

ORDINANCE #68788
Board Bill No. 183
Committee Substitute

An Ordinance adopting the International Building Code, 2009 Edition with changes, including Appendix Chapters E, F, G, H, I and J as the Building Code of the City of Saint Louis; repealing Ordinance 66790, which adopted the 2003 International Building Code; and containing a penalty clause, a savings clause and an emergency clause.

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

SECTION ONE.

Ordinance 66790 approved August 2, 2005, pertaining to the Building Code of the City of Saint Louis which adopted the 2003 International Building Code is hereby repealed.

SECTION TWO.

The International Building Code, 2009, as published by the International Code Council, Inc., one copy of which is filed on record in the Office of the Register of the City of Saint Louis, being marked and designated as the International Building Code, including Appendix Chapters E, F, G, H, I and J be and is hereby adopted as "The Building 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 control of buildings and structures as herein provided; and that each and all of the regulations, provisions, penalties, conditions and terms of said International Building Code are hereby referred to, adopted and made a part hereto, as if fully set out in this ordinance with the additions, insertions, deletions and changes prescribed in Section Three of this ordinance.

SECTION THREE.

That the International Building Code, 2009, is amended and changed in the following respects:

Delete Chapter 1 as published in its entirety.

Add new Chapter 1 to read as follows:

CHAPTER 1
ADMINISTRATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the Building Code of the City of Saint Louis, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall control matters concerning grading, excavation, new construction, or the alteration, addition, repair, replacement, removal, demolition, location, change of occupancy, use and maintenance of all buildings, structures or premises, floating structures (which are supported partially or entirely by water and are permanently moored at one location) in the City of Saint Louis; except as such matters are otherwise provided for in the Charter of the City of Saint Louis, or other ordinances, or statutes, or in the rules and regulations authorized for promulgation under the provisions of this code.

Exceptions:

1. Detached one- and two-family dwellings and multiple family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.
2. Existing buildings undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the International Existing Building Code when the Licensed Design Professional declares on the construction documents that the design was completed entirely using the International Existing Building Code.

101.2.1 Appendices. Appendix Chapters E, F, G, H, I and J are specifically adopted.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.2 Mechanical. The provisions of the International Mechanical Code shall apply to the installation, alteration, repair, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.3 Plumbing. The provisions of the Uniform Plumbing Code as adopted by the City of Saint Louis shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.4 Property maintenance. The provisions of the International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety, hazards; responsibility of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.5 Fire prevention. The provisions of the International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property of public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 Energy. The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.7 Electrical. The Provisions of The National Electrical Code as adopted by the City of Saint Louis shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

SECTION 102 APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply. Reference standards shall be permitted to be updated by rule making authority of the building official.

102.5 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.

102.6 Existing structures. The legal occupancy of any structure existing on the date of the adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, International Existing Building Code, the International

Property Maintenance Code or the International Fire Code, or as deemed necessary by the building official for the general safety and welfare of the occupants and the public.

102.7 Matters not provided for. Any requirements that are essential for structural, fire or sanitary safety of an existing or proposed building or structure, or for the safety of the occupants thereof, and which are not specifically provided for by this code, shall be determined by the building official.

The building official shall be permitted to delegate to the Department of the President, Board of Public Service, responsibility for code compliance inspections on projects within the City Limits let by the Board of Public Service or let as an Emergency Agreement. If such delegation is made, that office shall certify in writing to the building official at the completion of the project that they did inspect and believe the project to comply with the code.

102.7.1 Additions, alterations or repairs. Additions, alterations or repairs to any structure shall conform to that required for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building.

102.8 Other regulations. When the provisions specified herein for public safety, health and welfare are in conflict with other regulations, the most rigid requirements of either the building code or other regulations shall apply whenever they conflict. However, the building official shall not be the enforcement officer for such other ordinances or regulations unless specified in said ordinances or regulations.

102.9 Buildings, structures or premises partly within city limits. When a building, structure or premises is constructed partly within the City and partly within County Limits, the Building Commissioner shall be authorized to enter into agreements with the adjoining code jurisdictions to avoid duplications of inspections, fees and permits.

102.10 Restrictions. No building or structure shall be constructed, extended, repaired, removed, altered or occupied in violation of these provisions, except for repairs as defined in Section 105.2.2, and except further that the raising, lowering or moving of a building or structure as a unit necessitated by a change in legal grade or widening of a street shall be permitted, provided the building or structure is not otherwise altered or its occupancy changed. Political subdivisions of the State of Missouri, including but not limited to, the Board of Education, Metropolitan Sewer District, the Saint Louis Housing Authority, Saint Louis Police Department, Metro, Planned Industrial Expansion, Land Clearance Redevelopment Authority, Land Reutilization Authority, Saint Louis Development Corporation and the Regional Convention and Sports Complex Authority are covered under the provisions of this code for all property within the city limits.

Exceptions:

1. Structures owned and occupied by the United States of America or the State of Missouri.
2. City of Saint Louis owned property located outside of the City Limits.
3. Existing building occupancies that are licensed by the State of Missouri as family child care homes providing home day care, as specified in Section 310.3.
4. Structures located within cemetery boundaries which are less than one thousand (1,000) square feet in area and less than twenty (20) feet in height, measured from grade to the highest point.
5. Laying or relaying of railroad trackage sidings and their appurtenant signals, culverts and structures.
6. A construction project located in the public right-of-way (R.O.W.).

**SECTION 103
DIVISION OF BUILDING AND INSPECTION**

103.1 Creation of enforcement agency. There is hereby created the Division of Building and Inspection. The Division shall consist of the following sections to include, but not be limited to: Administration Section, Building Inspection Section, Central File Section, Court Section, Electrical Inspection Section, Mechanical Inspection Section, Permit Section, Plan Exam Section, Plumbing Inspection Section and Zoning Section.

103.2 Building commissioner. The head of the Division of Building and Inspection shall be known as the Building Commissioner, in accordance with Section 15, Article 13 of the Charter of the City of Saint Louis.

103.2.1 Appointment; qualifications. The Building Commissioner, also herein referred to as the building official, shall be a Missouri licensed professional architect, or, a Missouri licensed professional engineer, or, shall have a bachelors degree in an appropriately related field with Certified Building Code Official status, or, shall have a masters degree in an appropriately related field and five (5) years experience in building code enforcement at a senior management level. The Building Commissioner shall be appointed by the Director of Public Safety, and shall possess any one of the above necessary qualifications.

103.3 Organization. The building official shall appoint such numbers of architects, engineers, technical assistants, inspectors and other employees such as clerks, typists and cashiers, as shall be necessary for the administration of the codes governed by this ordinance, and as authorized by the building official in conformance with Civil Service qualifications and regulations. The building official shall be permitted to delegate appropriate subordinates to act in the exercise of the duties of this code, and they also shall be designated as building officials. The building official is authorized to designate employees as needed who shall exercise all the powers of the building official during the temporary absence or disability of the building official.

103.4 Restriction of employees. An official or employee connected with the Division of Building and Inspection, except one whose only connection is that of a member of the Board of Building Appeals, established under the provisions of Section 112, 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, or the preparation of construction documents thereof, unless that person is the owner of the building, or a first degree relative of the owner of the building; nor shall such officer or employee engage in any work which conflicts with official duties or with the interests of the Division of Building and Inspection.

Further, no Building Division employee shall be employed by or serve as an employee of any other division within the city service unless a formal request is made by the Building Commissioner to and approved by the appointing authority of that division.

103.5 Relief from personal responsibility. The building official or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is 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 employee because of an act performed by that person in the lawful discharge of duties and under the provisions of this code shall be defended by the City of Saint Louis City Counselor's Office until the final termination of the proceedings. The building official or any subordinates shall not be liable for costs or judgement in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any employee of the Division of Building and Inspection, 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.

103.6 Official records. An official record shall be kept of all business and activities of the department specified in the provisions of this code, and all such records shall be open to public inspection at all appropriate times.

A reasonable charge shall be established for making copies of documents. If staff time is required to assemble requested data, an estimate shall be made of personnel charges, including fringe benefits, and a signed agreement made prior to undertaking such projects. The Division of Building and Inspection is not obligated to assemble data into formats that it does not use or need in the ordinary prosecution of its work.

Further, whenever any person, firm or corporation requests a comprehensive historical investigation of the Division of Building and Inspection records relating to building or occupancy permits, an application fee of twenty-five dollars (\$25) shall be charged, as specified in Section 108.2.1, in addition to all other fees as provided in other sections of this code.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.1.1 Rule making authority. The Building Commissioner 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 not have the effect of waiving structural or fire performance requirements specifically provided for in this code or violating accepted engineering practice involving public safety.

104.1.2 Accepted engineering practice. In the absence of provisions not specifically contained in this code or approved rules, the regulations, specifications and standards listed in Chapter 35, Referenced Standards, shall be deemed to represent accepted engineering practice in respect to the material, equipment, system or method of construction therein specified.

104.2 Applications and permits. The building official shall receive applications, review construction documents, issue or deny permits for the erection, alteration, demolition, moving or occupancy of buildings, structures or premises, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

104.2.1 Preliminary meeting. When requested by the permit applicant, the building official shall meet with the permit applicant to discuss plans for the proposed work or change of occupancy prior to the application for a permit in order to establish the specific applicability of the provisions of this code.

104.2.1.1 Building evaluation. The building official is authorized to require an existing building to be investigated and evaluated by a licensed design professional based on the circumstances agreed upon at the preliminary meeting. The design professional shall notify the building official if any potential nonconformance with the provisions of this code is identified.

104.3 Notices and orders. The building official shall issue all necessary notices or orders to insure compliance with this code.

104.4 Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or licensed design professionals. Reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible licensed design professional. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. The owner shall provide such special inspections as are required by the building official.

104.5 Identification. The building official shall carry proper identification when inspecting buildings, structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall recourse to the remedies provided by law to secure entry.

104.6.1 Disasters. In the event of a disaster such as windstorm, tornado, flood, fire, earthquake, bomb blast or explosion, the building official is hereby authorized to enter and inspect structures within the affected area, subject to constitutional restrictions on unreasonable searches and seizures. When, in the opinion of the building official, there is imminent danger to an unsafe condition, the building official shall take emergency measures in accordance with this code. If the building official determines, after inspection, that a structure is unfit, the building official shall declare it a public nuisance, cause a report to be prepared and notify the affected parties in accordance with this code.

104.6.1.1 Post-disaster inspections. The building official is authorized to deputize Missouri Structural Assessment and Visual Evaluation (SAVE) Volunteer Inspectors certified by the Missouri State Emergency Management Agency (SEMA) to conduct emergency post-disaster safety evaluations of buildings.

104.7 Liability. The building official, member of the Board of Building Appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the City of Saint Louis City Counselor's Office until the final

termination of the proceedings. The building official or any subordinates shall not be liable for costs or judgement in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any employee of the Division of Building and Inspection, 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.

104.8 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

104.8.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless they have been reconditioned, tested and placed in good and proper working condition and approved by the building official.

104.9 Modifications. Wherever there are practical difficulties involved in carrying out provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Division of Building and Inspection.

104.9.1 Areas prone to flooding. The building official shall not grant modifications related to areas prone to flooding without the granting of a variance to such provisions by the Board of Building Appeals.

104.10 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building 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.

104.10.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.10.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

104.10.3 Research and investigations. The building official shall require that sufficient technical data be submitted to substantiate the proposed use of any material or assembly, and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, the building 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 or owner.

104.11 Annual report. The Building Commissioner shall submit to the Director of Public Safety a written annual report.

SECTION 105 PERMITS

105.1 Required. Any owner who intends to perform site grading, excavate, construct, enlarge, alter, make non ordinary repairs to, move or demolish a building, or structure; or change the occupancy of a building, structure or premises from one use group to another; or to change to a prohibited use; or to cause any such work to be done, or to use explosives for blasting in connection with demolition, excavation, construction or other building operation, shall first make application to the building official and obtain the required permit.

Exception: No permit shall be issued to repair any building or structure condemned in accordance with Section 119 or Section 120 if such building or structure is included in an executed contract for demolition between the City of Saint Louis and a demolition contractor.

105.1.1 Preservation Board permit requirements. When the ordinances of the Cultural Resources Office (CRO) of the Planning and Urban Design Agency (PUDA) require a permit for items for which this code does not require a permit, applications shall be permitted to be taken by the Building Division and processed solely to the Cultural Resources Office. Both the Building Commissioner and the Cultural Resources Office Director are authorized to place stop work orders. Any appeals or court actions resulting from such citations, applications or permits shall have technical and aesthetic testimony from the Preservation Board and the staff of the Cultural Resources Office.

105.1.2 Cultural Resources Office denial. Unless overruled by the Building Commissioner as a result of an emergency situation, or the Planning and Urban Design Commission, a denial from the Preservation Board shall be the final denial; no further notice from the building official shall be required to any person.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the City of Saint Louis. Permits shall not be required for the following.

Exceptions:

1. Work involving repair of Flood, Earthquake or other Natural Disaster damage.
2. A Flood Plain Development Permit is still required to be obtained if the site is located in the flood plain areas defined by FEMA.
3. Ordinary repairs or minor work to buildings and structures, which fall under the purview of the Cultural Resource Office requiring a "Cultural Resource Office Only" permits.
 01. Tuckpointing, ordinary and/or minor repair to exterior masonry, exterior painting and similar repair and or finish work;
 02. New aluminum, steel, fiber cement, hardboard, and vinyl exterior siding with no change to existing openings. Replacement of twenty-five percent (25%) or less of the wall sheathing;
 03. Application of pre-finished aluminum, steel, vinyl or other like materials on soffits, fascia boards, rake boards and overhangs;
 04. Repair or replacement of existing gutters and above grade portions of downspouts;
 05. Roof covering replacement with like material; Replacement of twenty-five percent (25%) or less of the roof sheathing;
 06. Replacement or repair of exterior and/or interior doors and/or frames, provided the fire rating, when applicable, is maintained, and no modification is made to the opening;
 07. Replacement or repair of existing windows and frames, whenever no modification is made to the opening; installation of storm windows and doors, whenever no modification is made to the opening; glazing and glass replacement;
 08. Awnings installed on up to four-family dwellings which do not project over property lines, and not over forty (40) square feet in projected area;
 09. Sidewalks and driveways;
 10. Exterior ramps, stairs, and/or steps, which are on grade and not more than twelve (12) inches above adjacent grade, not attached to the structure, and within residential property lines;
 11. Paved areas for up to four-family dwellings on the same lot as the primary structure, without roofs,

covers or enclosures;

12. Resealing and/or restriping of an existing paved parking lot, provided the restriping done matches the existing configuration and the number of spaces remain the same;
13. Concrete patio slabs or wooden patios/decks which rest directly on the ground or a rock base, provided that they are not covered by a roof or canopy, not supported by any type of permanent foundation and a maximum of twelve (12) inches above adjacent grade;
14. Miscellaneous site work, landscaping, gardens, shrubbery and planting boxes, excavation or fill that does not create a permanent change in property elevation of more than six (6) inches along property lines, block drainage or create erosion or damage to adjacent properties;
15. Small detached accessory buildings, such as utility/storage/tool sheds, cabanas, play houses, etc., one hundred twenty (120) square feet in area or less and less than twelve (12) feet in height, provided such accessory buildings maintain the setbacks required by the Zoning Ordinance. This does not include accessory buildings having unique uses such as barbeque and/or smoke houses, storage of fuel or other hazardous material having fuel fired equipment, and other uses that present an increased fire hazard or nuisance to adjoining property. A permit is required for all buildings housing these types of uses exceeding fifty (50) square feet in area;
16. Residential accessory structures such as arbors, garden trellises and other minor structures, provided such structures maintain the setbacks required by the Zoning Ordinance;
17. Swings and other backyard playground equipment including basketball goals and standards accessory to up to four-family dwellings;
18. Replacement of existing fencing, same height, material and location, except when enclosing swimming pools, hot tubs or spas;
19. Retaining walls eighteen (18) inches or less in height above lowest adjacent grade;
20. Non-dish radio or television antennae twelve (12) feet or less in height, mounted on the ground, not in the front yard area, attached to, or on the roof of a building. Dish antennas two (2) feet in diameter or less installed on grade or on the roof, provided such antennae maintain the setbacks required by the Zoning Ordinance, and comply with Section 3108.6.1;
21. Tents smaller than one thousand (1,000) square feet, or those used for private family events on the same lot as the owner's residence;
22. Statues on private property, erected on grade, not attached to or part of a building or structure;
23. Above-ground swimming pools, hot tubs and spas placed on a slab. Also, in-ground swimming pools with less than twenty-four (24) inches water depth with a surface area of less than two hundred fifty (250) square feet. All pools, hot tubs and spas shall maintain the setbacks required by the Zoning Ordinance.
24. Relining, repairing, patching an/or shotcreting existing swimming pool walls or floors, provided required minimum water depths under diving boards, if present, are maintained;
25. Ordinary and/or minor repairs to exterior cantilevered balconies, stairways and fire escapes such as patching or replacing small areas of treads, risers and platform surfaces, repairing and/or replacing small areas of handrail and guardrail panels, etc. as long as it does not effect the structural components of the exterior cantilevered balcony, stairway or fire escape;
26. Interior painting, floor sanding and refinishing, floor tile or carpeting, replacement of flooring with like material, application of wall paper and other wall covering material, moveable cases, counters and partitions, and cabinet installation, counter tops and similar finish work;

27. Plaster patching and/or gypsum board replacement not exceeding twenty-five percent (25%) of the total wall or ceiling area of a room or space provided the fire rating and moisture resistance is maintained and no modifications are made;
28. Wall paneling of any type when applied directly to existing room wall surfaces;
29. Ceiling tile of any type, other than foam plastic, when applied directly to existing ceiling surfaces, except when within assembly rooms with more than three hundred (300) occupants, institutional rooms or spaces, mercantile spaces exceeding three thousand (3,000) square feet. Replacement of lay-in acoustical ceiling panels with like materials in a room or space and a maximum of five hundred (500) square feet;
30. Nonfixed and moveable fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches in height;
31. Installation of battery-operated smoke detectors;
32. Foundations and floor slab repair such as patching/filling of crack of up to one-fourth (1/4) inch in walls and three-eighth (3/8) inch in slabs, waterproofing, etc., provided the building is otherwise structurally sound and plumb.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, fire suppression or detection system, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.2.4 Structural damage building repair. Repairs to buildings that are determined by the building official to have sustained moderate or serious structural damage due to property maintenance neglect, improper alterations, fire, earthquake, wind, flood or other natural disasters, shall require a building permit with construction documents prepared, sealed, signed and dated by a Missouri licensed design professional.

