconnected and structures which have not been in use for six months or more prior to the restoration of service. An application shall be made and the fee set forth in Table 80.12.2 shall be paid to receive such inspection. If the system is found to be satisfactory, the code official shall notify the electrical utility that service be restored.

**80.13.5 Right of entry:** In the discharge of duties, the code official or an authorized representative shall have the authority to enter

at any reasonable time any building, structure or premise in the City of Saint Louis for which a permit has been issued and for which a notice of approval has not been issued in accordance with Section 80.17.

For all other buildings, structures or premises, when the code official has reasonable cause to believe that a code violation exists, the code official is authorized to enter the building, structure or premise at reasonable times to inspect. Prior to entering a space not otherwise open to the general public, the code official shall make a reasonable effort to locate the owner or other person having charge or control of the building, structure or premise, present proper identification and request entry. If requested entry is refused or not obtained, the code official shall pursue recourse as provided by law.

**80.13.6 Legal compliance:** All legal assistance necessary to effect compliance of the electrical systems of such premise with this section shall be supplied to the code official by the City Counselor and other City of Saint Louis agencies. The Fire and Police Departments of the City of Saint Louis shall, upon request, assist the code official in the enforcement of this code.

#### **80.14 Workmanship.**

**80.14.1 General:** All work shall be conducted, installed and completed in a workmanship like manner so as to secure the results intended by this code.

#### **80.15 Violations.**

**80.15.1 Unlawful acts:** It shall be unlawful to install, extend, alter, repair or maintain electrical systems in or adjacent to buildings except in conformity with this code. It shall also be unlawful for any person, firm or corporation to state, advertise, write, print or in any way infer that they perform electrical work or hold a license as an Electrical Contractor, Communications Contractor, Industrial Electrician or Limited Elevator Electrical Contractor in the City of Saint Louis without actually holding such license. This shall include, but not be limited to, business cards, bills or advertising in any manner. In addition, it shall be unlawful to use a license in such a way that enables unlicensed persons, firms or corporations, or Limited Liability Company or other business entity, institution or organization, without a license to perform work in the City of Saint Louis.

**80.15.1.1 Unlawful use:** It shall be unlawful to use, or permit the use of, or to supply electric current for heating, lighting or power in any structure or on any premise until the required re-inspection has been made and a certificate of approval issued by the code official. Should the required inspection not be applied for and the certificate of approval not issued, the code official shall be permitted to order the electric power company to immediately disconnect the electric service, power, or current from such building, structure or premise. The electric power company, upon receiving notice from the code official shall immediately disconnect the electric service or current to such building, structure or premise and no electric service or current shall be furnished until so ordered by the code official.

**80.15.2 Notice of violation:** The code official shall serve a written notice of violation or order, as heretofore described in Section 80.6.3, to the person, firm or corporation or Limited Liability Company or other business entity, institution or organization responsible for the installation of electrical work in violation of the provisions of this code, or in violation of a detailed statement or a plan approved thereunder, or in violation of a permit or license issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Failure to comply with the written order of the code official shall result in revocation of the bond and/or license of that person, firm or corporation, or Limited Liability Company or other business entity, institution or organization.

**80.15.2.1 Method of notice:** If the inspection, re-inspection, or test reveals failure of any new installation, addition, alteration or replacement to comply with the provisions of this code, the installation shall be declared unlawful by the code official, and a written notice of violation shall be given or mailed to either the responsible individual, person, firm or corporation, or Limited Liability Company or other business entity, institution or organization to whom the permit was issued, or to the owner of the structure, or both; or to the legally authorized representative of the permit holder, owner or both.

**80.15.3 Prosecution of violation:** If the notice of violation is not complied with in a reasonable time, the code official shall be permitted to request the legal counsel of the City of Saint Louis to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful use of any electrical system in violation of the provisions of this code or of the order or direction made pursuant thereto.

**80.15.3.1 Noncompliance:** On new construction, alterations, additions or replacements, violations not complied within the time cited shall be permitted to be referred to court. On existing structures which involve occupancy, general rehabilitation, or other problems which involve the development of construction documents and/or issuance of a building permit, restoration to original occupancy, or other problems which require concurrent action by other departments of the City of Saint Louis, the code official shall be permitted

to make the compliance date of any violation notice with regard to any given premise coincide with the compliance date of violations against the same premise by said other departments of the City of Saint Louis.

**80.15.4 Violation penalties:** Any person, partnership, corporation, Limited Liability Company or other business entity, institution or organization who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or who shall install electrical work in violation of approved construction documents or directive of the code official, or of a permit or license issued under the provisions of this code, shall be subject to immediate arrest, and, upon conviction, be fined not more than five hundred dollars (\$500.00) or by imprisonment not exceeding thirty days or both such fine and imprisonment. Each day that a violation continues shall be deemed as a separate and distinct offense.

**80.15.5 Abatement of violation:** The imposition of the penalties herein prescribed shall not preclude the legal officer of the City of Saint Louis from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premise, or to stop an illegal act, the conduct of business or the use of a building, structure or premise.

**80.15.6 Failure to comply.** Failure to comply with 80.15.1 through 80.15.5 will result in an imposition up to (\$500) five hundred dollar fine that may be added to the tax assessment of the homeowner or installing party, or both as per Ordinance 66857.

**80.15.7 Appeals:** Any owner or owners, tenant or tenants, lessee or lessees, occupant or occupants of such building, structure or premise aggrieved by any action of the code official under the provisions of this ordinance, shall be permitted to appeal such action to the Board of Building Appeals as provided in the Building Code.

#### **80.16 Stop Work Order.**

**80.16.1 Notice:** Upon notice from the code official that work on any building or structure is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, or without permit, such work shall be immediately stopped upon issuance of a stop work order. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. It shall state the conditions under which work will be permitted to resume. The work shall not resume until approval is granted and the stop work order is lifted by the code official. Notwithstanding the provisions of any other ordinance, there shall be no automatic stay on an appeal of a stop work order.

**80.16.2 Unlawful continuance:** Any person who shall continue any electrical work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be subject to immediate arrest and, if convicted, be subject to the penalty provisions of section 80.15.4.

#### **80.17 Notice of Approval.**

**80.17.1 Approval:** After final inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**80.17.2 Temporary/partial occupancy:** Upon the request of the holder of a permit, the code official shall be permitted to issue a temporary or partial authorization before the entire work covered by the permit is completed, provided that such portion or portions will be put into service safely prior to full completion of the structure without endangering public health or welfare.

#### **80.18 Unsafe Conditions.**

**80.18.1 General:** All electrical installations, regardless of type, which constitute a hazard to human life, health, welfare or property are hereby declared illegal, and shall be abated by repair and rehabilitation or removal, or by cessation of service.

#### **80.19 Emergency Measures.**

**80.19.1 Imminent danger:** When there is an actual and immediate condition which would endanger life, the code official hereby is authorized and empowered to order and require the occupants to vacate a structure forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: **THIS STRUCTURE IS UNSAFE AND HAS BEEN CONDEMNED FOR OCCUPANCY**. It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or removal. The procedure for this notice shall be as set out in the Building Code, as amended.

#### **80.20 Committee of Electrical Examiners.**

**80.20.1 Qualifications; Appointment:** The Mayor is hereby authorized and directed to appoint five persons to serve as members of the Committee of Electrical Examiners, One member shall be a Journeyman Electrician who shall have been engaged in the electrical business for a period of not less than five years; one member shall be a licensed electrical contractor who shall have continuously engaged in the electrical contracting business for at least five years; one member shall be a registered professional engineer specializing in electrical engineering; one member shall be a registered architect; one member shall be selected from the public at large. All members shall be residents of the City of Saint Louis and at least twenty-one years of age.

**80.20.2 Term of office:** All appointments shall be made for a term of four years except appointments to fill vacancies which shall be for the unexpired term. The Committee shall select one of its members who shall serve as Chairman until the Chairman's successor is elected. The Committee shall, from time to time, adopt such rules and regulations as be reasonably necessary to govern its procedure and to carry out the provisions of this article. All appointments shall be continuous until a successor or a re-appointment has been made.

**80.20.3 Compensation:** The members of the Committee of Electrical Examiners shall be compensated for services rendered on a per meeting basis as established by Civil Service provisions for such committees.