105.2.4.1 Condemned for occupancy or condemned for demolition building repair. Repairs to buildings that are determined by the building official to be condemned for occupancy or condemned for demolition shall require a building permit with construction documents prepared, sealed, signed and dated by a Missouri licensed design professional.

105.2.5 Maintenance. All buildings, structures or premises, and all parts thereof, both existing and new, shall be maintained in a safe and sanitary condition. All service equipment, means of egress, devices and safeguards which are required by this code in a building, structure or premises, or which were required by a previous statute in a building or structure, when erected, altered or repaired, shall be maintained in good working order.

105.2.6 Owner responsibility. The owner(s) or the owner's agent shall be responsible for the safe and sanitary maintenance of the building, structure or premises and its means of egress facilities at all times.

105.3 By whom application is made. Application for a permit shall be made by the owner or lessee of the building or structure, or agent of either, or by the Missouri licensed design professional employed in connection with the proposed work. The full names, addresses and telephone number of the owner, lessee, and applicant shall be stated in the application. Every application should have a local contact person listed. Demolition and occupancy permit applications, when applied for by anyone other than the owner of record, shall be accompanied by a notarized letter of authorization or other documentation from the owner of record granting permission to apply.

105.3.1 Application for permit. To obtain a permit, the applicant shall first file an application on a form furnished by the Division of Building and Inspection for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which the application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required by Section 107.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

105.3.2 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto. If the application or the construction documents do not conform to the requirements of all pertinent laws, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of this code and all City of Saint Louis laws and ordinances applicable thereto, the building official shall issue a permit. The building official shall rely upon other City agencies to review for compliance with their ordinance requirements.

105.3.2.1 Substantially improved or substantially damaged existing buildings in areas prone to flooding. For applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in an area prone to flooding, the building official shall examine or cause to be examined the construction documents and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamage condition. If the building official finds that the value of the proposed work equals or exceeds 50 percent (50%) of the market value of the building or structure before the damage has occurred or the improvement is started, the finding shall be provided to the board of appeals for a determination of substantial improvement or substantial damage. Applications determined by the board of appeals to constitute substantial improvement or substantial damage shall meet the requirements of this code.

105.3.3 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding ninety (90) days each if the building official deems that there is reasonable cause and if a written request is received from the applicant for the extension prior to the expiration date.

105.3.4 Time limitation on approval. An application for a permit for any proposed work shall have been deemed to have been abandoned three (3) months after the approval date of the Building official. A notice of abandonment shall be sent to the applicant of record two (2) weeks prior to the abandonment date. Should the permit still not have been issued after these two (2) weeks, the permit application shall be abandoned.

Applicants who have a record of abandoned permit applications shall be required on all future permits to pay the application fee and the full permit fee upon application until such time as the abandoned permits have been reapplied for, approved, permit fees and possible surcharges paid.

105.3.5 Action on application for permit to use explosives. When it is deemed proper, safe and advisable, the building official shall, upon receipt of application, issue permits for the use of explosives for blasting in connection with demolition, excavation, construction or other building operations. Without such permit, the use of explosives for the above-mentioned purposes is hereby prohibited. Additional permits shall be required under the International Fire Code.

105.3.7 Information on the permit. The building official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the building official. Issued permits shall bear the signature of the building official or other approved legal authorization.

105.3.8 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the City of Saint Louis. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City of Saint Louis shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring correction of errors in the documents or other data.

105.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the City of Saint Louis. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or any other ordinance of the City of Saint Louis.

105.5 Expiration. All permits shall be issued in the name of the property owner of record for a period of six (6) months unless noted otherwise. Permits shall be permitted to be extended for additional six (6) month periods if work is progressing and a written request from the owner for the extension is received by the building official prior to the expiration of each permit. Any permit issued shall become invalid if the authorized work is not commenced within six (6) months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work; except that the building official shall be permitted to grant one (1) or more extensions of time for additional periods not exceeding six (6) months each if the building official deems that there is reasonable cause, and if a written request is received from the owner for the extension prior to the expiration date. No permit shall be extended if, after six (6) months from issuance of said permit, no work has begun and the Board of Aldermen has passed an ordinance that would make all or part of the work thereon illegal or unlawful.

Permits shall also be abandoned upon written request from the property owner of record, or if circumstances require, the Missouri licensed design professional.

Exception: Permits for demolition of buildings or structures or repair of buildings or structures condemned in accordance with either Section 119 or Section 120, and other work specifically identified by the building official, when in the best interests of the public, shall become invalid after thirty (30) days unless otherwise approved. The building official shall be permitted to grant one (1) or more extensions of time for additional periods not exceeding thirty days each after receiving a written request from the owner explaining the reasons for failing to commence or for suspending work.

105.6 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

105.6.1 Revocation of permits. The building official shall be permitted to 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 on which the permit or approval was based. The building official shall be permitted to revoke or suspend a permit upon discovery of substantial non compliance with this code or any applicable city ordinance. Permits shall be revoked for non-payment of fees.

105.6.2 Revocation of permits for repeat offenders. The building official shall revoke any permit or certificate associated with a building, structure or premises when an owner(s) is convicted by a court of competent jurisdiction twice within a twelve (12) month period of being in violation of the same code provision on the same building, structure or premises.

105.7 Placement of permit. A true copy of the building permit shall be kept on the site of operations, open to inspection during the entire time of prosecution of the work and until the completion of the same.

105.8 Responsibility. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.

105.9 Notice of start. At least twenty four (24) hours notice of start of work under a building permit shall be given to the building official.

105.10 Compliance with permit. All work shall conform to the approved application and the approved construction documents for which the permit has been issued and any approved amendments to the approved application or the approved construction documents. Any addition to or alteration of approved construction documents shall be approved in advance by the code official, as evidenced by the issuance of a new or amended permit.

SECTION 106 FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed fifty (50) pounds per square foot, such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 SUBMITTAL DOCUMENTS

107.1 Construction Documents. The application for the permit shall be accompanied by at least five (5) complete sets of construction drawings, one (1) set of project specifications, one (1) set of structural calculations, one (1) set of the geotechnical (soils) report and one (1) set of site or building photographs, with sufficient clarity and detailed dimensions to show the nature and character of the work to be performed. The minimum size of any sheet shall be 8½" x 11" and the maximum size of any sheet shall be 36" x 48". When quality of materials is essential for conformity to this code, specific information shall be given to establish such quality and this code shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information. Construction documents containing the words "not for construction", "preliminary", "review set", or their equivalent, shall not be accepted for application. Construction documents marked with contractors "take off" notations shall not be accepted for application.

All construction documents submitted with an application for a building permit shall be prepared by a Missouri licensed design professional as required by Chapter 327 of the Revised Statutes of the State of Missouri. All construction documents shall bear an original embossed or wet ink seal, original ink signature and the date the documents were sealed by the Missouri licensed design professional for each discipline on the first sheet of each discipline within each set of construction documents, or on the cover sheet of each set of construction documents.

In addition, all other sheets of the construction documents, other than project specifications or calculations, shall bear the original embossed, wet ink, electronic or mechanically reproduced seal, signature and date of the Missouri licensed design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear the original embossed or wet ink seal, original ink signature and date the documents were sealed.

All project specifications, calculations, reports or other documents not considered to be construction drawings shall bear an original wet ink or embossed seal, original ink signature and the date the documents were signed by the Missouri licensed design professional for each discipline on the title or index sheet.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a licensed design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

107.1.1 Information on construction documents. Construction documents shall be drawn and dimensioned upon suitable material. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

107.1.1.1 Fire protection and alarm construction drawings. Construction drawings for the fire protection and alarm system(s) shall be submitted to show conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

107.1.1.2 Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

107.1.2 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies

in Groups R-2, R-3, as applicable in Section 101.2, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.1.3 Information for construction in areas prone to flooding. For buildings and structures in flood hazard areas as established by Table R301.2(1), construction documents shall include:

1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the design flood elevation, as appropriate;
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade;
3. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V zone); and
4. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

107.1.4 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive membrane, and details around openings.

The construction drawings shall include manufacturing installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

107.2 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirements for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

107.2.1 Change in site plan. A lot shall not be changed, increased or diminished in area from that shown on the official site plan, until a revised site plan is resubmitted showing such changes accompanied by proof that the documents have been filed in the Recorder of Deeds Office and approved under the Zoning Code of the City of Saint Louis; except that such revised site plan will not be required if the change is caused by reason of an official street or alley opening, street widening or other public improvement.

107.3 Examination of documents. The building official shall examine or cause to be examined the construction documents for code compliance.

107.3.1 Approval of construction documents. The building official shall stamp three (3) sets of construction documents "APPROVED", and at least one (1) set of such approved construction documents shall be retained by the building official and one (1) set shall be kept at the building site, open to the inspection of the building official or an authorized representative at all reasonable times. If additional "APPROVED" sets are required by the applicant, a charge shall be made as listed in Table 109.3.1.

107.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a building or structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been actively prosecuted in good faith within one hundred eighty (180) days after the effective date of this ordinance and has not been abandoned. When the codes adopted by the City of Saint Louis change from one edition to another, the work shall be permitted to be completed under the codes in effect when the permit for said work was originally issued.

107.3.2.1 Code transition. Unless requirements imposed by Federal law or State statute have changed, permits applied for within six (6) months of the effective date of this ordinance shall be permitted to be reviewed and approved under the former building code if there is written evidence of a preliminary plan exam review of the project under the former code. The cover sheet of the construction documents shall show under which code the project was designed.

107.3.3 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

107.3.4 Design professional in responsible charge.

107.3.4.1 General. When it is determined that documents be prepared by a Missouri licensed design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a Missouri licensed design professional who shall act as the Missouri licensed design professional in responsible charge. If the circumstances require, the owner shall designate a substitute Missouri licensed design professional in responsible charge who shall perform the duties required of the original Missouri licensed design professional in responsible charge. The building official shall be notified in writing by the owner if the Missouri licensed design professional in responsible charge is changed or is unable to continue to perform the duties.

The Missouri licensed design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where structural observation is required by Section 1710, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. See also duties specified in Section 1704.

107.3.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The Missouri licensed design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the Missouri licensed design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

107.3.4.3 Engineering details. The building official shall require to be filed adequate details of structural, plumbing, mechanical and electrical work, including computations, loadings and structural analysis, and other essential technical data. All construction documents shall bear an original embossed or wet ink seal, original ink signature and the date the documents were sealed by the Missouri licensed design professional responsible for the design as required by State Statute. Properly sealed, signed and dated calculations shall be permitted to be accepted by the building official as complying with the conditions of this code without the need to verify the calculations or their engineering analysis.

107.4 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

SECTION 108 TEMPORARY STRUCTURES AND USES

108.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than one hundred eighty (180) days. The building official is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to insure the public health, safety and general welfare.

108.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the City of Saint Louis Electrical Code.

108.4 Termination of approval. The building official is hereby authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

108.5 Temporary concession trailer. A temporary concession trailer is a concession trailer that is in operation and/or service less than one hundred eighty (180) days per year. A building permit is required for concession trailers over two hundred (200) square feet in area. Concession trailers over two hundred (200) square feet must be placed on and anchored to a permanent concrete footing and foundation system. The applicant shall furnish a letter of support from the alderman and the neighborhood organization where the temporary concession trailer is located. The applicant shall also furnish a contract or notarized letter from the primary business and complete an incidental occupation waiver in the Zoning Section, Room 400 City Hall.

Exception:

A temporary concession trailer of wood frame or steel construction two hundred (200) square feet or less in area and twelve (12) feet or less in height is permitted to be installed above grade in strict accordance with the trailer manufacturers instructions and recommendations.

SECTION 109 FEES

109.1 General. No permit, certificate or inspection report, as required by the provisions of this code, shall be released or issued until the fees listed in this section have been paid to the City of Saint Louis, as collected by the building official or designated representative; nor shall an amendment to a permit be released until the additional fees have been paid. In collecting said fees, the building official is authorized to accept personal checks as payment; however, non payment by said checking account shall be considered as a violation of this code and is cause for suspension or revocation of permits, certificates or reports issued or released for such personal check payment. If a permit is suspended or revoked for non payment of a fee, or for insufficient funds, an additional twenty-five dollars (\$25) shall be collected to cover administrative costs.

109.1.1 Fees other than herein prescribed. The payment of fees listed in this section shall not relieve the applicant or holder of any permit or any certificate of occupancy from the payment of other fees which shall be prescribed by law or ordinance for water taps, sewer connections, plumbing permits, mechanical permits, electrical permits, sprinkler permits, fire alarm permits, erection of signs and display structures, or fees for inspections or other privileges or requirements, both within and without the jurisdiction of the Division of Building and Inspection.

109.1.2 City of Saint Louis, Department of the President, Board of Public Service projects. Building permit fees shall be waived for contractors working in facilities located within the city limits, owned and occupied by the City of Saint Louis. Only projects which are paid for by the Department of the President, Board of Public Service out of general revenue funds and bid and contract let by the Department of the President, Board of Public Service, and inspected by the Department of the President, Board of Public Service shall be exempt from the payment of fees. This shall not relieve the applicant from applying for and obtaining a building permit. These five requirements shall apply to building permits only. These requirements shall not apply to Demolition, Plumbing, Mechanical, Electrical and Fire Protection Systems permits. Demolition permits, Plumbing permits, Mechanical permits, Electrical permits and Fire Protection Systems permits shall be applied for and paid for by the appropriate contractor.

109.2 Schedule of permit fees. Fees for permits for construction shall be as established as follows:

109.2.1 Application fee. An application fee is an administrative charge made for processing permit applications or preparing a Certificate of Flood Plain Status or conducting a Building Line Survey, and shall be the fee as listed in Table 109.3.1.

109.2.2 New construction and additions. The building permit fee for new construction and additions will be based on the total estimated cost of construction, and shall be charged at the rate listed in Table 109.3.1 for new construction and additions. For the purpose of determining a fee, total construction costs shall include all costs for normal site preparation including grading, excavation and backfill, structural work, interior and exterior finishes, plumbing work, mechanical work, electrical work, overhead and profit, engineering and architectural fees. The following shall be permitted to be excluded from total construction costs: the cost to install sprinkler, standpipe and fire alarm systems; or signs.

109.2.3 Miscellaneous structures and site work. The fee for a permit for, including but not limited to, the construction of towers, retaining walls, floating structures, parking lots, outdoor pay telephone, fences, awnings, signs, etc. shall be based on the total estimated cost of the construction at the rate listed in Table 109.3.1.

109.2.4 Alterations and repairs. The fee for a permit for alterations or repairs to a building or structure shall be based on the total estimated cost of said alterations or repairs and shall be charged at the rate listed in Table 109.3.1.

109.2.5 Tanks, devices, etc. The fee for a permit for the installation of a tank, device, equipment or other structure or facility shall be as listed in Table 109.3.1.

109.2.6 Tents, amusement booths. The fee for a permit for the construction, installation or erection of a tent or amusement booth shall be as listed in Table 109.3.1. This shall include all those for private parties, picnics, carnivals, circuses or traveling exhibitions.

109.2.7 Moving of buildings. The fee for a permit to move a building or structure from one lot to another, or to a new location on the same lot, shall be as listed in Table 109.3.1. In the event that a building or structure is to be moved from a point within the City of Saint Louis to a point outside the city, the fee for the moving permit shall be based on the total estimated cost of restoration of the original site to a safe and satisfactory condition plus that portion of the moving cost which covers the journey to the city limits. In the event that a building or structure is to be moved from the outside of the City of Saint Louis to a point inside the city limits, the fee for the moving permit shall be based on the total estimated cost of the portion of the journey from the city limits to the site of re erection.

108.2.7.1 New foundations. Before any building or structure is moved to a new foundation, it shall be required, in addition to a moving permit, that a building permit be obtained for the construction of said new foundation; the fee for the permit for said foundation shall be as listed in accordance with Table 109.3.1. In addition, all additional electrical, mechanical and plumbing permits shall be obtained.

109.2.8 Explosives. The fee for a permit for the use of explosives for blasting in connection with demolition, excavation, construction or other building operations, shall be as listed in Table 109.3.1. When a blasting operation consists of a series of blasts at intervals of distance, such as blasting a trench for the installation of utilities, and the extent of the blasting operations exceeds two hundred and fifty (250) feet in length, the fee for a permit shall be charged for the first two hundred and fifty (250) feet of the operation with an additional fee for each additional two hundred and fifty (250) feet or any part thereof. The fee for a permit for the use of explosives shall cover the issuance of the permit and shall also cover pre blasting survey inspection and post blasting survey inspection of all property within two hundred fifty feet of the blasting operation. In addition, a separate permit shall be required under the International Fire Code for the transportation, storage or use of explosives.

109.2.9 Amending permits. After a permit has been issued and an amendment is applied for, the fee shall be as follows:

1. For each and every amendment which involves additional work not originally applied for to complete the entire project, the fee shall be the appropriate fee for the additional work contemplated as usually calculated, the fee for the special demolition fund, lead remediation fund plus the application fee. These fees shall be as listed in Table 109.3.1.
2. For each and every amendment not involving additional work, a minimum fee as listed in Table 109.3.1 shall apply even though the project dollar value or building volume should remain the same

or decrease. To this shall be added the application fee.

109.2.10 Special demolition fund. There shall be an additional fee charged on all building permits based on the total estimated cost of construction, and shall be charged at the rate listed in Table 109.3.1 for the special demolition fund.

109.2.11 Lead remediation fund. There shall be an additional fee charged on all building permits based on the total estimated cost of construction, and shall be charged at the rate listed in Table 109.3.1 for the special lead remediation fund.

109.2.12 Vacant building registration fee. A semiannual registration fee of two hundred dollars (\$200) shall be charged to the owner of any parcel of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, which is vacant and has been vacant for at least six (6) months, and which is violation of this code. This fee is listed in Table 109.3.1.

109.2.13 Fee for duplicate copy. Any person requesting a copy of an building permit, occupancy permit or certificate of inspection issued under this code, or the holder of any permit for similar purpose issued by the building official under any previous code or ordinance, can obtain a duplicate or re-issued copy of said permit for a fee of one dollar (\$1) per copy. This fee is listed in Table 109.3.1.

109.2.14 Fee for occupancy permit. Fees for the issuance of an occupancy permit shall be as listed in Table 109.3.1. There shall be no charge for the issuance of the original occupancy permit upon completion of construction in accordance with the building permit for new buildings or buildings hereafter altered with construction costs exceeding thirty thousand dollars (\$30,000).

109.2.14.1 Fee for temporary or partial occupancy permit. The fee for a temporary or partial occupancy permit shall be as listed in Table 109.3.1.

109.2.15 Fee for changing the name on an occupancy permit. Any person requesting a re-issuance of an occupancy permit issued under this code or under any previous code or ordinance due to a change of name, can obtain a re-issued copy of said permit for a fee of five dollars (\$5) per copy. This fee is listed in Table 109.3.1.

109.2.16 Fee for approving additional sets of construction documents. Any person requesting additional sets of approved construction documents issued under this code or under any previous code or ordinance shall be charged a fee of one dollar (\$1) per page. This fee is listed in Table 109.3.1.

109.3 Fee tables. The building official shall cause to be collected all fees as listed in Table 109.3.1 and elsewhere in this code.

109.3.1 Fee schedule. Table 109.3.1 contains fees for permits for new construction and additions, permits for miscellaneous structures, permits for alterations and repairs to existing buildings, tank permits, moving of building permits, demolition permits, permits for blasting for demolition purposes, permits for blasting for construction purposes, picnics, carnivals and circuses or traveling exhibition permits, tents, amusement park devices, addendums to permit, the special demolition fund, lead remediation fund, special inspections and occupancy permits.

109.3.2 Building permit valuations. The applicant for a building permit shall provide a total estimated cost of construction for the project at the time of application. For the purpose of determining fees, total construction costs shall include all costs for normal site preparation including grading, excavation and backfill, structural work, interior and exterior finishes, plumbing work, mechanical work and electrical work. The following shall be permitted to be excluded from total construction costs: the cost to install sprinkler, standpipe and fire alarm systems or signs.

If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed construction estimates for the project to meet the approval of the building official. The building official shall be permitted to require the submittal of signed and notarized construction contracts when the total estimated cost of construction is questioned. Final building permit valuation shall be set by the building official.

Final costs shall be determined by the building official, if necessary, by multiplying the total floor area of the project in square feet by an appropriate square foot cost rate, or by using the current ICC Building Valuation Data Report for New Construction, Additions, Alterations, Repairs or Rehabilitation.

**Table 109.3.1
BUILDING PERMIT FEES FOR STRUCTURES; BLASTING AND INSPECTIONS FEES**

ITEM	FEE	MINIMUM FEE	SECTION	REMARKS & REQUIREMENTS
APPLICATION FEE; or Building Line Survey	\$25.00		109.2.1	An administrative charge made for processing applications.
Certificate of Flood Plain Status	\$10.00		G103.9	
PERMIT FOR NEW CONSTRUCTION AND ADDITIONS	\$6.00/\$1000 of estimated cost or fraction thereof	\$15.00	109.2.2	Includes Cultural Resources Only permits.
MISCELLANEOUS STRUCTURES PERMIT - Structures such as towers, retaining walls, floating structures, parking lots, outdoor pay telephone, fences, awnings, signs, etc.	\$6.00/\$1000 of estimated cost or fraction thereof	\$15.00	109.2.3	For all structures, devices, appurtenances and equipment requiring permits & not otherwise provided for by this code.
PERMIT FOR ALTERATIONS & REPAIRS TO AN EXISTING BUILDING	\$6.00/\$1000 of estimated cost or fraction thereof	\$15.00	109.2.4	
TANK PERMIT For any purpose except flammable and combustible liquids	\$6.00/\$1000 of estimated cost or fraction thereof	\$15.00	109.2.5	Permits for flammable and combustible liquids are required under the International Fire Code.
TENT PERMIT	\$35.00		109.2.6	See Note a.
MOVING OF BUILDING PERMIT Within City Limits	\$1.00/\$100 of estimated cost or fraction thereof	\$15.00	109.2.7	Estimated cost of moving building to new location plus cost of restoring previous site to a safe condition.
To outside City Limits	\$ 1.00/\$100 of estimated cost or fraction thereof	\$15.00		Estimated cost of moving building to city limits plus cost of restoring previous site to a safe condition.
From outside City Limits to within City Limits	\$ 1.00/\$100 of estimated cost or fraction thereof	\$15.00		Estimated cost of moving building from City Limits to a new site.
Foundation for building	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	109.2.7.1	
EXPLOSIVES PERMIT Blasting permit for trenching	\$ 6.00/250 lineal feet or fraction thereof	\$ 100.00	109.2.8	For construction, excavation or other building operation.

Blasting for Demolition	\$ 100.00	\$ 100.00	109.2.8	Includes pre and post blast survey, per building/per blast.
ADDENDUM TO PERMIT Amendment which involves additional dollars in project cost.	\$6.00/\$1000 of estimated increased cost or fraction thereof	\$ 25.00	109.2.9	
Amendment which involves decrease or no increase in project cost.	\$ 25.00	\$ 25.00		
SPECIAL DEMOLITION FUND	\$2.00/\$1,000 of estimated cost or fraction thereof		109.2.10	Special fund approved by the voters
LEAD REMEDIATION FUND	\$2.00/\$1,000 of estimated cost or fraction thereof		109.2.11	Special fund approved by Ordinance 64699
VACANT BUILDING REGISTRATION FEE	\$200.00 Semi-annually		109.2.12	Special fee established by Ordinance 64678
DUPLICATE COPY OF BUILDING PERMIT, OCCUPANCY PERMIT OR CERTIFICATE OF INSPECTION	\$ 1.00 per copy		109.2.13	
APPLICANT REQUEST FOR OCCUPANCY PERMIT Residential	\$80.00 \$20.00/each additional unit in same structure		109.2.14 109.2.14.1	Special Inspection fees for occupancy permits. This fee is also applicable to partial or temporary occupancy permits. When units are inspected on the same site inspection.
Commercial 3,500 sq. ft. or less.	\$80.00			
Commercial over 3,500 sq. ft.	\$160.00			
RE-ISSUANCE OF OCCUPANCY PERMIT DUE TO NAME CHANGE	\$5.00 per copy		109.2.15	
COST FOR APPROVING ADDITIONAL SETS OF CONSTRUCTION DOCUMENTS	\$1.00 per page		109.2.16	
DEMOLITION PERMITS -Structure volume Less than 10,000 cu. ft.	\$10.00	\$10.00	122.1.5	Based on volume of structure exclusive of basement or cellars.
10,000 cu. ft. and over	\$15.00/10,000 cu. ft. or fraction thereof	\$25.00		Demolition permits shall be issued for a period not to exceed thirty days.

DEMOLITION INSPECTION FEE				
Less than 10,000 cu. ft.	\$ 15.00	\$ 15.00	122.1.5	Per Site
10,000 cu. ft. or over	\$ 25.00	\$ 25.00		Per Site
Blasting for Demolition	\$ 50.00	\$ 50.00	109.2.8	Per Site
Applicant request	\$25.00			Related to other occupancy and use permits required by the applicant.
Emergency and Specialty Inspection	\$ 25.00			Charge for inspection requested to be made beyond normal working hours - not to exceed \$25.00 per requested inspection.

Note a. Tents smaller than one thousand (1,000) square feet. or for private family events on the same lot with the residence are exempt from obtaining a permit, but shall still meet the following conditions. The use of propane tanks or equipment in the tent requires a separate permit and inspection by the fire official. Tent permit(s) and the erection and maintenance of tents for the same lot shall not exceed a total maximum of sixty (60) days in any three hundred sixty-five (365) day period. Tent must be supported to withstand wind pressures of twenty (20) lbs. per square foot minimum . Tent must stay ten feet from tent walls to buildings and to interior lot lines. Tents for forty-nine (49) persons or less must have one (1) exit to the exterior. Tents for fifty (50) to four hundred ninety-nine (499) persons must have two (2) remote exits to the exterior. Tents for five hundred (500) to nine hundred ninety-nine (999) persons must have three (3) remote exits to the exterior. Exit and emergency lighting shall be required. Tents must stay four (4) feet minimum from interior lot lines. Tents must be supported to withstand a wind speed of ninety (90) miles per hour (mph), Exposure B. The use of propane tanks or equipment in the tent requires a separate permit and inspection by the fire official.

A picnic/carnival operated two and one-half (2½) days or less by a not-for-profit organization, and operated on private ground owned by and adjacent to said organization's facilities, requires no permit (except Electrical permits shall be required). If not on ground owned by or adjacent to said organization's facilities, picnic or carnival shall require an Occupancy Permit with inspections by Building and Electrical Sections. See Occupancy Permit Fees above. Further, Zoning approval must be secured before issuance of said Occupancy Permit. Picnics/carnivals operated for any length of time by a for-profit organization on private property must secure an Occupancy Permit and approval from the Zoning Section. BPS permits are required for all picnics/carnivals on City-owned property or any public right-of-way in addition to the above requirements.

109.3.2 Sign fee schedule. Table 108.3.2 contains the basic building fees for signs governed by this code.

**Table 109.3.2a
SIGN PERMIT FEES**

ITEM		FEE	MINIMUM FEE	SECTION
GROUND SIGNS				
	Up to 100 Square Feet	\$100.00	\$100.00	H101.3.1
	Over 100 Square Feet	\$160.00		
ROOF				
	Up to 100 Square Feet	\$100.00	\$100.00	H101.3.1
	Over 100 Square Feet	\$160.00		
WALL SIGNS				
	Up to 100 Square Feet	\$100.00	\$100.00	H101.3.1

	Over 100 Square Feet	\$160.00		
PROJECTING				
	Up to 100 Square Feet	\$100.00	\$100.00	H101.3.1
	Over 100 Square Feet	\$160.00		
SPECIAL OR TEMPORARY DISPLAY SIGNS REQUIRING PERMITS			\$100.00	H101.3.1
	Fees for a special sign shall be the same as the one above which it most closely resembles.			
LETTERING AND/OR GRAPHICS ON AWNINGS AND CANOPIES		\$50.00		

Note a. When a question arises as to what type of sign is being constructed or placed, it shall be designated as that type of sign it most closely resembles as determined by the building official. (See also Chapter 29 and the Saint Louis Zoning Ordinance.)

109.4 Work started surcharge fees schedule. In case any work for which a building permit is required by this code is substantially started or proceeded with prior to obtaining said permit, the total normal fees applicable shall be increased by the amount as listed in Table 109.4. The payment of said surcharge fee 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.

**Table 109.4
SCHEDULE FOR SURCHARGE
BUILDING PERMIT FEES**

Building Permit Fee	Surcharge Fee
\$0 to \$50	\$30.00
\$51 to \$200	\$90.00
\$201 to \$500	\$240.00
\$501 to \$2,000	\$360.00
\$2,000 to \$10,000	\$480.00
Over \$10,000	\$600.00

109.5 Demolition work started surcharge fees schedule. In case any work for which a demolition permit is required by this code is substantially started or proceeded with prior to obtaining said permit, the total normal fees applicable shall be increased by the amount as listed in Table 109.5. The payment of said surcharge fee 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.

**Table 109.5
SCHEDULE FOR SURCHARGE
DEMOLITION PERMIT FEES**

Demolition Permit Fee	Surcharge Fee
\$0 to \$50	\$100.00
\$51 to \$200	\$150.00
\$201 to \$500	\$300.00

\$501 to \$2,000	\$420.00
\$2,001 to \$10,000	\$540.00
Over \$10,000	\$600.00

109.6 Related fees. The payment of fees for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

109.7 Fees non refundable. The fee for a permit based upon an estimated cost that is higher than later claimed by the applicant shall not be a basis for refund. When construction does not occur, or only partially occurs, fees collected are not refundable.

109.8 Fees waived for disaster related permits. In the event of a tornado, earthquake, flood, or any other disaster of such magnitude to activate the City Emergency Management Agency, the Building Commissioner is authorized to waive all permit fees normally collected by the Division of Building and Inspection for repairs, reconstruction, demolition, plumbing, mechanical or electrical work, or any other similar permits required by this Division to correct the damage caused by the heretofore mentioned disaster. These permit fees shall be permitted to be waived for a period not to exceed six (6) months, or as otherwise determined by the Building Commissioner.

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City of Saint Louis. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City of Saint Louis shall be liable for expenses entailed in the removal or replacement of any material required to allow inspection.

110.2 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.2.1 Notice to begin work. It shall be the responsibility of the holder of a permit to notify the building official when work is ready for the various inspections required by the terms of the permit or the approved rules. Such notice shall be given within a reasonable time before the inspection is desired, but in no event shall the notice be less than the working day before. Notice given on a Friday or on a day prior to a legal holiday shall not constitute notice for inspection on a Saturday, Sunday or holiday, unless arrangements have been made under approved rules for overtime inspection on such days. Before giving such notice the holder of the permit shall first test the work and satisfy themselves that it conforms to the approved construction documents and the requirements of this code.

110.3 Required inspections. The building official, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.11. No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the building official or authorized representative. Approval shall be given only after an inspection has been requested and made of each successive step in the construction phase and all code requirements or corrections are completed, as indicated by each of the inspections required. There shall be a final inspection and approval of all buildings completed before occupancy, as described in Section 110 of this code. Failure to obtain a final inspection before occupancy will constitute a violation of the building code, subject to the penalties as set forth in Section Four. Reinforcing steel or structural framework of any part of a building or structure shall not be covered or concealed in any manner without first obtaining the approval of the building official. The building official, upon notification from a permit holder or agent, in accordance with the rules of procedure listed on the permit and posted in the office of the building official, shall make the following inspections, and shall either approve that section or portion of the construction as completed, or shall notify the permit holder or agent that they have failed to comply with the law.

110.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavation for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job. The owner is solely responsible for the correct location

of the foundation on the site.

110.3.1.1 Soil inspection. A soil inspection is to be made after excavation for the building or structure is complete and trenches for footings, column pads, spread footings, or other types of footings are ready for concrete. No concrete is to be poured prior to this inspection.

110.3.1.2 Pier inspection. Where special foundations are required such as drilled and poured in place concrete piers, driven piles of all types, caissons, and other extraordinary types, the building official shall make at least one (1) inspection and more if the size of the job warrants it.

110.3.2 Concrete slab or under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certificate required in Section 1612.5 shall be submitted to the building official.

110.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved

110.3.5 Lath or gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plaster is applied or before gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire resistive assembly or a shear assembly.

110.3.5.1 Covering work. It shall be a violation of this code to cover prior to inspection any work required to be inspected under the provisions of a permit, the approved rules, or this code, regardless of any penalties for such violation. The building official shall be permitted to require the holder of the permit to uncover any such work for inspection, and the cost of uncovering such work and of replacing the cover after the work has been satisfactorily inspected, shall be borne by the holder of the permit.

110.3.6 Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

110.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation R and U value, fenestration U value, duct system R value, and HVAC and water heating equipment efficiency.

110.3.8 Other inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Division of Building and Inspection.

110.3.8.1 Approved inspection agencies. The building official shall accept reports of approved inspection agencies provided such agencies satisfy the requirements as to qualifications and reliability.

110.3.8.2 Plant inspection. Where required by the provisions of this code or by the approved rules, materials or assemblies shall be inspected at the point of manufacture or fabrication.

110.3.8.3 Evaluation and follow-up services. Prior to the approval of a closed prefabricated assembly and issuance of a building permit, the building official shall require the submittal of an evaluation report of each prefabricated assembly, indicating the complete details of the assembly, including a description of the assembly and its components, the basis upon which the assembly is being evaluated, test results and similar information, and other data as necessary for the building official to determine conformance with this code. Acceptable reports shall be permitted to come from: The State of Missouri Public Service Commission or ICC Evaluation Services.

110.3.8.3.1 Evaluation service. The building official shall designate the evaluation service of an

approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

110.3.8.3.2 Follow-up inspection. Except where all assemblies and subassemblies, service equipment and accessories are readily accessible for complete inspection at the site without disassembly or dismantling, the building official shall conduct the frequency of in-plant inspections as necessary to reasonably assure conformance to the approved evaluation report, or shall designate an approved independent inspection agency to conduct such inspections. The inspection agency shall furnish the building official with the follow-up inspection manual and a written report of inspections upon request, and the product shall have an identifying label permanently affixed to the product indicating that factory inspections have been performed.

110.3.8.3.3 Test and inspection records. All required tests and inspection records shall be accessible to the building official or quality assurance agency at all times during the fabrication of the unit or subassembly and the erection of the building; or such records as the building official designates shall be filed with the building official.

110.3.8.3.4 Inspection reports. All inspection reports shall be in writing and shall be certified by the licensed authority, or responsible officer of the service, or the individual when expert inspection services are accepted. An identifying label or stamp permanently fixed to the product indicating that factory inspection has been made shall be accepted in lieu of the aforesaid inspection report in writing if the intent or meaning of such identifying label or stamp is properly substantiated.

110.3.9 Special Inspections. For special inspections, see Section 1704.

110.3.10 Final inspection. The final inspection shall be made after all work required by the building permit is completed.

Upon completion of the building or structure, and before issuance of the occupancy permit as required in Section 111, a final inspection shall be made. All violations of the approved construction documents and permit shall be noted and the holder of the permit shall be notified of the discrepancies. The building official shall be permitted to issue a temporary or partial occupancy permit for a specific period of time. Failure to comply with the conditions shall cause revocation of the permit.