**80.20.4 Meetings:** The Committee of Electrical Examiners shall meet as directed by the Chairman.

**80.20.5 Quorum:** A majority of the members of said Committee shall constitute a quorum for the transaction of business.

**80.20.6 Duties of the Committee of Electrical Examiners:** It shall be the duty of the Committee of Electrical Examiners to maintain minutes of their meetings and to ascertain by written and oral examination the knowledge and experience of all applicants for a license to engage in the business as described in Section 80.21 of this code, to issue, refuse to issue, suspend or revoke the license to those who successfully pass the examinations of the Committee of Electrical Examiners. The examination shall be designed to test and ascertain the applicant's knowledge, skill, ability, and competency in practical electrical installations, electrical theory and practice, and the knowledge of the provisions of this code. The scores of all written and oral examinations and minutes of meetings shall be public record available for public inspection.

**80.20.6.1 Retest:** Upon failure to receive a passing grade of 75% or greater the applicant shall wait 90 (ninety) days before they may retest. If the applicant fails again they shall wait 180 (one hundred-eighty) days before they can retest. Each time the applicant must resubmit their application to the Board of Electrical Examiners for approval to retest. Applicants that resubmit after one year shall also be required to submit applications fees from Table 80.21.8

**80.20.7 Appeals:** Whenever any person, firm or corporation, or Limited Liability Company or other business entity, institution or organization shall be aggrieved by any finding or decision of the code official regarding any matter covered by section 80.21 of this code, they shall appeal this finding or decision within thirty days to the Committee of Electrical Examiners. The Committee of Electrical Examiners shall be permitted to promulgate rules pertaining to the conduct of their Committee and prescribe the form of such appeal. The fee for such filing shall be as set forth in Table 80.21.8. The decision of the Committee of Electrical Examiners shall be permitted to be further appealed to the Board of Building Appeals within thirty days of the decision of the Committee of Electrical Examiners.

## **80.21 License.**

**80.21.1 Types of license:** The Committee of Electrical Examiners shall grant the following licenses required to engage in the electrical contracting business. The following licenses may be held for one contracting firm and their immediate employees, for which the contractor may be required to substantiate employment records.

**80.21.1.1 Electrical contractors license:** The Committee of Electrical Examiners shall be and is hereby authorized to grant a license to any person found to be qualified to engage in the business of installing, erecting or altering any electrical service or equipment and making service corrections on material, wiring, fixtures, machinery and other apparatus to be used, or in use for the generation and utilization of electricity, the transmission of light, lighting (direct or indirect), heat, air conditioning, or power in or on any building or premise in the City of Saint Louis; or for installing, erecting or altering electrical apparatus for remote controls or systems that are

pertinent to public health or safety; or grounding or bonding of any type, including static or cathodic; and all raceways. This shall include, but not be limited to, all circuits or systems such as fire alarms, security devices, card readers, and burglar alarms that interface with or control building systems or circuits which are interrupted or completed by remote means, such as AC/DC, radio frequencies of any kind, radio frequency shielding, optical fiber cables and raceways, closed-loop and programmed power distribution, photocells, or lasers, or any work or part thereof as specified in this code.

All equipment wiring in a device greater than 24V shall be installed by a licensed Electrical Contractor

**80.21.1.1.1 Hybrid systems.** Where hybrid cables and interface devices are installed, as referenced in section 800.154 (F), for either immediate or future use, they shall be installed by the holder of a license as a Communications Contractor and a holder of a license as an Electrical Contractor, each of whom shall work within the scope of their individual licenses. They shall also be permitted to be installed exclusively by a holder of a license as an Electrical Contractor.

**80.21.1.2 Communications contractors license:** The Committee of Electrical Examiners shall be and is hereby authorized to grant a limited license to allow any person found to be qualified to engage in the business of installing or repairing low voltage limited energy voice communication equipment, which shall include the installing or repairing of burglar alarm systems, and/or fire alarm systems. Public address systems, wired music systems and associated amplifiers from the output shall be permitted to be installed or serviced by holders of a license as a Communications Contractor. Other work to be permitted to be performed by a communications Contractor shall include: telephones, telephone outlets, burglar alarm outlets consisting of door contacts, window contacts, local alarm bell or horn, touch pads, card readers, motion detectors, infrared detectors, radio and television equipment, community antenna television and radio distribution systems, provided the system does not exceed 24V nominal.

**80.21.1.3 Limited elevator electrical contractors license:** The Committee of Electrical Examiners shall be and is hereby authorized to grant a license to allow any person found to be qualified to engage in the business of installation, wiring, alteration or repair of equipment associated with the following systems: elevators, escalators, moving walks, dumb waiters and lifts. Such work shall be limited to elevator equipment located in the hoistways, machine rooms or equipment pits and shall be permitted to be interconnected.

**80.21.1.4 Industrial - maintenance electricians license:** The Committee of Electrical Examiners shall be and is hereby authorized to grant a license to allow any person found to be qualified to engage in the work of installing, erecting or maintaining electrical wiring, fixtures, apparatus, equipment, devices or components thereof that are used in or on industrial buildings and premises occupied by the license holder. The license shall be issued in the name of the company for which the industrial electrician does work. This license is limited to that company's premises only. The Industrial - Maintenance Electrician must be a full-time employee of that company.

**80.21.2 Application for license:** The Committee of Electrical Examiners shall receive, record and preserve all applications from persons made for a license to engage in any kind of business aforesaid so long as such license is in effect. An applicant for a license must be at least twenty-one years of age, be employed in the electrical industry full time (minimum 40 hours per week) by only one employer, and satisfy one of the following experience conditions:

1. An applicant for license shall furnish written evidence that he or she is a graduate electrical engineer of an accredited college or university and has two years practical electrical experience in the construction industry, or that he or she is a graduate of an electrical trade school and has at least four years of practical experience on electrical work or that he or she has had at least two years of practical experience planning, laying out, supervising and installing wiring, apparatus, or equipment for electrical light, heat and power beyond the practical experience requirements for a journeyman's certificate as recognized by the United States Bureau of Labor Standards; or
2. An applicant shall submit written evidence that he or she has had at least six years of previous experience, in personally installing, altering or repairing electric wiring for electric light, heat or power. In lieu of previous practical experience, credit shall be permitted to be allowed for each year of successful completion of a recognized trade school if the majority of courses taken by the applicant were primarily directed at education in the electrical industry. No credit shall be granted any applicant for experience gained illegally as determined by the Committee of Electrical Examiners. Letters of reference from licensed electrical contractors shall be submitted attesting to the applicant's practical experience and character; or
3. An applicant shall be a graduate of any two year trade school or technical college of recognized standing and, in addition shall have had four years of practical experience in an occupation or business governed by the Committee of Electrical Examiners. Letters of reference from licensed electrical contractors shall be submitted attesting to the applicant's practical experience and character.

If a corporation or a business is registered under the Fictitious Name Act, Section 417.200 R.S. MO. 1969, the applicant must be a full-time employee of that corporation or business.

Each application shall bear the name of the individual applicant and be signed by the applicant.

The code official shall submit each such application to the Committee of Electrical Examiners, and upon approval, applicant shall pass the prescribed test (recognized for 1 year from the date of testing).

**80.21.2.1 Business requirements:** As a license holder in establishing or operating a business, the license holder must::

1. Be a full-time (minimum 40 hours per week) employee of one company only, and shall not serve in that capacity at the same time for more than one person, partnership or corporation;
2. Have and maintain an established street addressed place of business with all necessary occupancy permits; and
3. Have and maintain someone in attendance and on premise at same established place of business to receive calls during regular business hours. (Said business hours being defined as Monday through Friday 8:00 a.m. - 5:00 p.m., excluding legal holidays); and
4. have and continuously maintain a licensed business answering service during all non- regular business hours.
5. obligated to have all service-type vehicles engaged in the business visibly identified with the name, address and telephone number of the business (minimum 3 inches tall).

**80.21.3 Requirements for permits:** No person shall engage in any work set forth in this code unless and until:

1. they shall have been granted by the Committee of Electrical Examiners a license to engage in the business specified in their application;
2. they shall have made the deposit and furnished the bond, hereinafter prescribed, and obtained the license, hereinbefore prescribed;
3. they shall have all current permit fees paid.