110.3.11 Blast survey inspections. When a permit is issued for the use of explosives, the building official shall cause to be conducted two (2) survey inspections of all buildings within two hundred fifty (250) feet of the blasting, and a third inspection to be made after the blasting. These inspections shall indicate any settlement, cracks or other deterioration; additional or supplemental detailed survey work shall be permitted to be required by the building official. Such inspections or survey work, as required by the building official, must be conducted by a private individual or individuals technically competent to do such work and acceptable to the building official. Such private surveys shall be conducted at the expense of the permit applicant. The additional or supplemental survey work shall be permitted to be accepted by the building official in lieu of the pre blast or post blast survey if the survey(s) has included all areas within two hundred fifty (250) feet of the blasting site and contains the details required herein.

110.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

110.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work for any inspections that are required by this code.

110.5.1 Action on notice. Upon receipt of notice that work is ready for inspection, the building official shall inspect, or cause to be inspected, the work as soon as reasonably practicable. However, failure of the building official to make a prompt inspection shall not be deemed justification for covering work without inspection when such work is required under the terms of the permit to be inspected before being covered.

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall

not be covered or concealed until authorized by the building official.

110.7 Periodic inspections. The building official shall, if deemed necessary, make or cause to be made such periodic inspections of buildings, structures, devices, appurtenances, and uses as are required by and in the intervals prescribed by Table 110.7. In order to provide a uniform workload throughout the year, the building official shall be permitted to alter the intervals between periodic inspections as required to meet staffing levels.

Exterior cantilevered balconies, stairways and fire escapes shall be inspected every three (3) years by a Missouri licensed design professional. The owner shall submit a report bearing the seal, signature and date of a Missouri licensed professional engineer or architect to the building official describing the condition and safety of the exterior cantilevered balconies, stairways, and fire escapes. This shall apply to all exterior cantilevered balconies, stairways, and fire escapes on all buildings regardless of stories or height.

**TABLE 110.7
PERIODIC INSPECTION OF STRUCTURES, DEVICES AND USES**

ITEM	PERIOD BETWEEN INSPECTIONS
Cornices, Entablatures, Belt Courses, Trim and Similar Decorative Features; Maintenance repair and safe condition thereof (for such items projecting from the face of buildings). See Note a.	3 years
Exterior Cantilevered Balconies, Stairways and Fire Escapes. See note b.	3 years
Other annual permits, Certificates and clearances through Board of Public Service action such as Day Care Centers, Nursing Homes, Homes for the Ages, Hospitals. See Note c.	1 years
Permanent Amusement Devices	1 years
Auto Lifts	1 years

Note a. Applies to all buildings over five (5) stories or sixty (60) feet in height. Owners to submit report bearing the seal, signature and date of a Missouri licensed Professional Engineer or Architect to the building official every three (3) years describing the condition and safety of cornices, entablatures, belt courses, etc. The building official shall waive inspection if feature does not encroach over City of Saint Louis sidewalk, street or alley.

Note b. Owners shall submit a report bearing the seal, signature and date of a Missouri licensed Professional Engineer or Architect to the building official every three (3) years describing the condition and safety of exterior cantilevered balconies, stairways and fire escapes.

Note c. Applies to all other inspections of buildings or uses not otherwise provided for in this code or any City ordinance, which are made annually per the Board of Public Service Permit, and which are assigned by BPS to the Building Division for permit verification, certification, re-certification or clearances.

110.7.1 Professional inspection. The building official shall require owners to supply inspection reports by Missouri licensed design professionals for any building, structure, appurtenance, or device when, in the building official's opinion, it is necessary to insure proper public safety, health and welfare.

110.8 Authority to enter. The building official shall have the authority to enter at any reasonable hour any building, structure or premises in the City of Saint Louis for which a permit has been issued but has not received a certificate of occupancy in accordance with Section 111 to enforce the provisions of this code or any other code or ordinance of the City of Saint Louis. No person shall accompany a building official onto a premises in the performance of their duty unless otherwise invited onto said premises by the owner or the owner's representative.

For all other structures or premises, when the building official has reasonable cause to believe that a code violation exists, the building official is authorized to enter the building, structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the building official is authorized to pursue recourse as provided by law.

110.9 Jurisdictional cooperation. The assistance and cooperation of the Police, Fire, Streets, Parks and Health Departments, and all other city officials, shall be available as required in the performance of the duties of the building official.

110.10 Parking. Division of Building and Inspection employees, when on official duty, shall be allowed to park, without payment of fees, at any parking meter or contrary to posted NO PARKING ZONES. In no event will parking be allowed in front of fire plugs, mail boxes, bus stops, wheelchair ramps, nor within disabled parking spaces unless vehicle displays a permanent Missouri placard or license plate for the disabled.

110.10.1 Placards. Each authorized individual shall display one (1) placard, approved by the building official, in either the front or rear window of private or city vehicles, to indicate that the individual is on official city business and is exempt from parking fees, citations, and parking tickets, in accordance with Section 110.10, during normal working hours. The Building Commissioner shall not issue such placards to any person not on the Division of Building and Inspection payroll. The Building Commissioner shall have the authority to request cancellation of parking tickets issued contrary to this ordinance.

SECTION 111 CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. No building, structure or premises shall be used or occupied, and no change in the existing occupancy classification of a building, structure, premise or portion thereof shall be made until the building official has issued an occupancy permit therefore as provided herein. Issuance of an occupancy permit shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Failure to have an occupancy permit approved and issued by the building official is a violation, and both the occupant and owner shall be subject to a penalty, as set forth in Section Four. Each day that a violation continues shall constitute a separate offense.

111.1.1 Posting notice. It shall be the duty of the building official to post a notice on any building, structure or portion thereof when it is found that an occupancy permit is required before any occupancy shall be permitted to occur. This notice shall remain in plain sight and removal of same shall constitute a separate offense and shall be subject to a penalty as set forth in Section Four.

111.2 Temporary or partial occupancy permits. Upon the request of an owner or an owner's representative, a temporary or partial occupancy permit shall be permitted to be issued for a building, structure or premises, provided that no conditions exist which endanger life, public safety or welfare. Temporary or partial occupancy permits shall be permitted to be subject to conditions.

111.2.1 Accessible type A dwelling units when granting partial occupancy permit. To request a partial occupancy, an accessible Type A unit must be completed in for sale multi-family residential buildings where fifty percent (50%) of the units are built out. This must be an accessible Type A dwelling that was designated on the approved building permit construction drawings or on an addendum. The unit must comply with ICC/ANSI A117.1-2003 Chapter 10: Dwelling Units, Section 1002, Type A Dwelling units.

If the accessible Type A dwelling unit, on the original building permit construction drawings, is not built out in the location shown, the architect of record shall submit revised construction drawings indicating the location of the new accessible Type A dwelling units within the building as an addendum to the original building permit application.

111.3 Certificate of substantial completion. Upon the request of the design professional of record, the building official shall be permitted to issue a Certificate of Substantial Completion for a building, structure or premises before the entire work covered by the building permit has been completed, provided there are no conditions existing which would endanger public safety, health or welfare. Certificates of Substantial Completion shall be permitted to be subject to conditions. The owner can occupy or utilize the work or designated portion thereof for the use for which it is intended provided a partial occupancy permit has been applied for and issued by the building official.

111.4 Contents of the occupancy permit. When a building, structure or premises is entitled thereto, the building official shall issue an occupancy permit within a reasonable period of time. The occupancy permit shall certify compliance with the provisions of this code and the purpose for which the building, structure or premises will be used. The occupancy permit shall specify the use group in accordance with the provisions of Chapter 3; the type of construction as defined in Chapter 6; and any special stipulations and conditions of the building permit. Any building, structure or premises for which an occupancy permit has been issued shall be permitted to be reinspected to confirm compliance with this code and the Zoning Ordinance.

111.5 By whom application is made. An application for an occupancy permit shall be made by the owner of record of the building,

structure or premises. If an occupancy permit application is made by any person other than the owner of record, a notarized letter, or some other proof, must be presented granting permission from the owner of record to the applicant to apply for the occupancy permit for the stated use. The full names, addresses and telephone numbers of the owner, lessor and applicant shall be stated. If the building is owned by a corporation, said notarized permission letter, or other proof, shall be signed by an officer or registered agent of that corporation. If the applicant for the occupancy permit is a corporation, an officer, registered agent, or other responsible person of that corporation shall sign the application stating their position with said corporation.

111.6 Posting of occupancy permit; responsibilities. It shall be the duty or responsibility of the operator of every business to display a copy of a legally issued occupancy permit pertaining to the actual business in effect on the premises. It shall be the duty of the Saint Louis Police Department to enforce the provisions of this section. When the building official is informed of or suspects any violation of this code, it shall be the duty of the holder of an occupancy permit to allow the building official to inspect the building, structure or premises, or any portion thereof. Violation of this section shall result in revocation of said occupancy permit, and shall be subject to penalties as set forth in Section Four.

111.7 Occupancy permit application abandonment. Occupancy permit applications shall be abandoned sixty (60) days after initial application if, in the opinion of the building official, the occupancy permit has not been diligently pursued. Exception: Those buildings acquired from Land Reutilization Authority, in which case said occupancy permit applications shall be abandoned one hundred eighty (180) days after initial application was filed.

111.8 Revocation. The building official is authorized to, in writing, suspend or revoke an occupancy permit or certificate of substantial completion issued under the provisions of this code whenever the permit is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

112.2 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

112.3 Authority to disconnect service utilities. The building official shall have the authority to authorize the disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113 BOARD OF BUILDING APPEALS

113.1 Creation, members and qualifications. There is hereby established a Board of Building Appeals consisting of seven (7) members appointed by the Mayor, all of whom shall be residents of the City of Saint Louis; at least one of whom shall be a person engaged in the real estate business, one a Missouri licensed professional engineer, one a Missouri licensed architect, one a building contractor or subcontractor, one a person affiliated with the building and construction trades council, and two shall be citizens-at-large. There shall be four (4) alternates who shall be permitted to be called when it is expected there will not be a quorum present. The alternates shall have all powers, protection and stipends as the regular board members in accordance with Civil Service provisions. The alternates shall be appointed by the Mayor for four (4) year terms. One alternate shall be a Missouri licensed professional engineer or Missouri licensed architect; the other alternates shall be citizens-at-large. Alternates shall not make up the majority of the Board at any hearing.

113.1.1 Term of office. New members shall possess the same qualifications as the persons in whose place they are appointed. This is an existing board and all current appointments shall not be affected by this ordinance. All subsequent appointments shall be for a term of four (4) years and shall expire on an anniversary of the date of the original term, except appointments to fill vacancies which shall be for the unexpired term. Members whose appointment terms have expired shall be permitted to continue to serve until reappointed or replaced by a new appointee.

113.1.2 Procedures. The board shall elect one of its members as chairman who shall serve as such during the remainder of the calendar year, and until a successor is elected. The board shall from time to time adopt rules and regulations as shall be reasonably necessary governing its procedure, and to carry into effect the provisions of this code. These rules and regulations shall be available for review at the office of the Secretary to the Board during normal working hours. It shall be unlawful for any appellant or appellant's representative to contact any member of the board on any matter that is pending or scheduled to be heard by the board. If a board member is contacted by an appellant on a matter pending before the board, other than during a board hearing, that board member must abstain from hearing or voting on the matter, as all testimony must be heard "sworn on the record."

113.1.3 Compensation. The Board of Building Appeals members shall be compensated for services rendered on a per meeting basis, as established by ordinance, and subject to budgeted funds availability.

113.2 Meetings, witnesses, minutes to be kept. Meetings of the board shall be held at the call of the chairman, and at such other times as the board by its rules shall be permitted to provide. The chairman, or in the chairman's absence, the acting chairman, shall administer oaths. The Board shall act by a majority vote, and a quorum shall consist of at least four (4) members. The board shall keep minutes of its proceedings showing the vote of each member on each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations of witnesses and other official acts. Transcripts of hearings shall be permitted to be kept in the custody of the court reporter, and need not be transcribed unless requested. The party requesting the transcripts shall pay all costs of such transcripts required, including a file copy for the board, one for the Building Division, and one for the board's legal staff.

113.3 Types of appeals. Any person, firm or corporation aggrieved by a decision of the building official, fire official, or any other board, commission, or other officer exercising their powers under this code or any other code or ordinance assigned to the Division of Building and Inspection, shall be permitted to file an appeal when the appellant alleges:

1. That there is an error in an order, requirement, decision, or interpretation of the building official, fire official, or of any other board, commission, or other officer in the enforcement of this code;
2. That the mode, method or manner to be followed in the erection or alteration of any building or structure in any specific case before the board is equal to or superior to the mode, method or manner required by the provisions of this code;
3. That the material to be used in this specific case is equal to or superior to the materials required by the provisions of this code;
4. That any other board or commission exercising powers under this code, or any other code or ordinance assigned to the Division of Building and Inspection, wrongfully interpreted the provisions of the code, or refused to grant a license, certificate or permit under the provisions of such code;

Exception. The Board of Building Appeals has no jurisdiction or authority to hear and decide appeals on matters covered under the Americans With Disabilities Act, the Zoning Ordinance and, Cultural Resources Ordinance.

However, an application for occupancy, alteration or repair of an existing building or structure which involves a change of occupancy/ change of use group, whereupon accessibility requirements apply, the building official's determination of change of occupancy/ use group shall be allowed to be appealed to the Board of Building Appeals.

113.3.1 Determination of substantial improvement in areas prone to flooding. When the building official provides a finding, the Board of Building Appeals shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvements regardless of the actual repair work performed. The term does not include:

1. Improvements to a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic building or structure provided that the alteration will not preclude the continued designation as a historic building or structure.

- 2.1 Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or
- 2.2 Determined by the Secretary of the U.S. Department of Interiors as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
- 2.3 Designated as historic under a state or local historic preservation program that is approved by the Department of the Interior.

113.3.2 Criteria for issuance of a variance for areas prone to flooding. A variance shall only be issued upon:

- 1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards inappropriate.
- 2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
- 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
- 5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

113.4 Filing date. Unless otherwise specified in other sections of this code, appeals shall be filed within thirty (30) calendar days after the decision of the building official, fire official, or any other board, commission or other officer exercising their powers under this code, or any other code or ordinance assigned to the Division of Building and Inspection, is rendered; however, no such appeal shall be taken from any order or ruling wherein responsibility lies with the Board of Adjustment, as established by the Zoning Ordinance, or with any other board, as established by the Revised Codes of the City of Saint Louis.

Exception: Condemnation appeals shall be filed within ten (10) calendar days of the date on the Notice of Condemnation, as described in Section 119.8 of this code.

113.5 Manner and fee for filing appeals. Appeals shall be taken by filing with the Secretary to the Board a notice of appeal on such forms as prescribed by the Board of Building Appeals, specifying the grounds thereof, and the secretary shall immediately transmit to the board such notice and all papers constituting the record upon which the action appealed from is taken. The notice of appeal shall be accompanied by a fee, as listed in Table 113.5 of this code. In the event that more than one (1) building, structure or premises, owned by the same person, firm or corporation, has been cited for exactly the same violation, and the owner has filed an appeal with the board disputing the same citation, the appellant shall be permitted to file one appeal covering all said buildings, structures or premises, and be charged one (1) appeal fee. The decision rendered by the board shall apply to all buildings, structures or premises involved in the appeal.

**TABLE 113.5
BOARD OF BUILDING APPEALS FEE**

ITEM	FEE	REMARKS AND REQUIREMENTS
Board of Building Appeals Filing Fee	\$150.00	Upon the submission of an acceptable written statement certifying the applicant to be indigent, the filing fee shall be waived only upon approval from the City Counselor's Office.

113.5.1 Waiver of appeal fees. In the event the Secretary to the Board receives a written claim of indigence and a request for a fee waiver, this request shall be referred to the City Counselor's Office for approval or denial, and that decision shall

be final. A copy of that decision shall be kept on file.

113.5.2 Board hearings; notification. After an appeal has been filed, the Secretary to the Board shall place the appeal on a board hearing agenda, and the appellant shall be notified in writing by certified mail prescribing the time, date and location of the hearing not less than seven (7) days prior to said hearing. Such hearing shall be held within a reasonable time after the filing of the notice of appeal, depending on the scheduling of other appeals.

113.6 Appeals to stay proceedings; exceptions. Appeals shall stay all proceedings in furtherance of the action appealed from, unless the building official or fire official whichever shall be the case, certifies to the Board of Building Appeals, after the notice of appeal has been filed, that by reason of the facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. Proceedings shall not be stayed other than by restraining order.

113.7 Jurisdiction of the board. The Board of Building Appeals is hereby empowered to hear and decide appeals in all matters described in Section 113.3

113.7.1 Board decisions; notification. The board shall enter its order and decision after hearing, affirming, modifying or reversing the order, requirement, interpretation, ruling or decision of the building official in whole or in part. The board shall be permitted to require conditions or restrictions as necessary to assure that the activity complies with the intent of this code, or as the board deems appropriate. If the appellant fails to appear at the prescribed time and location of the hearing, and it has been determined that notice of the hearing was received, the appeal shall be dismissed, and the original order, requirement, interpretation, ruling or decision of the building official shall be affirmed. A final decision, when used in this section, shall mean a decision rendered by the Board of Building Appeals. The board shall, upon rendering its final decision, notify the appellant of its order and final decision by mail. The appellant shall be deemed to have received the final decision three (3) days after the final decision has been deposited in the United States mail with proper postage. The board shall forward its order and decision to the building official or fire official, or any other board, commission or officer exercising their powers under this code, in writing, and place a copy of the decision in its files. There shall be no rehearing or reopening of that file by the board, except where the board has required conditions or restrictions and it is to be determined whether the conditions or restrictions have been met. No information concerning any decision reached by the board shall be made public except to the appellant until that decision has been signed and the appellant has first been formally notified.

113.7.2 Generic decisions. In the event that the Building Commissioner finds that a specific decision of the Board of Building Appeals would be helpful in the continued administration of this code if it were made to be generically applicable, the Building Commissioner shall be permitted to petition the board in writing requesting that the decision of a specific case be made generically applicable, in part or in whole, without the need for individual appeals, and shall become a part of the policy of the Division of Building and Inspection. This request must be made within one hundred eighty (180) calendar days of the rendering of the decision. The board shall only affirm or deny such petition.

113.7.3 Conditional decisions; method of rehearing. When the Board of Building Appeals enters a conditional decision modifying or reversing an order of the building official, and grants additional time to correct the violation(s), the board shall grant no more than ninety (90) days. Additional time shall be permitted to be granted if, in the opinion of the building official, sufficient progress is being made to correct the violation(s). In the event insufficient progress is being made to correct the violation(s) in the allotted time, the case shall be referred back to the Board of Building Appeals to show cause why the conditions set by the board have not been met and why the building official's original order or decision should not be affirmed. In the event of such referral back to the board, notification to the appellant prescribing the time, date and location of said hearing shall be the same as that described in Section 113.5.2.

113.8 Appeals from decisions of the board. Any person(s) jointly or severally aggrieved by the decision of the Board of Building Appeals shall be entitled to a judicial review of the decision rendered by the Board of Building Appeals as provided in the Administrative Procedure and Review Act of the State of Missouri, being Sections 536.100 - 536.140 of the Revised Statutes of Missouri.

113.9 Hearing officer: The Board of Building Appeals shall have the right to appoint a hearing officer to hear and render a decision on any appeal filed with the Board of Building Appeals.

113.9.1 Qualification. The hearing officer shall be an attorney and on an approved list of attorneys who have administrative law experience. The Director of Public Safety shall compile and maintain said list.

113.9.2 Rights and duties. The hearing officer shall have such rights, responsibilities and duties as the Board of Building

Appeals and the appellants shall have the same rights as an appellant appearing before the Board of Building Appeals, including the right to appeal pursuant to Missouri's Administrative Procedure and Review Act.

SECTION 114 VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to grade for, excavate for, erect, construct, alter, extend, repair, move, remove, demolish, use or occupy any building, structure or premises, or equipment regulated by this code, or cause same to be done, in conflict with, or in violation of the provisions of this code or any decision or order of the Board of Building Appeals.

114.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the owner, as shown in the records of the City of Saint Louis Assessor's Office, or person responsible for the grading, excavating, erection, construction, alteration, extension, repair, moving, removal, demolition, use or occupancy of a building, structure or premises in violation of the provisions of this code, or in violation of a detail statement or construction documents approved thereunder, or in violation of a permit or certificate 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. Such notice shall be permitted to be served by the United States mail. Posting of the premises shall also constitute notice. It shall be a violation of this code for any person to remove any such notice, lawfully posted pursuant to this code, unless otherwise ordered by the building official.

114.2.1 Investigation of records. Upon the receipt of a written request from the owner of the property, or the real estate agent for the property, or the attorney, architect or engineer representing the owner of the property, the permit section supervisor shall ask the various building division sections for copies of any existing violation letters concerning the property. If the request is not on the owner's letterhead, a notarized authorization from the owner must be submitted.

The response letter written by the permit section supervisor shall list any known violations and must contain the following statement: "This letter does not certify that there are no actual existing violations of the ordinances for which the Division of Building and Inspection is responsible. To determine if there are any violations of any ordinances, an application for an occupancy permit must be filed in accordance with Section 111.5 of this code and the subsequent inspections completed. This letter does certify there are no existing letters of violation on record other than those attached herein. There will be a twenty-five dollar (\$25) fee charged for this service. Five (5) working days will be allowed to respond to this request."

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the City of Saint Louis to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building, structure or premises in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in Section Four.

114.5 Abatement of violation. The imposition of penalties as set forth in Section Four 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 premises, or to stop an illegal act, conduct business or use of a building or structure on or about any premises.

SECTION 115 STOP WORK ORDER

115.1 Authority. Whenever the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order.

115.2 Issuance. The 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. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

115.3 Emergencies. When an emergency exists, the fire official shall not be required to give a written notice prior to stopping the work.

115.4 Unlawful continuance. Any person who shall continue any work in or about the building, structure or premises after having been served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall, upon conviction thereof, be subject to the penalties as set forth in Section Four. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 116 UNSAFE BUILDINGS, STRUCTURES AND EQUIPMENT

116.1 Conditions. Buildings, structures or equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, facilities, inadequate light and ventilation, or which constitutes a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe buildings or structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

116.2 Record. The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the building or structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

116.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

116.5 Restoration. The building, structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2.

SECTION 117 PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES

117.1 Responsibilities. The provisions of this section shall define the construction controls required for buildings involving professional architectural or engineering services, and delineate the responsibilities of such professional services during construction.

117.1.1 Design. All design for new construction, addition, alteration, repair or modification work involving the practice of professional architecture or engineering, as defined by the statutory requirements of the professional licensing laws of the State of Missouri, shall be prepared by Missouri licensed design professionals, certified by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. All construction documents required for a building permit application for such work shall be prepared by or under the direct supervision of a Missouri licensed design professional and bear their seal, signature and date in accordance with the State's statutes and regulations governing the professional licensing and certification of architects, professional engineers and land surveyors.

117.1.2 Review. The Missouri licensed design professional, whose seal is on the approved construction documents, shall be responsible for review of shop drawings and samples, as required by the approved construction documents, and approval for conformance to the design concept and this code. This review process shall be permitted to be contracted by the owner to another Missouri licensed design professional, should the original design professional not desire to provide such services.

117.1.3 Application of seal, signature and date. All construction documents submitted with an application for a building permit shall be prepared by a Missouri licensed design professional as required by Chapter 327 of the Revised Statutes of the State of Missouri. All construction documents shall bear an original embossed or wet ink seal, original ink signature and the date the documents were sealed by the Missouri licensed design professional for each discipline on the first sheet of each discipline within each set of construction documents, or on the cover sheet of each set of construction documents.

In addition, all other sheets of the construction documents, other than project specifications or calculations, shall bear the

original embossed, wet ink, electronic or mechanically reproduced seal, signature and date of the Missouri licensed design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear the original embossed or wet ink seal, original ink signature and date the documents were sealed.

All project specifications, calculations, reports or other documents not considered to be construction drawings shall bear an original wet ink or embossed seal, original ink signature and the date the documents were signed by the Missouri licensed design professional for each discipline on the title or index sheet.

117.1.4 Reproduction of sealed documents. Construction documents sealed by a Missouri licensed design professional, shall not be reproduced for anyone, other than the owner, without the expressed written permission of Missouri licensed design professional who sealed said documents, or as ordered by a court of law.

117.2 Special professional services. When applications are filed for unusual designs or magnitude of construction which require construction document review or inspection services beyond the capacity of the building official's staff, or where code reference standards in Chapter 35 require special architect or engineer inspections, the building official shall be permitted to require the owner to retain a properly qualified Missouri licensed design professional to perform the services necessary for code compliance in addition to that provided in Section 117.1.2. This project representative shall keep daily records and submit reports as required by the building official. Upon completion of the work, the Missouri licensed design professional shall file a final report indicating whether or not all required inspections were performed and listing pertinent deviations from the building code requirements or from the approved construction documents and the source of authority for such deviations.

117.2.1 Building permit requirement. The necessity for special professional services shall be determined prior to issuance of the building permit, unless waived to a later date by the building official. Refusal by the applicant to provide such services as required by the building official shall result in the denial of the permit.

117.2.2 Fees and costs. All fees and costs related to the performance of special inspection services shall be borne by the owner.

117.2.3 Visits to site. When so directed by the building official, or when required by the special inspection provisions of this code, the Missouri licensed design professional shall make visits to the site at intervals appropriate to the stage of the construction to observe the progress and the quality of the work; to observe construction components requiring controlled materials or construction, as specified in Chapter 35, Referenced Standards; and to determine if the work is proceeding in accordance with the construction documents approved for the building permit. The Missouri licensed design professional shall periodically submit reports to the building official showing the results of such periodic visits.

SECTION 118 WORKMANSHIP

118.1 General. All work shall be conducted, installed and completed in a neat, workmanlike and acceptable manner so as to secure the results intended by this code.

SECTION 119 CONDEMNATIONS

119.1 Notification. If, upon making an inspection and examination of any occupied or unoccupied building, structure or premises, the building official finds one (1) or more of the defects described below, the building official shall notify in writing, as provided in Section 119.2, the owner(s) of said building, structure or premises, as recorded most recently in the City of Saint Louis Assessor's Office, the defects found in said building, structure or premises, and shall order them to proceed to properly demolish, repair, and secure or correct all conditions causing condemnation of said building, structure or premises within seven (7) days. This document is to be known as a Notice of Condemnation. If the conditions have not been corrected by the date listed in the notice, the building, structure, premises, or portion thereof or appurtenance thereto will be condemned and shall be required to be vacated, if occupied, and secured. Possible defects shall be permitted to be one (1) or more of the following:

1. The building or structure is in a condition which endangers either the lives or safety of persons, whether occupants or otherwise, or other property;
2. The condition of the building or structure by reason of the making of an excavation on the lot on which it is located, or any adjoining lot, endangers either the lives or safety of persons, whether occupants or otherwise, or other property;

3. The building, structure or premises is a fire hazard for any reason, including without limitation: obsolescence, dilapidation, deterioration, damage, lack of sufficient fire resisting qualities, poor sanitation, or faulty electrical wiring, gas connections or heating apparatus;
4. The building or structure lacks safe or adequate facilities for means of egress in case of fire or panic;
5. The building or structure has any one (1) or more of the following conditions:
 - A. Improperly distributed loads upon the floors or roof;
 - B. Overloaded floors or roofs;
 - C. Insufficient strength to be reasonably safe for its actual or intended use;
6. Any portion of the building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause, that the building or structure is no longer safe or suitable for its actual or intended use;
7. Any interior or exterior portion, member, appurtenance, ornamentation or any other component of the building or structure is likely to fall or collapse, or become detached or dislodged, and thereby injure persons or damage property;
8. Any portion of the building or structure has racked, warped, buckled or settled to such an extent that its walls or other structural portions have insufficient resistance to fire, earthquake, wind, flood or similar perils;
9. Part or all of the building or structure is in danger of collapsing for any reason;

The building or structure has exterior walls or other vertical structural members which list, lean or buckle;

The building, structure or premises, or any portion thereof is, for any reason, unsafe for its actual or intended use;

The building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause, or has become so dilapidated, deteriorated or decayed as to come within any one or more of the following categories:

 - A. The building or structure will attract and result in harm to children;
 - B. The building or structure is, or is likely to become, a harbor for vagrants, criminals or immoral persons;
 - C. The building or structure enables persons to resort thereto for the purpose of committing unlawful or immoral acts;

The building, structure or premises has been constructed, exists, or is being maintained in violation of any provisions of this code, or of any law of the City of Saint Louis;

The building or structure does not have the strength, fire resisting qualities or weather resisting qualities required by this code for newly constructed buildings of like area, height and occupancy;

The building, structure, or premises is used or intended to be used for purposes that are likely to injure the health, safety or welfare of persons who occupy or could occupy said building or structure by reason of any one or more of the following conditions:

 - A. Inadequate maintenance, dilapidation, deterioration, decay or damage;
 - B. Faulty construction;
 - C. Inadequate light, ventilation or sanitation facilities;

D. The building, structure or premises is being used for any illegal purposes;

Any portion of the building or structure has been left remaining on a site after its demolition or destruction;

The building or structure is vacant for a period in excess of six (6) months, and because of its condition, it is unsafe or unsanitary, or it endangers property or the health, morals, safety or welfare of persons;

A building or structure is subject to demolition is the building or structure is vacant and has been ordered secure or has been secured by order of the building official for a period in excess of twelve (12) months and has been condemned for occupancy or has been used in the commission of a crime subsequent to being ordered secured or being secured.

The building or structure is only partly constructed and construction has stopped for a period in excess of six (6) months, and because of its condition, affects the health, safety and welfare of the adjacent properties.²⁰ Any building or storage used for the manufacture or storage of methamphetamine, lysergic acid diethylamide, phencyclidine, gamma hydroxybutyrate or flunitrazepam.

119.1.1 Evacuation order; failure to comply. Any person who refuses to leave, interferes with the evacuation of other occupants, or continues any operation after having been given an evacuation order by the building official, except such person(s) who is 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 from said building, structure or premises and prevent anyone from re-entering the building, structure or premises until such time that the Police Department shall have been notified by the Division of Building and Inspection that the same is in a safe condition. Any person who shall violate this section shall be guilty of a misdemeanor and subject to the penalties as set forth in Section Four.

119.1.2 Dangerous conditions. Whenever the building official shall find any building, structure or premises in such a condition that it presents a safety hazard, but not dangerous enough to warrant condemnation and demolition, and repair is relatively small in relation to the building as a whole, the building official shall post a sign on the premises which reads as follows:

WARNING

ALL PERSONS ARE WARNED TO USE EXTREME CAUTION IN OR AROUND THESE PREMISES

Additionally, a letter shall be posted indicating those conditions in violation of this code, and a copy of said letter shall be mailed to the owner(s) of said building, structure or premises.

119.2 Service of notice. The notice to the owner(s) of the building, structure or premises found by the building official to be in violation of this code, shall be directed to the owner(s) of such building, structure or premises, as recorded most recently in the City of Saint Louis Assessor's Office. The notice shall be served in one of the following ways:

1. Delivering directly to owner(s).
2. Posting a copy of said notice upon the building, structure or premises.
3. Mailing a copy of said notice by regular mail, postage prepaid, direct to owner(s)' place of business or the address currently recorded in the Assessor's Office of the City of St. Louis.
4. Publication in a newspaper of general circulation in the City of Saint Louis.

119.2.1 Posting copy of notice. In case such building, structure or premises is in the occupancy of a tenant(s), in addition to the above notice, it shall be the duty of the building official to post a copy of such notice upon said building, structure or premises. It shall be a violation of this code for any person to remove any notice or copy thereof, lawfully posted pursuant to this code, unless otherwise ordered by the building official.

119.3 Failure to comply; authority to enter into contracts. If the owner(s) fail to comply with the order of the building official by the date indicated in the Notice of Condemnation, and in such a manner that can be approved by the building official, then such owner(s) shall have violated this code, and the building official shall be permitted to forthwith proceed to undertake and complete whatever work is necessary to eliminate the dangerous condition. The Building Commissioner shall have the authority to enter into contracts with no other review, signature or approval (except for insurance) from any other City agency. Such contracts shall be permitted to include, but not be limited to, demolition, environmental investigation, remedial work, professional or contractual

services. Competitive bids shall not be required for emergency situations where there is a danger to life or property. The cost of such work performed by the building official, under the provisions of Sections 119 or 120 of this code, shall be paid for by the City of Saint Louis. The building official shall certify to the Comptroller the cost of such work, including the administrative costs incurred by the Division of Building and Inspection in performing said work, but in no event shall such administrative costs exceed ten percent (10%) of the contract price incurred by the Division of Building and Inspection in performing such work. The Comptroller, upon certification by the building official of the cost expended for said work, shall prepare bills for such work against the owner(s) of said building, structure or premises. In case said bills are not paid upon presentation, they shall be referred to the City Counselor, who shall proceed to collect same, by suit, or lien if necessary, and the amounts when collected shall be credited to a special revolving fund for the purposes herein designated.

119.3.1 Secured buildings. For a building or structure to be "secured" in those cases in which securing is specifically required by this code, a covering shall be placed over all doors, windows or other openings at the first floor level, and all doors and windows that are accessible from any porch, service stair or fire escape, and all basement or cellar windows. This cover shall consist of not less than three-eighths (3/8) inch plywood or other such material approved by the building official attached to the framing of all such doors and windows by wood screws, or any other material approved by the building official, of a minimum length of one and one half (1½) inches, placed not more than twelve (12) inches on center. Such plywood or other such material approved by the building official shall be painted with a minimum of two (2) coats of exterior grade paint of a brick red or other color which is approved by the building official. It shall be the duty and responsibility of the building official to re-enter any premises or building or portion thereof that has previously been secured and boarded either by the City of Saint Louis or any other party, when, in the opinion of the building official, there is reason to believe that there happens to be new or additional violations of this code. The building official shall not be held responsible for any damage to the building, structure or premises caused by the act of securing.

119.3.2 Reentry of secured buildings. The occupancy of any building or structure which has been ordered secured or has been secured by order of the building official shall be prohibited until the owner of said building or structure obtains a certificate of inspection, or an occupancy permit from the building official. Work performed on any building or structure as a prerequisite to a certificate of inspection shall not be considered occupancy of said building or structure.

119.4 Building not to be rented or leased. No owner, or agent of the owner, of any building, structure or premises, after notice from the building official that such building, structure or premises is unsafe or dangerous, shall rent or lease the same or any part thereof, or collect any rent therefore, until such building, structure or premises has been placed in a safe and secure condition. Under Section 118 the building official shall be permitted to require an occupancy permit to be issued prior to occupancy or re-occupancy. Any person found guilty of violating the provisions of this section shall be subject to the penalties as set forth in Section Four regarding fine and imprisonment. Each day that a violation continues constitutes a separate and distinct offense.

119.5 Cost; method of payment; lien; penalty. The building official shall have the authority to require any violator of this code to correct, remove or abate any condition caused or permitted by them in violation of this code; and the building official shall be permitted to correct, remove or abate the same, upon their failure to comply with the requirements of this code, when the public interest so requires. For all emergency condemned buildings or structures, the building official shall have the authority to receive and publicly open bids and award the contract to the lowest qualified bidder meeting the specifications, without first sending said contract to the Comptroller. These contracts shall be signed by the Building Commissioner and countersigned by the Director of Public Safety, and shall have the full effect of a city contract. All costs attending such action in such cases shall be paid from the appropriate fund, as provided in Section 119.3 of this code, and then collected from the party offending as therein provided. A lien for such costs shall be placed against the property whereon such violation was permitted to exist. The cost shall also be certified to the Collector of Revenue, or other official collecting real estate taxes, who shall cause a special tax bill against the property to be prepared and collected in the same manner and procedures as other real estate tax bills. Said special tax bill shall be deemed a personal debt against the property owner(s) and shall also be a lien on the property until paid. These bills or liens shall not be forgiven except by the City Counselor, who shall, in writing, instruct the building official to forgive such bills or liens. Further, board-up and demolition bills shall be permitted to be waived when ownership of said property, for which the bill or lien was issued, is accepted by Land Reutilization Authority, Saint Louis Development Corporation or any other City agency. Any person, firm or corporation, who shall refuse or neglect to comply with the provisions of this section, or who shall violate any of the provisions thereof, shall be subject to the penalties as set forth in Section Four. In addition, any payments deemed to be in arrears shall be subject to interest charges at a rate set by the Comptroller.