No person shall install or cause to have installed any of the work hereinbefore named unless such work shall be done by a person complying with the provisions of this code.

**80.21.4 Bonds required:** Prior to acceptance of any application, the applicant for an Electrical Contractor, Industrial Electrician or Limited Elevator Electrical Contractor License shall file with the Electrical Inspection Section an indemnifying bond with good and sufficient sureties and in the sum of ten thousand dollars. The applicant for a Communications Contractor License shall file with the Electrical Inspection Section an indemnifying bond with good and sufficient sureties in the sum of five thousand dollars. Such bonds shall name as insured the City of Saint Louis, for the use and benefit of any person with whom such applicant shall thereafter contract to do electrical contracting, communications contracting, limited elevator electrical contracting or industrial - maintenance electrical work, to indemnify any such person for damages sustained on account of the failure of such applicant to perform the work as contracted, in accordance with the provisions and requirements hereof relating to the performance of electrical contracting, communications contracting, limited elevator electrical contracting or industrial electrical work. Such indemnifying bond shall be written by a person, firm or corporation authorized to do business in the State of Missouri and shall be approved by the Comptroller of the City of Saint Louis prior to the issuance of a license. Any lapse shall require re-application to the Board of Electrical Examiners along with proper fees and be re-tested.

**80.21.5 Renewal of license:** Each holder of a license as set forth in Sections 80.21.1.1 thru 80.21.1.4 shall renew their license annually subject to the fees specified in Table 80.11.8. Electrical or Industrial-Maintenance License holder(s) shall provide proof of continuing education or the equivalent on the changes in the current Electrical Code shall be provided at the time of renewal. A minimum of six tenths (.6) CEU's, or 6 classroom hours, shall be required.

**80.21.5.1 Change of name:** Each holder of a license as set forth in sections 80.21.1.1 through 80.21.1.4 shall, upon changing the name of their company or corporation, notify the Electrical Inspection Office and are subject to the license renewal fees in Table 80.21.8.

**80.21.6 Revocation of license:** The Committee of Electrical Examiners shall be authorized to revoke any license hereby granted after public hearing pursuant to the notice requirements of this code where the Committee of Electrical Examiners finds any of the following:

1. That the license holder obtained the license by fraud or misrepresentation.
2. That the license holder intentionally violated any of the provisions of this code or any other provision of the codes adopted by the City of Saint Louis.
3. That the license holder is found to be negligent in their work or found to be unfit or incompetent in the work of

electrical or communication contracting.

4. That the license holder has been convicted of a crime or of violating an ordinance involving moral turpitude.
5. That the license holder has obtained permits for personnel not licensed by the Committee of Electrical Examiners, nor in their employ.
6. That the license holder supervising performance of the business has served in that capacity at the same time for more than one person, partnership or corporation, or that the license holder is not a full-time employee (40 hours minimum) of the contracting firm.
7. That the information on licensee's application is simultaneously used as information and proof for any other license in the City of Saint Louis.
8. That the license holder is in arrears on payment of any City of Saint Louis tax levies, electrical permit fees, business license fees, or indemnifying bonds. Notice to the Committee shall be in writing from the appropriate agency.

The Committee of Electrical Examiners shall immediately notify the License Collector and the code official of such revocation in writing. The License Collector shall forthwith revoke the business license of the license holder upon receipt of said notice.

**80.21.7 License collectors authority:** The License Collector is hereby authorized to issue annual business licenses to Electrical Contractors, Communication Contractors, Limited Elevator Electrical Contractors and Industrial - Maintenance electricians upon submission of the license issued by the Committee of Electrical Examiners to engage in their respective electrical field.

**80.21.8 Application fee:** The application fee for electrical contractors, Industrial - Maintenance Electricians, Communications Contractors and Limited Elevator Electrical Contractors shall be charged as specified in Table 80.21.8 on a per exam basis. Such fee is not refundable.

| <b>Table 80.21.8<br/>APPLICATION FOR LICENSE FEES</b>  |                        |          |           |                                     |
|--|------------------------|----------|-----------|-------------------------------------|
| Item   | Fee                    | Duration | Section   | Remarks and requirements            |
| Committee of electrical examiners<br>Appeal filing fee   | \$ 150.00              |          | 80.20.7   | Per Appeal                          |
| License<br>Electrical contractor:<br>Application fee<br>License renewal  | \$ 150.00 \$<br>150.00 | 1 Year   | 80.21.1.1 | Charged per application for license |
| Communication contractor:<br>Application fee<br>License renewal<br>Limited elevator electrical contractor:<br>Application fee<br>License renewal<br>Industrial -Maintenance Electrician:<br>Application fee<br>License renewal | \$ 150.00 \$<br>150.00 | 1 Year   | 80.21.1.2 | Charged per application for license |
|  | \$ 150.00 \$<br>150.00 | 1 Year   | 80.21.1.3 | Charged per application for license |
|  | \$ 150.00 \$<br>150.00 | 1 Year   | 80.21.1.4 | Charged per application for License |
| The license holder is responsible for the payment of all fees for permits and licenses owed by the company, corporation or partnership for which he holds the license.   |                        |          |           |                                     |

**80.21.9 Examination fee:** Examination fees shall be charged by the testing agency on a per exam basis.

**SECTION FOUR...SAVING CLAUSE**

That nothing in this Ordinance or in the Electrical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section Two of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**SECTION FIVE....CODIFIED**

It is the intent of the Board of Aldermen that Section Two and Section Three of this ordinance be codified in the Revised Code of the City of Saint Louis.

**SECTION SIX...EMERGENCY CLAUSE**

This being an ordinance necessary for the immediate preservation of the public safety, it is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

**Approved: February 3, 2011**

**ORDINANCE #68832  
Board Bill No. 207**

An Ordinance authorizing and directing the Mayor and the Director of Public Safety, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the Missouri Department of Public Safety to fund the Juvenile Accountability Block Grant for the Nightwatch Program, appropriating said funds and authorizing the Director of Public Safety, upon approval of the Board of Estimate and Apportionment, to expend funds by entering into contracts or otherwise for grant purposes and containing an emergency clause.

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

**SECTION ONE.** The Director of Public Safety is hereby authorized and directed, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the Missouri Department of Public Safety to fund the Juvenile Accountability Block Grant for the Nightwatch Program. Said Grant Agreement shall be substantially in words and figures the same as the attached Agreement, which is made part of this Ordinance and is on file in the Register's Office.

**SECTION TWO.** The Director of Public Safety is hereby authorized and directed, upon approval of the Board of Estimate and Apportionment, to expend the funds, which are hereby appropriated for said purpose, by entering into contracts or otherwise received pursuant to the Grant Agreement, totaling \$243,764.00, in a manner that is consistent with the provisions of said Agreement, a copy of which is attached hereto and shall become part of the ordinance.

**SECTION THREE** Emergency Clause. This being an Ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an immediate 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.

MISSOURI DEPARTMENT OF PUBLIC SAFETY  
 OFFICE OF THE DIRECTOR  
 AWARD OF CONTRACT

P.O. Box 749  
 Jefferson City, Missouri 65102  
 Phone: 573/751-4905

Contractor Name  
**St. Louis City**

Project Title  
**Nightwatch Program**

|  |  |   |
|--|--|---|
| Contract Period<br>FROM: 10/1/2010 TO: 9/30/2011 | State Funds Awarded<br><b>\$243,764.00</b> | Contract Number<br><b>2009-JABG-LG-05</b> |
|--|--|---|

Award is hereby made in the amount and for the period shown above to the above mentioned Contractor. This award is subject to compliance with the general conditions governing grants and contracts, as well as, the attached Special Conditions. This award is also subject to compliance with all current applicable federal and state laws, regulations and guidelines.

This award is subject to Special Conditions (attached).

The undersigned hereby certify acceptance of the above described contract on the terms and conditions specified or incorporated by reference above and herein, including those stated in the contract application.

*Francis R. May* 8/24/10  
 Authorized Official Date

*Charles Hicken* 8/23/10  
 Project Director Date

This contract shall be in effect for the duration of the contract period stated herein, and funds shall become available on the award date with the signed return of this form to the Missouri Department of Public Safety and the signature of the director of the Department of Public Safety.