119.5.1 Prohibited expenditures. The building official shall not expend any monies for demolition of buildings owned by Land Reutilization Authority, Operation Impact, Saint Louis Development Corporation, Port Authority or any other governmental agency, except in emergency situations where immediate action is required to preserve public health, safety and welfare.

119.6 Vacation of buildings; duties of police; penalty. Upon effecting condemnation of any building, structure or premises by the building official, it shall be unlawful for any person to enter or remain in or on such building, structure or premises until such time as the Police Department shall have been notified in writing by the building official that the same is in a safe condition. It shall be the duty of the Police to remove any person from such building, structure or premises so condemned and to prevent any person from entering same until such time as the Police Department shall have been notified in writing by the building official that such building, structure or premises is in compliance with this code. The provisions of this section shall not apply to licensed security guards or persons directly employed in securing the building, structure or premises, or otherwise abating the conditions causing the condemnation. Any violation of this section of the code shall be subject to the penalties as set forth in Section Four.

119.7 Removal of decayed or unsafe trees. Whenever it shall come to the knowledge of the Forestry Commissioner that any tree on private property is in such a decayed or dangerous condition as to endanger the lives of persons, or is likely to cause immediate damage to the property of others, the Forestry Commissioner shall cause said tree to be removed or cause such dangerous conditions to be remedied by the owner of the property whereon it is situated. The powers and duties of the Forestry Commissioner in respect to any such tree, the notice to the owner of the property whereon it is located, the cost of its removal or remedying the dangerous condition caused thereby, the lien of such cost, the method of its collection, the penalties to be incurred by the owner, and the procedure to be followed by the Forestry Commissioner shall, as nearly as practicable, be those prescribed by this section in respect to the building official's procedures for buildings and other structures which are in a dangerous condition.

If the Forestry Commissioner cannot secure removal of the dangerous tree by Forestry Division forces, or by response of the owner to the Forestry Division notice, the Forestry Commissioner shall be permitted to request the assistance of the building official in condemning the tree and securing removal after emergency or public bid by private contractors, resulting in a City of Saint Louis contract to remove the tree.

The condemnation, if appealed to the Board of Building Appeals, shall require the defense testimony of Forestry Division personnel knowledgeable about trees.

The Building Division shall be permitted to make available for tree removal contracts on private property a sum not to exceed five percent of the first two hundred thousand dollars of general fund demolition monies appropriated in a fiscal year, in addition to not more than three percent of any appropriated amount over two hundred thousand dollars (\$200,000). The Forestry Division will prepare bid specifications, receive, process and award such contracts billable to the Building Division demolition account subject to the dollar limits above. This procedure is for dead or dangerous trees on private property only and is not for encroachments, trimming, pruning or other concerns.

119.8 Appeal. Any person aggrieved by the decision of the building official, pursuant to Sections 119.1 through 119.7 inclusive of this code, shall be permitted to appeal such decisions to the Board of Building Appeals within ten (10) calendar days of the date on the Notice of Condemnation. The Condemnation Committee of the Board of Building Appeals, selected by the chairman, shall hear said appeal and render its decision affirming, modifying or reversing the decision of the building official, and to such end, shall possess all the powers on appeal granted the building official under Sections 119.1 through 119.7 inclusive of this code. Such decision shall be subject to the procedures and review provided by the Administrative Procedure and Review Act of the State of Missouri. Filing of an appeal of any portion of Sections 119.1 through 119.7 of this code does not stay any action provided in these sections.

119.9 Penalties. If the owner(s) fail to repair, demolish, or otherwise comply a building, structure or premises, as ordered by the Notice of Condemnation of the building official, pursuant to Section 119.2 of this code, either within the seven (7) day period specified in Section 119.1, or within ten (10) days after any appeal from said notice, as provided in Section 119.8 of this code, is finally adjudicated adversely to said owner(s), then said owner(s) shall be guilty of a violation of this section and shall, upon conviction thereof, be subject to penalties as set forth in Section Four. Each day that any violation continues shall constitute a separate and distinct offense.

119.10 Responsibility of ownership.

1. Disclosure: It shall be unlawful for any seller or grantor to convey, give or transfer property to any buyer or grantee without first disclosing in writing to the buyer or grantee the existence of all Notices of Condemnation or any other violations of this code. The grantor shall keep and make available for inspection by the building official such disclosure signed by the grantee for a period of one (1) year from the conveyance, gift or transfer.
2. Liability to prosecution and conviction: Any person shall be permitted to be prosecuted and convicted for violation of Section 119.1.1, notwithstanding that said person has not been given the notice specified in Section 119.1, provided that the building, structure or premises in question had one or more of the defects described in Section 119.1 during the period that said person was responsible for said building, structure or premises as

- owner, corporate officer, partner or otherwise, and provided further that said prosecution is commenced during the one (1) year period after said person ceased to be so responsible.
3. Liability to suit and judgment: Any person shall be permitted to be sued by and held liable to the City of Saint Louis, as provided in Section 119.3, for funds expended by the City of Saint Louis, pursuant to said section, notwithstanding that said person has not been given the notice specified in section 119.1, provided that the building, structure or premises in question had one or more of the defects described in said section during the period that said person was responsible for said building, structure or premises as owner, corporate officer, partner or otherwise, and provided further that said suit is commenced during the one year period after said person ceased to be so responsible.

Owner(s) are presumed by law to know the conditions of their property, whether or not such notice was given. Notices sent to the address of the owner(s) shown on the City of Saint Louis Assessors Office records on the date sent, shall constitute legal notice in accord with Section 119.2.

119.11 Dangerous, hazardous, unsanitary or unapproved plumbing, mechanical and electrical installations. The building official shall have the authority to seal out of service the items listed below, when, in the building official's opinion, any of these items are in an unsafe, hazardous or unsanitary condition, or if a Certificate of Inspection has not been issued by the building official, or if the installation was made without obtaining the necessary permit(s):

1. Plumbing equipment, fixtures, piping, devices and appurtenances covered by the City of Saint Louis Building and Plumbing Codes;
2. Mechanical equipment, devices and appurtenances covered by the City of Saint Louis Building and Mechanical Codes.
3. Electrical equipment, fixtures, devices, wiring and appurtenances covered by the City of Saint Louis Building and Electrical Codes;

119.11.1 Notice of sealing out of service. Before sealing any device out of service, the building official, except in cases of emergency, shall serve seven (7) days written notice upon the building owner(s) or occupant(s) by United States mail, stating intention to seal the equipment out of service and the reasons therefore. Notice shall be permitted to alternately be served by posting upon, or immediately adjacent to, the device proposed to be sealed.

119.11.2 Unlawful to remove or tamper with seal. Any device sealed out of service by the building official shall be plainly marked with a sign or tag indicating such sealing, and any defacing or removal of the sign or tag, or any tampering with or removal of the seal without approval of the building official, or operation of the sealed unit, shall constitute a violation of this code and shall subject the violator to the penalties as set forth in Section Four.

119.12 Cancellation of condemnation. The building official shall have authority to cancel prior condemnations either for defects, or for occupancy. A condemnation shall be permitted to be rescinded by the building official only after, in the official's opinion, all necessary repairs are made to such building, structure or premises, or otherwise compliance is obtained with the building official's orders to make such building, structure or premises safe or occupiable and defects noted have been corrected.

119.12.1 Notice of cancellation of condemnations. Upon cancellation of a condemnation, a notice shall be directed to the owner(s) of the building, structure or premises stating that the condemnation has been canceled. The service of such notice shall be done in the same manner as provided for in Section 119.2.

119.13 Vacant building inspection. The building official shall cause to be inspected any property that potentially is subject to the registration fee as established in Section 109.2.12. The inspecting officer shall report his findings and it shall be determined whether any such property shall be subject to the registration fee by the city. Within five (5) business days of such determination, the building official shall notify by mail the owners of property on which the registration fee has been levied at the last known address according to the records of the Office of the Assessor. The property owner shall have the right to appeal the decision of the building official to the municipal court within 30 days of such notification. Absent the existence of any valid appeal or request for reconsideration the registration fee shall begin to accrue on the beginning of the second calendar quarter after the decision of the building official.

119.13.1 Reconsideration. Should within thirty (30) days of the building official making such notification, the property owner complete any improvements to the property that would be necessary to revoke the levy of the registration fee, they shall request a reinspection of the property and a reconsideration of the levy of the registration fee by the city. If the building official revoke the registration fee, no such assessment shall be made and the matter shall be considered closed.

If the building official affirm the assessment of the registration fee, the property owner shall have the right to appeal the reconsideration decision to the municipal court within thirty days if such decision. Absent the existence of any valid appeal to the municipal court or other court of competent jurisdiction the registration fee shall begin to accrue on the beginning of the second calendar quarter after the reconsideration decision of the building official.

119.13.2 Payment and penalties. The building official shall establish procedures for the payment of the registration fee and penalties for delinquent payment of such fees. Any registration fees which are delinquent for a period of one (1) year shall become a lien on the property and shall be subject to foreclosure proceedings in the same manner as delinquent real property taxes. The owner of the property against which the assessment was originally made shall be able to redeem only by presenting evidence that the violations cited by the building official have been cured and presenting payment of all registration fees and penalties. Upon bona fide sale of the property to an unrelated party said lien shall be considered released and the delinquent registration fee forgiven.

SECTION 120 EMERGENCY MEASURES

120.1 Procedure. When, in the opinion of the building official, a building, structure or premises poses an immediate or imminent danger to the public health, safety or welfare, as defined in Section 118.1, the building official shall order the immediate evacuation and securing of said building, structure or premises, and shall be permitted to order all utilities to be disconnected without sending a notice. Each principle entrance shall be posted with a notice which reads as follows:

DANGER THIS PREMISES IS UNSAFE AND HAS BEEN CONDEMNED ALL PERSONS ARE WARNED TO KEEP AWAY

Any person who refuses to leave, interferes with the evacuation of other occupants, occupies or continues any operation after the property has been posted pursuant to this section, except such person(s) who is directed to perform work to remove a violation or unsafe condition, shall be deemed in violation of this section, and it shall be the duty of the Police Department to immediately remove such person(s) from said building, structure or premises, and prevent anyone, unless approved by the building official, from re-entering the building, structure or premises until such time that the Police Department shall have been notified that the same is in a safe condition. The building official assumes no responsibility for persons entering upon said property, and said persons proceed at their own risk and assume all liability.

120.2 Temporary safeguards. When, in the opinion of the building official, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life, the building official shall be permitted to cause the necessary work to be done to render such building or structure or part thereof temporarily safe, whether or not the legal procedure herein described has been instituted.

120.3 Closure. When necessary for public safety, the building official shall temporarily close sidewalks, streets, buildings, structures and places adjacent to such unsafe building, structure or premises, and prohibit the same from being used.

120.3.1 Catchment enclosures. If, in the opinion of the building official, it is determined that there exists an imminent structural hazard, catchment enclosures shall be erected protecting adjoining property and the public right-of-way. The cost for such catchment enclosures shall be the responsibility of the owner of record immediately adjacent to the catchment enclosure, and the recovery of said costs will be as described in Section 119.5 of this code.

120.4 Emergency repairs; remedies. For the purpose of this section, the building official shall be permitted to employ the necessary labor and materials to perform the required work as expeditiously as possible. Further, when it is found that potable water is running inside a vacant building or structure, and the owner or the owner's representative cannot be contacted, and where severe structural or other damage can thus occur to adjacent properties, the Building Commissioner or the Health Commissioner shall be permitted to order the Water Division to cease the problem flow by whatever means the Water Division finds necessary. The Water Division shall comply with any order issued pursuant to this section.

120.5 Cost of emergency repairs or demolition. Costs incurred in the performance of emergency work shall be paid from the Treasury of the City of Saint Louis on certification of the building official. The legal counsel of the City of Saint Louis shall institute appropriate action against the owner(s) of the premises where the unsafe building or structure is or was located for the recovery of such costs plus a ten percent (10%) administrative fee. If such cost is not collected, a lien shall be requested to be placed upon the property by the Comptroller. The costs shall also be certified by the Collector of Revenue or other official collecting real estate taxes who shall cause a special tax bill against the property to be prepared and collected in the same manner and procedures as other real

estate tax bills. Said special tax bill shall be deemed a personal debt against the property owner(s) and shall also be a lien on the property until paid.

120.6 Emergency demolition or removal. If, in the opinion of the building official, a building, structure, tree or premises, in whole or in part, poses an immediate and imminent danger to the public health, safety or welfare, by virtue of its condition or conditions in violation of this code, the building official shall be permitted to cause the immediate removal of said building, structure or tree without the notice set forth elsewhere in this code. Further, the building official shall have the authority to award a sole source contract for demolition of said dangerous building, structure or tree.

120.7 Demolition of party walls; responsibility. When a building or structure on one side of a party wall is demolished, the demolition contractor is required to mortar in the floor and/or roof joist pockets, and is also responsible for installing missing portions of the party wall which were not originally built. The demolition contractor shall remove any attachments to the building or structure (plaster, mortar, steps, paneling, etc.). The adjacent wall shall have an approved roofing material applied to create a coping for the wall. The demolition contractor shall also be responsible for applying an exterior sprayed-on sand and tinted cement coating or tuckpointing; these are not the responsibility of the owner of the remaining building who relies on structural support from the party wall.

SECTION 121 CERTIFICATION OF DEMOLITION CONTRACTORS

121.1 Certificate required. No person, partnership or corporation shall engage in the activity of demolishing or wrecking buildings or structures, as defined in Section 203 of this code, within the City of Saint Louis, unless such person, if an individual, a person who is a partner in a partnership, or an officer of any such corporation, shall first apply for and be issued a demolition certificate as a demolition contractor as defined in this section.

Exception: No demolition certificate shall be required for the City of Saint Louis when performing demolition or wrecking by force account using employees of the City of Saint Louis.

121.2 Demolition certificate. No person, partnership, corporation, or persons or corporations doing business under a fictitious name, whether such name be legally registered or not, or corporation doing business in or conducting demolition or wrecking activities, as defined in Section 203, shall conduct, or be employed in conjunction with demolition, as defined in Section 203, within the City of Saint Louis unless said person, a member of the partnership, or an officer of such corporation, or one of the persons or any officers of any corporation doing business under a fictitious name has received a current demolition certificate of the proper class as herein described, or said person is legally employed by a properly certified demolition contractor of the class herein described. The Demolition Contractors' Certification Board shall approve the issuance of a demolition certificate to any person, partnership or corporation which has undertaken to comply with the provisions of the Building Code of the City of Saint Louis, and any and all regulations thereunder, and who has proven ability, personnel and equipment to provide the public with safe, timely and competent service as a demolition contractor within the class of certification for which application has been made. With the determination of the person's fitness, the Demolition Contractors' Certification Board shall require an examination, either oral or written, and shall call for satisfactory experience in the field, in accordance with the standards herein contained.

The Demolition Contractors' Certification Board shall be permitted to deny, revoke or suspend any demolition certificate upon a determination after notice and hearing that the demolition contractor:

1. Has violated any provision or any obligation imposed by this code or any and all regulations thereunder, or has violated any law in the course of their dealings as a demolition contractor; or,
2. Has made a material mis-statement in the application for the demolition certificate; or,
3. Has been guilty of fraudulent or dishonest practices, including but not limited to: arson, embezzlement, fraud, theft, failure to complete projects before permit expiration, caused damage to abutting property, failed to comply with provisions of this certification section; or,
4. Has demonstrated their incompetency or lack of ability to act as a demolition contractor.

Such demolition revocation or suspension shall be permitted to be appealed to the Circuit Court.

121.2.1 Class I certificate. A demolition certificate to be issued for one (1) year to demolition contractors which indicates that the demolition contractor possesses the personnel, equipment and ability to perform any demolition activities within

the City of Saint Louis in accordance with applicable provisions of this code and the laws of the City of Saint Louis for demolition of a building or structure or portions thereof.

121.2.2 Class II certificate. A demolition certificate to be issued for one (1) year to demolition contractors which indicates that the demolition contractor possesses the personnel, equipment and ability to perform demolition activities within the City of Saint Louis in accordance with the applicable provisions of this code and the laws of the City of Saint Louis for demolition of a building or structure or portions thereof which do not exceed three (3) stories or fifty (50) feet in height, or five thousand square feet in area, or two hundred thousand (200,000) cubic feet in volume.

121.2.3 Temporary certificate. A temporary certificate is a demolition certificate to be issued for either a Class I or Class II certificate, as described above, indicating compliance with the requirements for same and demolition activities, as described in Section 203 of this code, are to be performed. This certificate shall be issued for a period not to exceed six (6) months.

121.2.4 Special certificate. A person, firm, partnership or corporation shall be permitted to be certified as a demolition contractor in the appropriate class with a special demolition certificate, if that person, firm, partnership or corporation provides proof of appropriate insurance on a per job basis.

121.3 Demolition contractors certification board. There is hereby established a City of Saint Louis Demolition Contractors' Certification Board which shall be composed of the Building Commissioner of the City of Saint Louis, or the Building Commissioner's authorized representative, and four (4) additional members appointed by the Mayor as follows: either the President of the Board of Public Service or the Director of the Department of Streets or their authorized representative, a certified general contractor, a person engaged in the real estate business and a member of the public at large. Appointments of city employees as members of this board shall be during such time as the Building Commissioner and either the President of the Board of Public Service or the Director of the Department of Streets hold office. All members shall be appointed to a two (2) year term. The term of the member-at-large shall expire on the year opposite the other members. Three members shall constitute a quorum for meetings of the Demolition Contractors' Certification Board, and a simple majority shall rule in decisions rendered by this board. The Building Commissioner shall appoint a Building Division member to serve as secretary to the board. The Demolition Contractors' Certification Board shall be compensated as prescribed by Civil Service provisions for such boards and committees.