*[Signature]*  
 Director, Department of Public Safety

10-1-10  
 Award Date

**SPECIAL CONDITION OF AWARD**

Contractor Name: **St. Louis City**

Project Title: **Nightwatch Program**

|   |                                    |   |
|---|------------------------------------|---|
| Contract Period: 10/1/2010 to 9/30/2011 | Funds Awarded: <b>\$243,764.00</b> | Contract Number: <b>2009-JABG-LG-05</b> |
|---|------------------------------------|---|

- The applicant agrees to comply with the terms and conditions of this award as mandated by U.S. Department of Justice and the Missouri Department of Public Safety.
- The applicant agrees to comply with the financial and administrative requirements set forth in the effective edition of the Office of Justice Programs (OJP) Financial Guide and the Missouri Department of Public Safety Financial and Administrative Guidelines.
- The applicant assures compliance with the certified assurances and financial guidelines as set forth in the JABG Application.
- In accordance with section 210.025, RSMo, the applicant assures that current criminal history and child abuse and neglect background checks will be conducted on all program personnel who provide direct services to youth under this contract. If the results of such background checks indicate a conviction for a crime against a person or a finding of child abuse or neglect by probable cause, the individual is ineligible for employment or volunteer work under this contract. Background checks shall be completed and on file within 15 days of an individual beginning any work described in the contract. Failure to comply with these guidelines could result in the immediate suspension or termination of this contract.
- The applicant assures that only actual costs for budget line items will be submitted on the Monthly Expenditure Reports.
- The applicant agrees to submit the **Monthly Operational Performance Report, Monthly Report of Expenditures, Monthly Detail of Expenditures, and supporting documentation** by no later than the **10<sup>th</sup> day of each month**, unless the 10<sup>th</sup> falls on a weekend or holiday. Then the reports must be received by the first working day after the weekend or holiday. **NO FAXES WILL BE ACCEPTED!!** The Monthly Report of Expenditures is due each month whether or not your agency has expended any grant or local match funds. Failure to submit these reports by the 10<sup>th</sup> of each month could result in the termination of your contract with the Department of Public Safety. Failure to submit these reports by the 10<sup>th</sup> of each month could result in the termination of your contract with the Department of Public Safety.
  - You must use the Monthly Report of Expenditures, Monthly Detail of Expenditures sheet, and monthly progress (performance) report designed by the Department of Public Safety for reporting purposes. The Monthly Report of Expenditures is mailed to you each month. The Monthly Detail of Expenditures sheet and monthly progress (performance) report for each grant program may be found on our website at [www.dps.mo.gov](http://www.dps.mo.gov). These forms must be completed and returned with original signatures even if there are no expenditures or activities to report.

**ACCEPTANCE OF SPECIAL CONDITIONS:**

*Francis R. May* 8/24/10  
 Authorized Official Date

*Charles Hicken* 8/23/10  
 Project Director Date

Approved: February 3, 2011

**ORDINANCE #68833  
 Board Bill No. 221**

An ordinance adopted pursuant to Chapter 24 of the revised Code of the City of St. Louis extending the boundaries of the Fox Park Historic District as set forth in Ordinance 66098, with an emergency clause.

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

**SECTION ONE.** The following described areas ("the Area") are hereby designated as part of the Fox Park Historic District as heretofore established by Ordinance 66098:

Commencing at the point of intersection of the north line of the public alley north of Victor Street with the center line of Nebraska Avenue; thence proceeding south along said center line of Nebraska Avenue to its point of intersection with the center line of Gravois Avenue; thence proceeding northeast along said center line of Gravois Avenue to its intersection with the center line of Jefferson Avenue; thence proceeding north along said center line of Jefferson Ave to its point of intersection with the north line of the public alley north of Victor Avenue; thence proceeding west along said north line to its point of intersection with the center line of California Avenue; thence proceeding north along said center line to its point of intersection with the north line of the alley north of Victor Avenue; thence proceeding west along said north line to the point of beginning.

**SECTION TWO.**

- a.) A general location map of the Area shall be maintained on file in the office of the City Register.
- b.) The historic district standards to be applied within the Area are the standards of the existing Fox Park Historic District.

**SECTION THREE.** Emergency Clause. This being an Ordinance necessary for the immediate 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: February 3, 2011

**ORDINANCE #68834  
Board Bill No. 243**

An Ordinance recommended by the Planning Commission on December 1, 2010, to change the zoning of property as indicated on the District Map, from "A" Single-Family Dwelling District to the "C" Multiple-Family Dwelling District, in City Blocks 2734 and 2735 (3636-98 Taft & 4611 S. Grand), so as to include the described parcels of land in City Blocks 2734 and 2735; and containing an emergency clause.

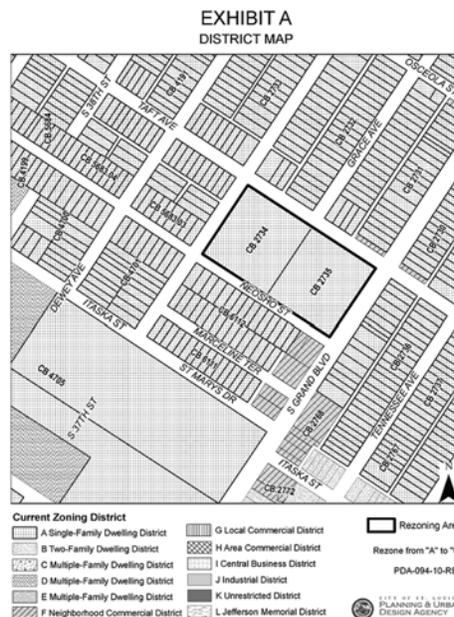
**BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

**SECTION ONE.** The zoning designation of certain real property located in City Blocks 2734 and 2735 is hereby changed to the "C" Multiple-Family Dwelling District, real property being particularly described and shown in Exhibit A as follows:

A parcel of ground in CARONDELET COMMON FIELDS, all in Blocks 2734 and 2735 of the City of St. Louis, Missouri; being more particularly described as follows:

Beginning at the intersection of the Western Line of Grand Blvd. (80 feet wide) and the Northern Line of Neosho Street (45 feet wide); thence Westwardly along said Line of Neosho Street 660 feet and to the Eastern Line of 37th Street (60 feet wide); thence Northwardly along said line 356 feet 1-1/8 inches, more or less, to the Southern Line of Taft Avenue (60 feet wide); thence Eastwardly along said line 660 feet, more or less, to the Western Line of Grand Blvd.; thence Southwardly along said line 355 feet 3 1/2 inches, and to the point of beginning; said parcel being known and numbered 4711 S. Grand Blvd.

**SECTION 2.** 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: February 3, 2011

**ORDINANCE #68835**  
**Board Bill No. 245**

An ordinance, recommended by the Board of Estimate and Apportionment, authorizing the Mayor of the City of St. Louis, on behalf of the City, to submit a Substantial Amendment to the 2010 Annual Action Plan to the United States Department of Housing and Urban Development (“HUD”) as required to apply for City of St. Louis entitlement funding (hereinafter referred to as “NSP-3 Entitlement Funding”) under Section 1497 of the Wall Street Reform and Consumer Protection Act of 2010 (Pub. L. 111-203, approved July 21, 2010) (Dodd-Frank Act) for additional assistance in accordance with the second undesignated paragraph under the heading “Community Planning and Development—Community Development Fund” in Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5, approved February 17, 2009) (Recovery Act), as amended, for the purpose of assisting in the redevelopment of abandoned and foreclosed homes, hereinafter referred to as the Neighborhood Stabilization Program 3 (“NSP-3”), further authorizing the Mayor of the City of St. Louis, on behalf of the City, to submit an application to the State of Missouri for the purpose of securing for the City additional NSP-3 funding awarded to the State of Missouri (hereinafter referred to as “State NSP-3 Funding”), authorizing and directing the Mayor and the Comptroller on behalf of the City to enter into and execute an agreement or agreements with HUD for the receipt of NSP-3 Entitlement Funding and an agreement or agreements with HUD and/or the State of Missouri and/or agencies and/or commissions thereof for State NSP-3 Funding, appropriating the sum of Three Million Four Hundred Seventy-Two Thousand Nine Hundred Fifty-Four Dollars (\$3,472,954) which the City has been allocated in NSP-3 Entitlement Funding; appropriating the lesser of One Million Five Hundred Thousand Dollars (\$1,500,000) or such lesser amount of State NSP Funding as may be awarded to the City; authorizing and directing the Director of the Community Development Administration (“CDA”) to contract with municipal agencies, non-profit corporations and other entities, as necessary for the expenditure of NSP-3 Entitlement Funding and State NSP-3 Funding; and directing the Comptroller to issue warrants thereon upon the City Treasury; and containing an emergency clause.

**WHEREAS**, on the effective date of October 19, 2010, the Office of the Secretary, HUD, issued a Notice advising the public of the allocation formula and allocation amounts, the list of grantees, alternative requirements, and the waivers of regulations granted to grantees under Section 2301(b) of the Housing and Economic Recovery Act of 2008 (Pub. L. 110-289, approved July 30, 2008)(HERA), as amended, and an additional allocation of funds provided under Section 1497 of the Wall Street Reform and Consumer Protection Act of 2010 (Pub. L. 111-203, approved July 21, 2010) (Dodd-Frank Act) for additional assistance in accordance with the second undesignated paragraph under the heading ‘Community Planning and Development—Community Development Fund’ in Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5, approved February 17, 2009) (Recovery Act), as amended (“the Notice”); and

**WHEREAS**, the Notice provides that the City of St. Louis is entitled to receive the sum of Three Million Four Hundred Seventy-Two Thousand Nine Hundred Fifty-Four Dollars (\$3,472,954) in Entitlement NSP-3 Funding; and

**WHEREAS**, the Notice further provides that, in order to receive these funds, the City of St. Louis must submit to HUD a Substantial Amendment to its Annual Plan under its Consolidated Plan in accordance with the Notice by March 1, 2011, following a fifteen-day comment period; and

**WHEREAS**, the Notice further provides that the State of Missouri is entitled to receive the sum of Five Million Dollars (\$5,000,000) in State NSP-3 Funding and that the State of Missouri may award a portion of such State NSP Funding to the City of St. Louis; and

**WHEREAS**, the City has identified certain known appropriation needs as summarized in Exhibit A, and the City desires to appropriate both the NSP-3 Entitlement Funding and State NSP-3 Funding for these needs.

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

**Section One.** The Mayor of the City of St. Louis, on behalf of the City, is hereby authorized and directed to submit a Substantial Amendment to the City’s 2010 Annual Plan to the Department of Housing and Urban Development in order to make application for the NSP Entitlement Funding.

**Section Two.** The Mayor of the City of St. Louis, on behalf of the City, is hereby authorized and directed to submit an application to the State of Missouri Department of Economic Development and/or agencies and/or commissions of thereof for the purposes described in Exhibit A incorporated herein by reference. The Director of CDA is hereby authorized to make, negotiate and execute any and all contracts or other documents which are necessary to carry out the City’s NSP programs and to expend said funds for the purposes and up to the amounts specified in Exhibit A attached hereto, and the Comptroller is authorized and directed to issue warrants upon the City Treasury for payment thereon. The Director of CDA is further authorized and directed to transfer funds among the purposes described in Exhibit A with the approval of the Board of Estimate and Apportionment.

**Section Three.** This being an ordinance necessary for the immediate preservation of the public peace, health and safety and making appropriations for the payment of principal and interest on public debt and for the current expenses of the City government, an emergency is hereby declared to exist within the meaning of Section 20, Article IV, of the Charter and this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

EXHIBIT A  
NEIGHORHOOD STABILIZATION PROGRAM 3  
(NSP-3) BUDGET  
2010 BUDGET

| ELIGIBLE ACTIVITY<br><i>OEPRATING AGENCY</i>  | NSP CITY<br>ENTITLEMENT<br>FUNDING | REQUESTED<br>STATE NSP<br>FUNDING |
|---|------------------------------------|-----------------------------------|
| Establish financing mechanisms for purchase and redevelopment of foreclosed-upon homes and residential properties, including such mechanisms as soft-second, loan loss reserves, and shared-equity loans for low- and moderate-income homebuyers.<br><i>Community Development Administration, St. Louis Development Corporation, Land Reutilization Authority, Operation Impact, Subrecipients, Other Contractors and Subcontractors</i>  | \$0                                | \$0                               |
| Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties, including counseling for buyers of NSP-assisted homes, and redevelopment of properties where purchased structures have been demolished<br><i>Community Development Administration, St. Louis Development Corporation, Land Reutilization Authority, Operation Impact, Subrecipients, Other Contractors and Subcontractors</i> | \$3,125,659                        | \$1,425,000                       |
| Establish land banks for homes that have been foreclosed upon.<br><i>Community Development Administration, St. Louis Development Corporation, Land Reutilization authority, Operation Impact, Subrecipients, Other Contractors and Subcontractors</i>   | \$0                                | \$0                               |
| Demolish blighted structures.<br><i>Community Development Administration, St. Louis Development Corporation, Land Reutilization Authority, Operation Impact, Subrecipients, Other Contractors and Subcontractors</i>  | \$0                                | \$0                               |
| Redevelopment demolished or vacant properties<br><i>Community Development Administration, St. Louis Development Corporation, Land Reutilization Authority, Operation Impact, Subrecipients, Other Contractors and Subcontractors</i>  | \$0                                | \$0                               |
| Planning and Administration<br><i>Community Development Administration</i>  | \$317,295                          | \$75,000                          |
| Internal Audit Administration Support<br><i>Office of the Comptroller – Internal Audit Section (CDBG)</i>   | \$30,000                           | \$0                               |
| <b>TOTAL BUDGET</b>   | <b>\$3,472,954</b>                 | <b>\$1,500,000</b>                |

Approved: February 3, 2011

**ORDINANCE #68836**  
**Board Bill No. 250**

An Ordinance to modify Appendix G of the Building Code by adopting new flood mapping as provided by FEMA; and containing a savings clause and effective date clause.

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

**SECTION ONE.** Ordinance 68788, approved November 8, 2010, is hereby amended; Appendix G of such Ordinance is hereby repealed.

**SECTION TWO.** In lieu thereof adding a new Appendix G as follows:

**APPENDIX G**  
**FLOOD RESISTANT CONSTRUCTION**

**SECTION G101**  
**STATUTORY AUTHORIZATION, FINDINGS OF FACT, AND PURPOSES**

**G101.1 Statutory authorization.** The Legislature of the State of Missouri has in 82.010 RSMo. and 82.020 RSMo. delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety, and general welfare. Therefore, the Board of Aldermen of the City of Saint Louis, Missouri ordains as follows:

**G101.2 Findings of fact.**

**G101.2.1 Flood losses resulting from periodic inundation.** The special flood hazard areas of the City of Saint Louis, Missouri are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base; all of which adversely affect the public health, safety and general welfare.

**G101.2.2 General causes of the flood losses.** These flood losses are caused by:

1. the cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and
2. the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood damages.

**G101.2.3 Methods used to analyze flood hazards.** The Flood Insurance Study (FIS) that is the basis of this appendix uses a standard engineering method of analyzing flood hazards which consist of a series of interrelated steps.

- a. Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this appendix is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this appendix. It is in the general order of a flood which could be expected to have a one percent (1%) chance of occurrence in any one (1) year as delineated on the Federal Insurance Administrator's FIS, and illustrative materials dated May 24, 2011, as amended, and any future revisions thereto.
- b. Calculation of water surface profiles are based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
- c. Computation of a floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
- d. Delineation of floodway encroachment lines within which no development is permitted that would cause any increase in flood height.
- e. Delineation of flood fringe, i.e., that area outside the floodway encroachment lines, but still subject to inundation

by the base flood.

**G101.3 Statement of purpose.** It is the purpose of this appendix to promote the public health, safety, and general welfare; to minimize those losses described in Section G101.2.1; to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of this appendix to:

1. restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;
2. require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
3. protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

## **SECTION G102 DEFINITIONS**

**G102.1 Scope.** Unless specifically defined below, words or phrases used in this appendix shall be interpreted so as to give them the same meaning they have in common usage and to give this appendix its most reasonable application.