121.3.1 Term of office. New members shall possess the same qualifications as the persons in whose place they are appointed. This is an existing board and all current appointments shall not be affected by this ordinance. All subsequent appointments shall be for a term of two (2) years and shall expire on an anniversary of the date of the original term, except appointments to fill vacancies which shall be for the unexpired term. Members whose appointment terms have expired shall be permitted to continue to serve until reappointed or replaced by a new appointee.

121.3.2 Powers and duties of the board. The Demolition Contractors' Certification Board is to conduct itself in such a manner so as to insure, as much as possible, that demolition within the City of Saint Louis is performed safely in accordance with the laws of the City of Saint Louis governing demolition and demolition contracting, as hereinafter set forth:

1. Administration - The Demolition Contractors' Certification Board shall receive applications, administer tests, conduct interviews and hearings, and approve, deny, suspend or revoke demolition certificates, as herein described. The Demolition Contractors' Certification Board shall be permitted to also issue temporary certificates, as described in Section 120.2.3.
2. Tests - The Demolition Contractors' Certification Board shall prescribe the form and content of tests, as described herein, and the form or content of demolition certificates, as herein described.
3. Hearings - The Demolition Contractors' Certification Board shall hold hearings and call witnesses pursuant to certificate issuance or rules and regulations pending, and shall be permitted to call special hearings related to complaints by citizens concerning demolition procedures or rules and regulations.
 - A. The Demolition Contractors' Certification Board (hereinafter referred to as the Demolition Board) shall meet as often as is necessary to conduct its business. The Demolition Board will set and hold hearings for annual re-certification as required.
 - B. The Demolition Board shall meet up to twelve (12) times each year for the purpose of testing or re-testing applicants for certification.

- C. For any special session requested and called for by the elected chairman of the Demolition Board for any purpose set forth in the rules adopted and published by the Demolition Board.
 - D. For the purposes of suspending or revoking any demolition certificates previously issued when the building official finds that any holder of a demolition certificate has violated any of the provisions of this code or any rule or regulation adopted by the Demolition Board. The building official shall serve upon the holder of the demolition certificate a written notice signed by the building official of any findings stating the violation or violations which the building official has found the certificate holder to have committed, and stating that a hearing will be held before the Demolition Board in not less than five (5) days nor more than fifteen (15) days. Such written notice shall further state that the purpose of such hearing shall be the revocation or suspension of the named person's demolition certificate as a demolition contractor. Such notice shall state further that the holder of the demolition certificate has the right to appear personally at such hearing and to be represented by counsel of the holder's choice. The Secretary of the Demolition Board shall mail a written notice of the time, date and place of any such hearing to the holder of the demolition certificate at the last address furnished to the Demolition Board in the registration statement required to be filed by Section 120.3.4 paragraph 1-A.
4. Adoption of Rules - The Demolition Board shall be permitted to adopt rules and regulations consistent with the provisions of this ordinance and the laws of the City of Saint Louis related to demolition. Such rules and regulations shall be published in the City Journal for two (2) consecutive issues prior to becoming effective.

121.3.3 Tests. In the performance of its powers and duties for the approval, denial, revocation or suspension of a demolition certificate, the Demolition Board shall be permitted to prescribe oral or written tests or both to establish the applicant's ability and knowledge of the laws and regulations of the City of Saint Louis. If tests are administered, equivalent testing shall be required of all demolition contractors within the same class of certificate.

121.3.4 Required conditions prior to issuance of demolition certificate.

- 1. Filing of registration statement - No Class I or Class II demolition certificate or any temporary certificate or special certificate, as specified herein, shall be issued to any person, partnership, officer of any corporation, or any person doing business under a fictitious name, whether such name be legally registered or not, or corporation doing business in or conducting wrecking activities as herein defined, unless there is first filed with the Demolition Board a certified statement, by any such person, if an individual; by all persons who constitute any partnership; by all persons, individuals and officers of any corporation doing business under a fictitious name, whether such name be legally registered or not, or corporation doing business in or conducting demolition or wrecking activities as herein defined; by the president and secretary of any corporation, setting forth the following:
 - A. All the names and current addresses of all such persons, who are individuals or partners of any partnership; all the names and current addresses of all persons doing business under a fictitious name, whether such name be legally registered or not; the legally registered name and address of any corporation doing business, together with the date when registered and the number assigned by the Secretary of the State; in or conducting demolition or wrecking activities, as described in Section 203, stating the date of registration with the registration number assigned by the Secretary of the State of Missouri, and the written verification by the Secretary of State that the corporation is currently in good standing and authorized to do business in the State of Missouri.
- 2. Filing proof of public liability insurance coverage and required endorsements: Prior to the issuance of any demolition certificate as a demolition contractor, there must be filed with the Demolition Board the following:
 - A. A public liability insurance policy, in the minimum amount of one hundred thousand dollars (\$100,000), limits payable for injury to and including the death of, for any one person; and in the minimum amount of three hundred thousand dollars (\$300,000), limits payable for any injuries including death to any two (2) or more persons injured in any one accident; and in

the minimum amount of fifty thousand dollars (\$50,000), limits payable to one or more persons for property damage at any time by reason of the carelessness or negligence of any person or persons holding any demolition certificate, or any corporation, any officer of which holds a demolition certificate, and all their agents and employees.

- B. As a further condition prior to the issuance of any permit to demolish or wreck any building or structure within the City of Saint Louis, the Demolition Board shall be permitted to require that the minimum liability insurance coverage for bodily injuries, including death to one (1) or more persons, and as to property damage, as set forth in paragraph 2-A above, be in a greater amount as to coverage, where the building or structure or portions thereof to be demolished or razed is in excess of three (3) stories or fifty (50) feet in height, or five thousand (5,000) square feet in area, or two hundred thousand (200,000) cubic feet in volume, to such minimum coverage as the Demolition Board determines is necessary to protect the public and persons and property adjoining said site and traveling nearby, in relation to the time when such demolition or wrecking operations are being conducted.
- C. All such liability insurance policies required by this ordinance shall also contain the following endorsement: "The Insurer shall not cancel the coverage afforded by this policy unless the said insurer first delivers to the building official written notice of cancellation of such policy at least thirty (30) days prior to such date of cancellation by either personally delivering such notice of cancellation and taking written acknowledgment of such receipt from the building official or authorized deputy or by mailing certified or registered mail and receiving a signed acknowledgment of registered mail and receiving a signed acknowledgment of such receipt from the building official or authorized deputy."
3. Approval - All such liability insurance policies required by this ordinance must be approved by the City Counselor as to form of such policies.
4. Demolition contracts - The City of Saint Louis Building Division demolition contracts are awarded to independent contractors who are not direct employees of, nor agents of, the City of Saint Louis. Any damage claims that should arise as a result of demolition must be made directly against the demolition contractor or the demolition contractor's insurance company. The City of Saint Louis shall be held harmless, and so noted on all demolition permits issued by the City of Saint Louis.

121.4 Demolition certificate fees. Certification fees and demolition contractors' certificate application fees shall be collected by the City of Saint Louis prior to issuance of a demolition certificate, as listed in Table 121.4. All fees required under Section 121.4 shall be collected by the Division of Building and Inspection.

**TABLE 121.4
DEMOLITION CERTIFICATE FEES**

ITEM	FEE	DURATION	REMARKS AND REQUIREMENTS
Demolition Contractors			
Certification Board			
Certification Applications	\$30.00		
Certification Fees:			
Class I	\$200.00	1 year	
Class II	\$90.00	1 year	
Temporary Certification Applications:	\$60.00		
Certification Fees:			

	Class I	\$120.00	6 months	Up to 6 months
	Class II	\$30.00	6 months	Up to 6 months
Special Certification Applications:		\$60.00		
Certification Fees:				
	Class I	\$120.00		Per job basis
	Class II	\$30.00		Per job basis

121.5 Permits. The building official shall not issue permits to perform demolition or wrecking as herein defined to any person, partnership, or corporation, or persons doing business under a fictitious name unless said permit applicant holds a current and proper class of demolition certificate.

121.5.1 Suspension of certificate. Any person, including any officer of any corporation, holding any demolition certificate found performing demolition or wrecking, as herein defined, without proper permits, as prescribed by this code, shall be additionally subject to certificate suspension or revocation by the Demolition Board.

121.6 Standards of qualification and testing. For the purpose of demolition contractor certification described herein, the Demolition Board shall qualify and test in accordance with the following Standards of Acceptance:

1. Qualifications:
 - A. Class I certificates - Class I demolition contractor applicants, in addition to the requirements herein, must show documented proof of any one of the following: That said applicant has been:
 - a. Safely and legally doing business as a Class II demolition contractor for at least five (5) years, and shows access to the proper equipment and personnel to perform Class I demolition activities; or
 - b. Safely and legally doing business in demolition contracting for at least three (3) years, involving buildings of substantial size being in excess of heights, areas and volumes described for a Class II demolition certificate, as described in Section B, and shows access to the proper equipment and personnel to perform Class I demolition activities; or
 - c. In receipt of a Class I temporary certificate, and has safely and legally performed Class I demolition activities within the City of Saint Louis under said certificate.
 - B. Class II certificates - Class II demolition contractor applicants, in addition to the requirements herein, must show documented proof of any one (1) of the following: That said applicant has been:
 - a. Safely and legally doing business in demolition contracting for at least three (3) years and shows access to the equipment and personnel to properly perform Class II demolition activities; or
 - b. Legally employed by a qualified Class I or Class II demolition contractor, as herein described, for at least three (3) years, and shows access to the equipment and personnel to properly perform Class II demolition activities; or
 - c. In receipt of a Class II temporary certificate, and has safely and legally performed Class II demolition activities within the City of Saint Louis under said certificate.
 - C. Temporary, either class: The Demolition Board, under prior test, shall be permitted to reduce the years of experience or years doing business as a demolition contractor for temporary class certificates, or accept demolition certificates or licensing from other cities or administrative review bodies for temporary class certificates, when such other license or certificate is predicated upon qualifications equivalent to the temporary class certificate applied for either of the above, subject to evidence of

equipment and personnel, as defined in the certificate qualifications for Class I or II, as applicable to the temporary class so applied. The Demolition Board shall be permitted to issue, at its discretion, such temporary class certificates to recently established demolition companies or corporations which have filed the proper applications and submitted documentation of adequate personnel and equipment to perform said demolition activities.

2. Testing - All tests, as described in Section 121.3.3, shall be designed to establish the applicant's knowledge of safety and precaution as it relates to demolition activities, and shall involve questions directly oriented to laws and regulations of the Building Code of the City of Saint Louis pertinent to demolition activities and published demolition safety rules and regulations as described herein.
3. Violations - Any person who shall fail to comply with any of the requirements of Section 120 shall be guilty of a violation of this code, and shall upon conviction thereof be subject to the penalties as set forth in Section Four. Each day that any violation continues shall constitute a separate and distinct offense.

121.7 Appeals. Any person jointly or severally aggrieved by the decision of the Demolition Board shall be entitled to a judicial review of the decision rendered by the Demolition Contractor's Certification Board as provided in the Administrative Procedure and Review Act of the State of Missouri, being Sections 536.100 - 536.140 of the Revised Statutes of Missouri.

SECTION 122 DEMOLITION OF STRUCTURES

122.1 Wrecking, demolition or razing of buildings or structures. No person, firm or corporation shall wreck, demolish or raze a building or other structure within the City of Saint Louis without first obtaining a permit for said demolition from the Division of Building and Inspection. Such permit shall be issued only to a person, firm or corporation certified as a demolition contractor by the City of Saint Louis, except that a permit shall be issued to the owner of record of land, or to an agency or division of the City of Saint Louis, if such building is not more than one and one half (1½) stories or fifteen (15) feet in height and not more than ten thousand (10,000) cubic feet in volume or one thousand (1,000) square feet in area without a basement. Demolition permit applications, when applied for by anyone other than the owner of record, shall be accompanied by a notarized letter of authorization or other documentation from the owner of record granting permission to apply.

122.1.1 Bond. Every person, firm or corporation performing the wrecking of any building or structure shall provide a performance bond and a payment bond subject to the approval of the Comptroller in the sum of an amount equal to the amount of the wrecking contract or cost of the wrecking, conditioned upon the requirement that the sidewalks, streets or alleys adjacent to the wrecking shall be kept free of all materials and debris caused by the wrecking operations; that adjacent safeguards and warnings be provided for the public who use the sidewalks, streets or alleys adjacent the wrecking; that the sidewalks, streets, alleys, municipal utilities, signs and property be repaired of any damage caused by the wrecking operations or vehicles; that the demolition contractor shall clean, backfill and grade the wrecking site as required by the building official; and further conditioned upon the requirement that the demolition contractor comply with the written directions and regulations of the Director of Streets and the building official. No bond shall be for less than five thousand dollars (\$5,000).

The bond herein required shall be written by a person, firm or corporation authorized to do bonding business in the State of Missouri and shall be subject to the approval of the City Counselor and Comptroller. The bond shall be subject to cancellation only after ten (10) days written notice to the Comptroller.

Any person, firm or corporation who shall fail to comply with this section shall be guilty of a violation of this code, and shall, upon conviction thereof, be subject to the penalties as set forth in Section Four.

122.1.2 Signs. A sign made of wood, plywood, masonite or similar material shall be displayed at a prominent location at the front of the lot on which the demolition work is being done, or on the front of the building being demolished. This sign must be displayed prior to commencement and until completion of the demolition work. The demolition permit for the site shall be affixed to part of the sign. The sign shall also state the name, address and telephone number of such demolition contractor. Such name, address and telephone number shall be permanently painted or otherwise reproduced on the sign in professionally lettered block letters in a format approved by the Building Division not less than two and one-half (2½) inches high, in colors contrasting with the sign background. Such signs shall not be larger than nine (9) square feet and shall not require a sign permit.

Any demolition contractor, or employee thereof, performing demolition work who does not display such sign commits an

offense and shall, upon conviction, be subject to the penalties as set forth in Section Four.

122.1.3 Service connections. Before a building or structure is demolished or removed, the owner or agent shall notify all utilities having service connections within the building or structure such as water, electric, gas, sewer and other connections. A permit to demolish or remove a building or structure shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.

122.1.4 Vehicles. No demolition permit shall be issued unless the applicant provides the building official proof that the vehicle(s) to be used to haul the demolition debris have the necessary permits pursuant to Chapter 11.02 of the Revised Code of the City of Saint Louis. Enforcement of this section shall be by the Street Department.

122.1.5 Demolition permit fee. The fee for a demolition permit and inspection for the demolition of any building or structure shall be based on the cubic footage as listed in Table 109.3.1.

122.1.6 Demolition work started surcharge fees schedule. In case any work for which a demolition permit is required by this code is substantially started or proceeded with prior to obtaining said permit, the total normal fees applicable shall be increased by the amount as listed in Table 109.5.

122.2 Lot regulation. Whenever a building or structure has been removed, the premises shall be maintained free from all unsafe or hazardous conditions.

122.2.1 Foundation walls. All foundation walls shall be broken down to at least twelve (12) inches below grade and debris must not be larger than three (3) feet in width and length. All concrete basement or crawl space slabs shall be broken into sections not exceeding eight (8) feet in any dimension. Cracks shall be of sufficient size to permit drainage.

122.2.2 Grading and backfilling. All grading and backfilling operations shall be conducted in such a manner as to provide clean, uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinder blocks and bricks. Demolition rubble, or any other rubble brought in from another site to be used as fill, shall be subject to laboratory testing for any contaminants at the discretion of the building official.

122.2.3 Lot maintenance. Whenever a building or structure has been demolished and no building or construction operation has been contemplated or projected, as evidenced by the fact that no application for a building permit has been filed with the building official, the excavation remaining after such demolition shall be immediately filled, graded and maintained in conformity with the existing grade immediately adjacent to such excavation, or as directed by the building official. The top six (6) inches of fill shall be clean top soil and shall be planted with grass seed and covered with straw.

122.2.4 Improper fill. The building official shall be permitted to require the contractor to reopen a completed excavation to determine if proper fill procedures have been followed. The cost of reopening shall be borne by the demolition contractor.

122.2.5 Burial of debris. On any demolition site where there is no basement or below grade crawl space, all demolition debris must be removed from the site. Excavation for the purpose of burying of debris will not be allowed.

122.2.6 Open Burning. Open burning shall be allowed for the purpose of providing heat for outside employees, as a condition of a demolition permit. The location for any open burning shall not be less than fifty (50) feet from any structure, and provisions shall be made to prevent the fire from spreading to within fifty (50) feet of any structure. Fire in approved containers shall be permitted, provided that such fires are not less than fifteen (15) feet from any structure. A fifty-five (55) gallon drum shall be considered "approved containers." These provisions do not preclude provisions from the Air Pollution or Fire Prevention ordinances.

Open burning will be allowed on demolition sites when it is contained within fifty-five (55) gallon drums, attended at all times, all wood and scrap confined to the drum, and a water hose and/or fire extinguisher available at all times. Fire drums shall be properly located on the so as not to create a nuisance to adjoining property.

Modify SECTION 202 DEFINITIONS by the addition or changing of definitions to read as follows:

BUILDING or CODE OFFICIAL. The Building Commissioner of the City of Saint Louis, or a duly authorized representative.

CUSTODIAN OF RECORDS. The custodian of records shall be that person who directly supervises the particular section within the Division of Building and Inspection from which records are being requested.

LICENSED DESIGN PROFESSIONAL. An individual who is licensed to practice their respective design profession as defined by Chapter 327 of the Revised Statutes of the State of Missouri.

LICENSED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE. A licensed design professional engaged by the owner to review and coordinate certain aspects of the project, as determined by the building official, for compatibility with the design of the building or structure, including submittal documents prepared by others, deferred submittal documents and phased submittal documents.

OCCUPANCY PERMIT. The permit issued by the building official which certifies that the building or structure has been inspected and has complied with the applicable provisions of all City of Saint Louis ordinances, as enforced by the Division of Building and Inspection.