**100-YEAR FLOOD.** See BASE FLOOD.

**ACCESSARY STRUCTURE.** Means the same as APPURTENANT STRUCTURE.

**ACTUARIAL RATES.** See RISK PREMIUM RATES.

**ADMINISTRATOR.** The Federal Insurance Administrator.

**AGENCY.** The Federal Emergency Management Agency (FEMA).

**APPEAL.** A request for review of the Floodplain Administrator's interpretation of any provision of this appendix or a request for a variance.

**APPURTENANT STRUCTURE.** A structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

**AREA OF SPECIAL FLOOD HAZARD.** The land in the floodplain within the City of Saint Louis subject to a one percent or greater chance of flooding in any given year.

**BASE FLOOD.** The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

**BASEMENT.** Any area of the structure having its floor subgrade (below ground level) on all sides.

**BUILDING.** See STRUCTURE.

**CHIEF EXECUTIVE OFFICER or CHIEF ELECTED OFFICIAL.** The Mayor of the City of Saint Louis.

**COMMUNITY.** The City of Saint Louis, Missouri.

**DEVELOPMENT.** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

**ELEVATED BUILDING.** For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**ELIGIBLE COMMUNITY or PARTICIPATING COMMUNITY.** A community for which the Administrator has authorized

the sale of flood insurance under the National Flood Insurance Program (NFIP).

**EXISTING CONSTRUCTION.** For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. EXISTING CONSTRUCTION may also be referred to as EXISTING STRUCTURES.

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the City of Saint Louis.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FLOOD or FLOODING.** A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD BOUNDARY AND FLOODWAY MAP (FBFM).** An official map of the City of Saint Louis, Missouri on which the Administrator has delineated both special flood hazard areas and the designated regulatory floodway.

**FLOOD ELEVATION DETERMINATION.** A determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year.

**FLOOD ELEVATION STUDY.** An examination, evaluation and determination of flood hazards.

**FLOOD FRINGE.** The area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

**FLOOD HAZARD BOUNDARY MAP (FHBM).** An official map of the City of Saint Louis, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.

**FLOOD INSURANCE RATE MAP (FIRM).** An official map of this city, on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the city.

**FLOOD INSURANCE STUDY (FIS).** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

**FLOODPLAIN. or FLOOD-PRONE AREA.** Any land area susceptible to being inundated by water from any source (see "flooding").

**FLOODPLAIN ADMINISTRATOR.** A Missouri Licensed design professional as appointed by the Building Commissioner.

**FLOODPLAIN MANAGEMENT.** The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS.** Ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such state or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING.** Any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

**FLOODWAY or REGULATORY FLOODWAY.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**FLOODWAY ENCROACHMENT LINES.** The lines marking the limits of floodways on Federal, State and local floodplain maps.

**FREEBOARD.** Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of flood plain management.

Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings, and the hydrological effect of urbanization on the watershed. For purposes of this code, freeboard shall be at least one (1) foot above the base flood elevation.

**FUNCTIONALLY DEPENDENT USE.** A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

**HIGHEST ADJACENT GRADE.** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**HISTORIC STRUCTURE.** Any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

**LOWEST FLOOR.** The lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, **provided** that such enclosure is not built so as to render the structure in violation of the applicable floodproofing design requirements of this code.

**MANUFACTURED HOME.** A structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" **does not include** a "recreational vehicle."

**MANUFACTURED HOME PARK OR SUBDIVISION.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MAP.** The Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or the Flood Boundary and Floodway Map (FBFM) for the City of Saint Louis, issued by the Federal Emergency Management Agency (FEMA).

**MARKET VALUE or FAIR MARKET VALUE.** An estimate of what is fair, economic, just and equitable value under normal local market conditions.

**MEAN SEA LEVEL.** For purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on this city's Flood Insurance Rate Map (FIRM) are referenced.

**NEW CONSTRUCTION.** For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of the floodplain management regulations adopted by the City of Saint Louis and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the City of Saint Louis.

**(NFIP).** The National Flood Insurance Program (NFIP).

**PARTICIPATING COMMUNITY also known as an ELIGIBLE COMMUNITY.** A community in which the Administrator has authorized the sale of flood insurance.

**PERSON.** Any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State,

and local governments and agencies.

**PRINCIPALLY ABOVE GROUND.** At least 51 percent (51%) of the actual cash value of the structure, less land value, is above ground.

**RECREATIONAL VEHICLE.** A vehicle which is (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light-duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**REMEDY A VIOLATION.** To bring the structure or other development into compliance with Federal, State, or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its noncompliance.

**REPETITIVE LOSS.** Flood-related damages sustained by a structure on two separate occasions during a ten- (10) year for which the cost of repairs at the time of each such flood event, equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

**RISK PREMIUM RATES.** Those rates established by the Administrator pursuant to individual city studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. RISK PREMIUM RATES include provisions for operating costs and allowances.

**SPECIAL FLOOD HAZARD AREA.** See AREA OF SPECIAL FLOOD HAZARD.

**SPECIAL HAZARD AREA.** An area having special flood hazards and shown on an FHBM, FIRM or FBFM as zones (unnumbered or numbered) A and AE.

**START OF CONSTRUCTION.** Includes substantial-improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within one hundred eighty (180) days of the permit date. The **actual start** means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the **actual start of construction** means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STATE COORDINATING AGENCY.** That agency of the state government, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that state.

**STRUCTURE.** For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. **STRUCTURE** for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

**SUBSTANTIAL-DAMAGE.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. The term includes Repetitive Loss Buildings. (See definition).

For purposes of this definition "repair" is considered to occur when the first repair or reconstruction of any wall, ceiling, floor, or other structural part of the building commences.

The term does not apply to:

Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the code official and which are solely necessary to assure safe living conditions, or

Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s designation as a “historic structure” or

Any improvement to a building.

**SUBSTANTIAL IMPROVEMENT.** Any combination of reconstruction, alteration or improvement to a building, taking place during a ten (10) year period, in which the cumulative percentage of improvements equals or exceeds fifty percent (50%) of the current market value of the building. For the purposes of this definition, an improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. This term includes structures, which have incurred “repetitive loss” or “substantial damage”, regardless of the actual repair work done.

The term does not apply to:

Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the code official and which are solely necessary to assure safe living conditions, or

Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”, or

Any building that has been damaged from any source or is categorized as repetitive loss.

**SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS.** Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**VARIANCE.** A grant of relief by the city from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the city.

**VIOLATION.** The failure of a structure or other development to be fully compliant with the City's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this appendix is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION.** The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain.

### SECTION G103 GENERAL PROVISIONS

**G103.1. Lands to which this appendix applies.** This appendix shall apply to all lands within the jurisdiction of the City of Saint Louis, Missouri identified as numbered and unnumbered A zones and AE zones, on the Flood Insurance Rate Maps (FIRM) 2903850014C, 2903850018C, 2903850050C, 2903850051C, 2903850052C, 2903850053C, 2903850054C, 2903850056C, 2903850061C, 2903850062C, 2903850064C, 2903850066C, 2903850068C, 2903850077C, 2903850079C, 2903850081C, 2903850082C, 2903850083C, 2903850084C, 2903850091C, 2903850092C, 2903850102C, 2903850103C, 2903850104C, 2903850106C and 2903850111C, dated May 24, 2011, as amended, and any future revisions thereto. In all areas covered by this appendix, no development shall be permitted except through the issuance of a floodplain development permit, granted by the Board of Aldermen or its duly designated representative under such safeguards and restrictions as the Board of Aldermen or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Section G105.

**G103.2. Floodplain Administrator.** A Missouri licensed design professional as appointed by the Building Commissioner is hereby designated as the Floodplain Administrator under this Appendix.

**G103.3 Compliance.** No development located within the special flood hazard areas of this community shall be located, extended, converted, or structurally altered without full compliance with the terms of this appendix and other applicable regulations.

**G103.4 Abrogation and greater restrictions.** It is not intended by this appendix to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this appendix imposes greater restrictions, the provisions of this appendix shall prevail. All other ordinances inconsistent with this appendix are hereby repealed to the extent of the inconsistency only.

**G103.5 Interpretation.** In their interpretation and application, the provisions of this appendix shall be held to be minimum requirements, shall be liberally construed in favor of the governing body, and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

**G103.6 Warning and disclaimer of liability.** The degree of flood protection required by this appendix is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This appendix does not imply that areas outside the floodway and flood fringe or land uses permitted within such areas will be free from flooding or flood damage. This appendix shall not create a liability on the part of the City of Saint Louis, any officer or employee thereof, for any flood damages that may result from reliance on this appendix or any administrative decision lawfully made thereunder.

**G103.7 Severability.** If any section, clause, provision, or portion of this appendix is adjudged unconstitutional or invalid by a court of appropriate jurisdiction, the remainder of this appendix shall not be affected thereby.

**G103.8 Certificate of flood plain status.** A Special Inspection of records to indicate whether a property is located within the flood plain area as designated by the Official Flood Plain Maps provided by FEMA (Federal Emergency Management Agency) to the City of St. Louis. This letter does not imply that the referenced property will or will not be free from flooding or damage. A property not in a Special Flood Hazard Area could be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This letter does not create liability on the part of the City, or any officer or employee thereof, for any damage that results from reliance on this determination. The fee for this letter shall be as listed in Table 109.3.1.

#### **SECTION G104 ADMINISTRATION**

**G104.1 Floodplain development permit.** A floodplain development permit shall be required for all proposed construction or other development, including the placement of manufactured homes, in the areas described in Section G103.1. No person, firm, corporation, or unit of government shall initiate any development or substantial-improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.

**G104.2 Designation of floodplain administrator.** The Missouri licensed design professional as designated by the Building Commissioner is hereby appointed to administer and implement the provisions of this appendix.

**G104.3 Duties and responsibilities of floodplain administrator.** The duties of the floodplain administrator shall include, but not be limited to:

1. Review of all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the floodplain development permit requirements of this appendix have been satisfied;
2. Review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State, or local governmental agencies from which prior approval is required by Federal, State, or local law;
3. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. Issue floodplain development permits for all approved applications;
5. Notify adjacent communities and the Missouri State Emergency Management Agency (MO SEMA) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
6. Assure that the flood carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse;
7. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures;
8. Verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially

improved non-residential structures have been floodproofed;

9. When floodproofing techniques are utilized for a particular non-residential structure, the floodplain administrator shall require certification from a Missouri licensed design professional.

**G104.4 Application for floodplain development permit.** To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:

1. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed structure or work;
2. Identify and describe the work to be covered by the floodplain development permit;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Indicate the assessed value of the structure and the fair market value of the improvement;
5. Specify whether development is located in designated flood fringe or floodway;
6. Identify the existing base flood elevation and the elevation of the proposed development;
7. Give such other information as reasonably may be required by the floodplain administrator;
8. Be accompanied by plans and specifications for proposed construction; and
9. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

#### **SECTION G105 PROVISIONS FOR FLOOD HAZARD REDUCTION**

##### **G105.1 General standards.**

1. No permit for floodplain development shall be granted for new construction, substantial-improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A zones and AE zones, unless the conditions of this section are satisfied.
2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100- year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this appendix. If Flood Insurance Study data is not available, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources.
3. Until a floodway is designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within any numbered A zone or AE zone on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
4. All new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
  - a. design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - b. construction with materials resistant to flood damage;
  - c. utilization of methods and practices that minimize flood damages;
  - d. all electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities

- be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- e. new or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
  - f. subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
    - (1) all such proposals are consistent with the need to minimize flood damage;
    - (2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
    - (3) adequate drainage is provided so as to reduce exposure to flood hazards; and
    - (4) all proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.
5. Storage, material, and equipment
- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
  - b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.
6. Accessory Structures
- Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than four hundred (400) square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; a variance has been granted from the standard floodplain management requirements of this appendix; and a floodplain development permit has been issued.

#### **G105.2 Specific standards.**

- 1. In all areas identified as numbered and unnumbered A zones and AE zones, where base flood elevation data have been provided, as set forth in Section G105.1 (2), the following provisions are required:
  - a. **Residential Construction.** New construction or substantial-improvement of any residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to or above one (1) foot above base flood elevation.
  - b. **Non Residential Construction.** New construction or substantial-improvement of any commercial, industrial, or other non residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to or above one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Section G104.3 (9).
  - c. Require, for all new construction and substantial-improvements, that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in an area other than a basement

and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- (1) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided; and
- (2) the bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

### **G105.3 Manufactured homes.**

1. All manufactured homes to be placed within all unnumbered and numbered A zones and AE zones, on the community's FIRM shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
2. Require manufactured homes that are placed or substantially improved within unnumbered or numbered A zones and AE zones, on the community's FIRM on sites:
  - a. outside of manufactured home park or subdivision;
  - b. in a new manufactured home park or subdivision;
  - c. in an expansion to and existing manufactured home park or subdivision; or
  - d. in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial-damage as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above one (1) foot above the base flood elevation and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
3. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A zones and AE zones, on the community's FIRM, that are not subject to the provisions of Section G105.3 (2) of this appendix, be elevated so that either:
  - a. the lowest floor of the manufactured home is at one (1) foot above the base flood level; or
  - b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

**G105.4 Floodway.** Located within areas of special flood hazard established in Section G103.1 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters that carry debris and potential projectiles, the following provisions shall apply:

1. The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one (1) foot at any point.
2. The community shall prohibit any encroachments, including fill, new construction, substantial- improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

3. If Section G105.4 (2) is satisfied, all new construction and substantial-improvements shall comply with all applicable flood hazard reduction provisions of Section G105.
4. In unnumbered A zones, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources as set forth in Section G105.1 (2).

#### **G105.5 Recreational vehicles.**

1. Require that recreational vehicles placed on sites within all unnumbered and numbered A zones and AE zones on the community's FIRM either:
  - a. be on the site for fewer than one hundred eighty (180) consecutive days, or
  - b. be fully licensed and ready for highway use; or
  - c. meet the permitting, elevation, and the anchoring requirements for manufactured homes of this appendix.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

### **SECTION G106 FLOODPLAIN MANAGEMENT VARIANCE PROCEDURES**

**G106.1 Establishment of Appeal Board.** The Board of Building Appeals as established by City of Saint Louis shall hear and decide appeals and requests for variances from the floodplain management requirements of this appendix.

**G106.2 Responsibility of Appeal Board.** Where an application for a floodplain development permit or request for a variance from the floodplain management regulations is denied by the floodplain administrator, the applicant may apply for such floodplain development permit or variance directly to the Appeal Board, as defined in Section G106.1.

The Board of Building Appeals shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this appendix. This process shall be consistent with Section 113 of this ordinance.

**G106.3 Further appeals.** Any person aggrieved by the decision of the Board of Building Appeals may appeal such decision as a final and contested case to the Circuit Court of the City of Saint Louis as provided in Chapter 536 RSMo.

**G106.4 Floodplain management variance criteria.** In passing upon such applications for variances, the Board of Building Appeals shall consider all technical data and evaluations, all relevant factors, standards specified in other sections of this appendix, and the following criteria:

1. The danger to life and property due to flood damage;
2. The danger that materials may be swept onto other lands to the injury of others;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the city;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, not subject to flood damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site; and,
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems; streets; and bridges.

**G106.5 Conditions for approving floodplain management variances.**

1. Generally, variances may be issued for new construction and substantial-improvements to be erected on a lot of one-half (½) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items 2 through 6 below have been fully considered. As the lot size increases beyond the one-half (½) acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination provided the proposed activity will not preclude the structure's continued historic designation.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon (a) a showing of good and sufficient cause, (b) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (c) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
6. The City of Saint Louis may notify the applicant that (1) the issuance of a variance to construct a structure below base flood level may result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars (\$25) for one hundred dollars (\$100) of insurance coverage and (2) such construction below the base flood level may increase risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this appendix.

**G106.6. Conditions for approving variances for accessory structures.** Any variance granted for an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Sections G106.4 and G106.5 of this appendix.

In order to minimize flood damages during the one hundred- (100) year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-floodproofed.

1. Use of the accessory structures must be solely for parking and limited storage purposes in zone A only as identified on the city's Flood Insurance Rate Map (FIRM).
2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Section G105.1(4)(b) of this appendix.
3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Section G105.1 (4)(a) of this appendix. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
4. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting

- damage during flood conditions in accordance with Section G105.1 (4)(d).
5. The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one hundred- (100) year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Section G105.2 (1)(c).
  6. The accessory structures must comply with the floodplain management floodway encroachment provisions of Section G105.4 (2) of this appendix. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the one hundred- (100) year flood.
  7. Equipment, machinery, or other contents must be protected from any flood damage.
  8. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
  9. The City of Saint Louis may notify the applicant that (1) the issuance of a variance to construct a structure below base flood level may result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars (\$25) for one hundred dollars (\$100) of insurance coverage and (2) such construction below the base flood level may increase risk to life and property. Such notification shall be maintained with the record of all variance actions as required by this appendix.
  10. Wet-floodproofing construction techniques must be reviewed and approved by the city and registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

#### **SECTION G107 PENALTIES FOR VIOLATION.**

**G107.1 Scope.** Violation of the provisions of this appendix or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with granting of variances) shall constitute a misdemeanor. Any person who violates this appendix or fails to comply with any of its requirements shall, upon conviction thereof, be subject to the penalties as set forth in Section Four. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Saint Louis or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

#### **SECTION G108 AMENDMENTS**

**G108.1 Scope.** The regulations, restrictions, and boundaries set forth in this appendix may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Saint Louis. At least twenty (20) days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Region VII office of the Federal Emergency Management Agency (FEMA). The regulations of this appendix are in compliance with the National Flood Insurance Program (NFIP) regulations.

#### **SECTION THREE. SAVINGS CLAUSE.**

That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section Two of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

#### **SECTION FOUR. EFFECTIVE DATE.**

This being an ordinance necessary for the immediate preservation of the public safety, it is hereby declared to be an emergency measure and shall become effective no later than May 24, 2011, upon its approval by the Mayor.

**Approved: February 3, 2011**

**ORDINANCE #68837**  
**Board Bill No. 251**

An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board of Public Service"), establishing a public works and improvement project for the construction of the Fourth and Broadway Improvement Project involving infrastructure improvements on Fourth Street from Chouteau Avenue to Convention Plaza, and Broadway from Chouteau Avenue to Convention Plaza (the "Fourth and Broadway Improvement Project"); and authorizing and directing the City of St. Louis (the "City"), by and through its Board of Public Service, to let contracts and provide for the construction, materials, and equipment for the Fourth and Broadway Improvement Project, authorizing the Board of Public Service to employ labor and consultants, pay salaries, fees and wages, acquire any and all said real and personal property rights and interests, in whole or in part, including easements (by lease, purchase, eminent domain, condemnation, or otherwise), as necessary for completion of the Fourth and Broadway Improvement Project, and to enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, utilities, railroads, and other governmental agencies for the Fourth and Broadway Improvement Project all in accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. 110, et seq.), with any contract containing sections for: description of the work, material guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes; requiring that all work provided for herein shall be carried out in accordance with detailed plans and specifications adopted and approved by the Board of Public Service before bids are advertised therefor; directing that all construction contracts let by authority of this Ordinance provide for federal and state prevailing wage requirements including prevailing wage holiday and overtime pay and compliance with all applicable statutes of the State of Missouri, the City Charter and the Revised Code of the City, as amended; requiring all specifications approved by the Board of Public Service and contracts let by authority of this Ordinance provide for: compliance with the Mayor's Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law or regulation; contractor's compliance with the provisions of Sections 285.525 thru 285.550 of the Revised Statutes of Missouri, as amended, by requiring enrollment and participation in a federal work authorization program and no knowing employment of unauthorized aliens; contractor's compliance with the provisions of Section 292.675 of the Revised Statutes of Missouri, as amended, by providing a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees; contractor's compliance with the provisions of Section 34.057 of the Revised Statutes of Missouri, as amended, (Prompt Payment/Retainage), as applicable; requiring all advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri, as amended; and appropriating the total estimated cost of the Fourth and Broadway Improvement Project of One Million, Six Hundred Twenty Thousand Dollars (\$1,620,000.00) from various sources including the Federal Highway Administration Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and labor, equipment, and material provided by the City of St. Louis Street Department to cover the required local match share; authorizing and directing the Comptroller of the City to draw warrants from time to time and disburse funds appropriated by this ordinance and to receive and disburse grant funds in accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.) upon the signature and certification of vouchers by the President of the Board of Public Service; and containing a public work emergency clause.

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

**SECTION ONE.** There is hereby authorized a public works and improvement project for the construction of infrastructure improvements on Fourth Street from Chouteau Avenue to Convention Plaza, and Broadway from Chouteau Avenue to Convention Plaza (the "Fourth and Broadway Improvement Project").

**SECTION TWO.** The City of St. Louis (the "City"), by and through its Board of Public Service (the "Board of Public Service"), is hereby authorized and directed to let contracts and provide for the construction, materials, and equipment, for the Fourth and Broadway Improvement Project, to employ labor and consultants, pay salaries, fees and wages, acquire any and all said real and personal property rights or interests, in whole or in part, including easements (by lease, purchase, eminent domain, condemnation, or otherwise) for the completion of the Fourth and Broadway Improvement Project, to enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, utilities, railroads, and other governmental agencies, all in accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. 110, et seq.), with any contracts containing sections for: description of the work, material guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes.

**SECTION THREE.** The work provided for herein shall be carried out in accordance with detailed plans and specifications to be adopted and approved by the Board of Public Service before bids are advertised therefor.

**SECTION FOUR.** All construction contracts let under authority of this Ordinance shall provide that no less than the prevailing hourly rate of wages in the City, as determined in accordance with the Federal Davis-Bacon Act and by the Department

of Labor and Industrial Relations of the State of Missouri (Sections 290.210 through 290.340 RSMo. 2000, as amended,) for each craft or type of work needed in the actual labor on the jobs herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime work shall be paid to all workers on the Fourth and Broadway Improvement Project. All contracts let in connection with the construction provided for herein shall be subject to, and in conformance with all applicable statutes of the State of Missouri and the City Charter and Revised Code of the City, as amended. All contracts let in connection with the construction provided for herein shall require contractor's enrollment and participation in a federal work authorization program and an affirmation that contractor does not knowingly employ unauthorized alien employees pursuant to Sections 285.525 thru 285.550 of the Revised Statutes of Missouri, as amended, require contractor provide a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees as required by the provisions of Section 292.675 of the Revised Statutes of Missouri, as amended, and, as applicable, require the contractor(s) to comply with the provisions of Section 34.057 of the Revised Statutes of Missouri, as amended (Prompt Payment/Retainage).

**SECTION FIVE.** All specifications approved by the Board of Public Service and contracts let under the authority of this Ordinance shall provide for compliance with the Mayor's Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when otherwise superseded or prohibited by federal or state law or regulation.

**SECTION SIX.** All advertisement for bids pursuant to this Ordinance shall be subject to Section 8.250 of the Revised Statutes of Missouri, as amended.

**SECTION SEVEN.** The total estimated cost of the Fourth and Broadway Improvement Project is One Million, Six Hundred Twenty Thousand Dollars (\$1,620,000.00) of which the federal share is One Million, Two Hundred Ninety-Six Thousand Dollars (\$1,296,000.00) from the Federal Highway Administration Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) to be appropriated from the Federal Aid to Urban Program Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931, and the remaining local match share is Three Hundred Twenty-Four Thousand Dollars (\$324,000.00) which shall be provided by the City with in-kind labor, equipment, and material of the City of St. Louis Street Department. Said improvements shall be contracted and executed in parts as funds are accrued in the Match Share Fund and in-kind labor, equipment, and material are provided and are adequate to cover the City's share of the cost.

**SECTION EIGHT.** The Comptroller of the City is hereby authorized and directed to draw warrants from time to time and disburse funds appropriated by this ordinance and is further authorized and directed to receive and disburse grant funds in accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.), upon the signature and certification of vouchers by the President of the Board of Public Service. Reimbursement funds received shall be deposited into the Federal Aid to Urban Program Match Share Fund Ordinance 56931.

**SECTION NINE.** The Board of Public Service is hereby authorized to accept on behalf of the City monetary donations from other governmental agencies and others to assist in paying for the work authorized in this Ordinance. Funds received shall be deposited into the Fourth and Broadway Improvement Project or the Federal Aid to Urban Program Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931.

**SECTION TEN.** This being an ordinance providing for public work and improvement, it is hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the City Charter and shall become effective immediately upon its passage and approval by the Mayor of the City.

**Approved: February 3, 2011**