OWNER. Any person, firm or corporation having a legal or equitable interest in the property, or their agent, operator or collector of rent, or any other person, firm or corporation exercising any care or control of the property; or any person, firm or corporation recorded in the official records of the state, county, or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executive administrator of the estate of such person, if ordered to take possession of real property by a court.

PARKING LOT. Any parcel of land used, in whole or in part, for the parking of vehicles for which a charge is or is not be made. Legal off-street parking for up to four-family dwellings shall not be considered a parking lot.

REGISTERED DESIGN PROFESSIONAL - same as LICENSED DESIGN PROFESSIONAL.

REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE - same as LICENSED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.

TELEPHONE, OUTDOOR PAY. A telephone for hire located on private property, which is not located within a building used for additional purposes with controlled access by means of a door or doors that can be locked.

Add Section 203.0 to read as follows:

SECTION 203 DEFINITIONS FOR DEMOLITION PURPOSES ONLY

BACKFILL. Clean, uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinder blocks and bricks.

BUILDING. A structure enclosed within exterior walls, fire walls, or party walls, built, erected and framed of component parts, designed for the housing, shelter, or enclosure and support of individuals, animals or property of any kind, which is in excess of one and one half (1½) stories or fifteen (15) feet in height or ten thousand (10,000) cubic feet in volume or one thousand (1,000) square feet in area without a basement.

DEMOLITION, CLEARING, GRADING OR BACKFILLING. A portion of demolition activity in which clearing, grading, or backfilling operations are conducted at the demolition site in conjunction with the demolition of the building or structure, as herein defined.

DEMOLITION SALVAGING. A portion of demolition activity which is conducted at the demolition site in such a manner as to reuse the existing construction materials or fixtures from the building or structure, such as brick, lumber, fixtures, steel, ornamental iron or fencing; their removal or cleaning, palletizing, stacking, storing or loading onto vehicles for shipment.

DEMOLITION WRECKING. The removal of all or portions of buildings or structures to include: on site salvaging, on site loading, and on site backfilling, grading or clearing as herein defined; but does not include: the actual hauling of scrap, debris and miscellaneous materials away from the demolition site, or the removal of miscellaneous partitions, machinery, equipment, plaster, mortar, paint, fixtures, trim or finish, when performed in conjunction with building repairs or alteration work; nor does this definition include the complete relocation of buildings or structures from one site for reassembly at another site.

DEMOLITION OR WRECKING CONTRACTOR. Any person, firm, partnership or group of persons doing business under a fictitious name, whether such name be legally registered or not, or corporation doing business in or conducting demolition or

wrecking activities as herein defined.

DEMOLITION OR WRECKING CONTRACTOR EMPLOYEE. Any person employed by a demolition contractor in conjunction with demolition activities, as herein defined.

STRUCTURE. An assembly of materials forming the construction for occupancy or use, including among others: buildings, stadiums, platforms, towers, water tanks, trestles, above grade piers, wharves, open sheds, shelters, signs, etc., which exceed fifteen (15) feet in height or one thousand (1,000) square feet in area or ten thousand (10,000) cubic feet in volume; but not to include: tents, temporary reviewing stands, staging or statues less than thirty (30) feet in height, displays or signs less than thirty (30) feet in height.

Add Section 301.2 to read as follows:

301.2 Application of other laws. The provisions of this chapter shall not be deemed to nullify any provisions of the Zoning Ordinance or any other statute of the City of Saint Louis pertaining to the location or occupancy of buildings, except as specifically required by the provisions of this code.

Add Sections 310.3 to read as follows:

310.3 Care facilities providing home day care licensed by the State of Missouri. Family Child Care Homes providing home day care for more than four (4) but not more than ten (10) unrelated children at any one time are exempt from this code if they meet the licensing capacities listed below, possess a valid State of Missouri license, are inspected by the Missouri Department of Health and the State of Missouri Fire Marshal's Office and meet all provisions of the Zoning Ordinance of the City of Saint Louis.

1. If there is one (1) adult provider, the family child care home shall be allowed to be licensed for up to six (6) children including a maximum of three (3) children under age two (2), or for up to ten (10) children including a maximum of two (2) children under age two (2). If only four (4) children are present, all the children shall be permitted to be under the age of two (2).
2. If the provider has an adult assistant present, the family child care home shall be allowed to be licensed for up to ten (10) children including a maximum of four (4) children under age two (2), or for up to eight (8) children who shall be permitted to be all under age two (2).
3. A family child care home shall be allowed to be licensed at maximum capacity for a period of eighteen (18) consecutive hours of the twenty-four (24) hour day. For the remaining six (6) hours of the twenty-four (24) hour day, care shall be allowed to be provided for one-third (?) the licensed capacity of the home.

If the applicant furnishes a copy of their State of Missouri Family Child Care Home License for ten (10) children or less, they shall receive a Home Occupation Permit Waiver subject to approval by the Board of Public Service as a Conditional Use or the Board of Adjustment as a Variance to the Zoning Code.

If an occupancy permit waiver is issued, the Building Division - Inspection Section will not inspect such State Licensed Family Child Care Home, unless a Building Code or Zoning Ordinance complaint is received. Zoning Ordinance complaints will be investigated by the Building Division; however, Building Code complaints will be forwarded to the State of Missouri, Department of Health, Bureau of Child Care Safety and Licensure. Should seven calendar days elapse without response from the State of Missouri, Department of Health, Bureau of Child Care Safety and Licensure, the Building Division is empowered to investigate the complaint.

Add Sections 403.4.7.3 and 403.4.7.4 to read as follows:

403.4.7.3 Fuel Supply. An on-premises fuel supply, sufficient for two (2) hour full-demand operation of the system, shall be provided.

Exception: Where the system is supplied with pipeline natural gas and is approved.

403.4.7.4 Capacity. The standby system shall have a capacity and rating that supplies all equipment required to be operational at the same time. The generating capacity is not required to be sized to operate all of the connected electrical equipment simultaneously.

Change Section 415.7.2 to read as follows:

415.7.1 Flammable and combustible liquids. The storage, handling, processing and transporting of flammable and combustible liquids shall be in accordance with the International Mechanical and Fire codes.

The installation or removal of above-ground and under-ground storage tanks shall require a permit issued from the City of Saint Louis Fire Department, and shall be subject to their regulations. Above-ground storage tanks are also subject to the requirements of the Zoning Ordinance, and shall require a building permit for the construction of their structural support.

Add Section 419 to read as follows:

SECTION 424 PARKING LOTS AND OTHER PAVED SURFACES

424.1 Building permit requirement. A building permit is required for the construction or resurfacing of any parking lot.

Exceptions:

1. Restriping an existing parking lot that otherwise complies with this ordinance providing the existing stripes are to be repainted. The addition or relocation of parking spaces or aisles requires a building permit.
2. Lots or paved areas serving Use Group R-3, detached single family.
3. Paved areas less than three thousand (3,000) square feet for Use Group R-3, multiple single family or Use Group R-2.
4. Pothole and rut repair.

424.2 Parking lot construction.

424.2.1 Surface. Parking lots shall be paved and surfaced with concrete, bituminous or other approved materials on an appropriately constructed base course.

424.2.2 Access lanes. Access lanes, aisles and parking spaces shall be provided in accordance with the Zoning Ordinance of the City of Saint Louis.

424.2.3 Curb cuts. Parking lots shall be arranged to afford ready means of entrance and exit, and separate permits shall be secured for curb cuts from the City of Saint Louis Street Department.

424.2.4 Protection of adjoining property. A curb at least six (6) inches above the parking lot surface shall be provided around the perimeter of the parking lot, exclusive of driveway areas, to prevent the washing of debris and extraneous matter onto the adjoining property or public right-of-way.

Parking lots shall be provided with concrete wheel stops at least six (6) inches above the parking lot surface and placed to prevent the parked vehicle from extending over the adjacent property or public right-of-way. Wheel stops shall be so positioned such that both wheels of any car parked in the space shall contact the wheel stop. All such wheel stops shall be located inside the property line, adjacent to the public sidewalk(s), public right-of-way and adjacent properties.

424.2.5 Drainage. Up to three thousand (3,000) square feet of parking and other paved areas shall be permitted to discharge via a driveway to each public or private street frontage, and an additional three thousand (3,000) square feet shall be permitted to discharge into a public alley. Areas larger than this must have any excess area discharge into interceptor basins, as specified in the City of Saint Louis Plumbing Code.

424.2.6 Striping. The parking spaces shall be clearly striped and marked.

424.2.6.1 Accessible spaces. Spaces required to be accessible to persons with disabilities shall be properly designated both by the appropriate logo painted in the space and a sign in front of the space, in accordance with ICC/A117.1, listed in Chapter 35, and in full compliance with Section 1106.

424.2.7 Parking lot offices. The construction of parking lot offices in excess of thirty-five (35) square feet shall be in accordance with this code.

424.2.8 Lighting. Parking lots of more than twenty five parking spaces intended for night time use shall have an illumination of not less than two tenths (2/10) foot candle averaged over the parking surface. Such lights shall be so arranged as to direct the light away from adjoining dwellings. Such illumination shall be provided during the evening hours of operation of the premises that the lot serves.

Exception: If the parking lot has adequate light available from existing sources, the requirements for lighting shall be waived at the option of the building official. Lots serving residential dwelling units are not required to provide illumination.

424.2.9 Signs. Each operator of a parking lot charging by the hour or by the day shall display in a prominent location a sign clearly visible to motorists bearing:

1. The name of the operator.
2. The usual hours of operation.
3. The highest daily or hourly rate schedule, if applicable.
4. The highest night or special event rate schedule, if applicable.
5. The hours an attendant is normally on duty.

Where a single rate is charged or where a daily or hourly rate is charged, the highest rate in each category shall be posted in figures that shall not be less than four (4) inches in height. If any nightly or special event rate exceeds the hourly or daytime rate, then this rate shall be posted, and the figures for each of these rates shall be of the same size as those used to post daily and hourly rates. All other parking rates shall be posted legibly in a prominent location.

Nothing in any ordinance regulating the location of signs shall prohibit the erection of a sign which is not internally illuminated, nor exceeds fifteen (15) square feet in area, nor five (5) feet in its longest dimension, to comply with the above requirement for identification of a parking lot. All such signs shall be erected and maintained in accordance with law.

Add Section 425 to read as follows:

SECTION 425 FENCES

425.1 Requirements. Fences shall be subject to the following requirements:

1. No fence exceeding forty-eight (48) inches in height shall be erected in front of the building line, as determined by the guidelines and requirements set forth in the Zoning Ordinance, when constructed for uses in residential zones. Front yard building lines for corner lots are also determined by the provisions set forth in the Zoning Ordinance. Fencing on a corner lot shall not be located within the site distance triangle.
2. All other fences in residential zones shall be permitted to be erected to a height not to exceed eight (8) feet along side or rear property lines.
3. No barbed wire fence or fence topped with barbed wire, razor ribbon or like material shall be erected for any Use Group in residential zones. No strand of barbed wire, razor ribbon or like material on any fence shall be closer than seven (7) feet to the ground.
4. Fences around swimming pools are subject to the requirements described in Section 3109.
5. The property owner shall be responsible for locating property lines as they pertain to location and construction of fences.
6. Two (2) fences of different heights and materials shall be permitted to abut each other on a property line, provided each is on its own property, and all height regulations are followed. There are no provisions as to which side the fence must face.

7. No electrically charged fences shall be erected in the City of Saint Louis.
8. No fence shall be erected, built or installed in a side or front yard beyond the building line where there is no sidewalk and where the side or front yard abuts a public street.

Change Table 508.2.5 to read as follows:

**Table 508.2.5
INCIDENTAL ACCESSORY OCCUPANCIES**

ROOM OR AREA	SEPARATION AND/OR PROTECTION
Furnace room where any piece of equipment is over 400,000 Btu per hour input	1 hour or provide automatic fire-extinguishing system
Furnace room where any piece of equipment is over 400,000 Btu per hour input	1 hour or provide automatic fire-extinguishing system
Refrigerant machinery rooms	1 hour or provide automatic sprinkler system
Hydrogen cut-off rooms, not classified as Group H	1-hour in Group B, F, M, S and U occupancies; 2-hours in Group A, E, I and R occupancies
Incinerator rooms	2 hours and automatic sprinkler system
Paint shops, not classified as Group H, located in occupancies other than Group F	2 hours; or 1 hour and provide automatic fire-extinguishing system
Laboratories and vocational shops, not classified as Group H, located in Group E or I-2 occupancies	1 hour or provide automatic fire-extinguishing system
Laundry Rooms over 100 square feet	1 hour or provide automatic fire-extinguishing system
Storage rooms over 100 square feet a,b	1 hour or provide automatic fire-extinguishing system
Group I-3 cells equipped with padded surfaces	1 hour
Group I-2 waste and linen collection rooms	1 hour
Waste and linen collection rooms over 100 square feet	1 hour or provide automatic fire-extinguishing system
Stationary storage battery systems having a liquid electrolyte capacity of more than 50 gallons, or a lithium-ion capacity of 1,000 pounds used for facility standby power, emergency power or uninterrupted power supplies	1-hour in Group B, F, M, S and U occupancies; 2-hours in Group A, E, I and R occupancies
Rooms containing fire pumps in non high-rise buildings	2 hours; or 1 hour and provide automatic sprinkler system throughout the building
Rooms containing fire pumps in high-rise buildings	2 hours

For SI: 1 square foot = 0.0929 m², 1 pound per square inch = 6.9 kPa, 1 British thermal unit (Btu) per hour = 0.293 watts, 1 horsepower = 746 watts,
1 gallon = 3.785 L.

- a. Basement storage rooms or common areas of Use Group R-2 shall have a fire suppression system or a hard wired smoke detection system connected to remote horns on the floors above. If the entire building is required to have an automatic fire suppression system, this option is not available.

- b. Storage rooms more than fifty square feet but not more than one hundred square feet in area shall be permitted to substitute a hard wired automatic smoke detection system with smoke partitions for automatic sprinklers, unless the entire building is required to be sprinklered by other provisions of this code.

Change Note e on Table 601 to read as follows:

- e. Not less than the fire-resistance rating required by other sections of this code. Corridor and tenant separation walls, partitions and floor/ceiling assemblies shall be a minimum of one (1) hour.

Change Table 705.8 to read as follows:

**Table 705.8
MAXIMUM AREA OF EXTERIOR WALL OPENINGS**

FIRE SEPARATION DISTANCE (feet)					
CLASSIFICATION OF OPENING	0 to 3 ^{e,h}	Greater than 3 to 5 ^b	Greater than 5 to 10 ^{d,f}	Greater than 10 to 15 ^{c,d,f}	Greater than 15 ^{c,f}
Unprotected	5%	25%	35%	60%	No Limit
Protected	15%	50%	75%	No Limit	No Limit

For SI: 1 foot = 304.8 mm.

- a. Values given are percentages of the area of the exterior wall. This table assumes that the openings are reasonably uniformly distributed. Where openings are not reasonably uniformly distributed, the portion of the wall utilized to calculate compliance with Table 704.8 shall be approved.
- b. For occupancies in Group R-3, as applicable in Section 101.2, the maximum percentage of unprotected and protected exterior wall openings shall be 25 percent.
- c. The area of openings in an open parking structure with a fire separation distance of greater than ten (10) feet shall not be limited.
- d. For occupancies in Group H-2 or H-3, unprotected openings shall not be permitted for openings with a fire separation distance of fifteen (15) feet or less.
- e. For requirements for fire walls for buildings with differing roof heights, see Section 705.6.1
- f. The area of unprotected and protected openings is not limited for occupancies in Group R-3, as applicable in Section 101.2, with a fire separation distance greater than five (5) feet.
- g. Buildings whose exterior bearing wall, exterior nonbearing wall and exterior structural frame are not required to be fire-resistance rated shall be permitted to have unlimited unprotected openings.
- h. Includes accessory buildings to Group R-3 as applicable in Section 101.2.

Add Section 715.6 to read as follows:

715.6 Existing corridors. Openings in corridors in existing buildings may be protected with a water curtain in lieu of an approved protective device where the following features are provided:

1. The corridor walls and ceiling of the tenant space are constructed to limit the transfer of smoke into the corridor.
2. Corridor doors shall provide an effective barrier to limit the transfer of smoke.
3. Sprinkler heads shall be placed within eighteen (18) inches of the corridor wall at a spacing of not more than six (6) feet on-center on the tenant side of the wall.

Change Section 901.2 to read as follows:

901.2 Fire protection systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with this code and the International Fire Code.

Any fire protection system for which an exception or reduction to the provisions of this code has been granted shall be considered to be a required system.

Add Section 901.2.1 to read as follows:

901.2.1 Non-required systems. Any fire protection system or portion thereof not required by this code shall be permitted to be furnished and installed for partial or complete protection provided that such installed system shall meet all applicable requirements of this code. A building permit shall be required for fire suppression systems not required by this code. A building permit shall not be required for fire detection systems not required by this code.

Exceptions:

1. All High Hazard Use Groups.
2. When stipulated in a decision of the Board of Building Appeals.
3. When ordered by the Building Commissioner or Fire Marshal.
4. When the building owner requests approval and an acceptance test by the Fire Marshal's Office.

Add Exception 2. to Section 903.2 to read as follows:

2. An automatic fire suppression system shall not be required in non-combustible elevator equipment rooms, provided these rooms are equipped throughout with an automatic fire/heat detection system in accordance with Section 907.

Change Section 903.3.1.2 to read as follows:

903.1.2 NFPA 13 or NFPA 13R sprinkler systems. When allowed in buildings of Group R, up to and including four (4) stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13 or NFPA 13R.

Change Section 903.3.5.1.1 to read as follows:

903.3.5.1.1 Limited area sprinkler systems. Limited area sprinkler system attached to domestic service lines shall conform to the following minimum requirements. One (1) sprinkler head per fire area when supplied from a one (1) inch domestic service. Two (2) sprinkler heads per fire area when supplied from a one and one-half (1½) inch domestic service. Four (4) sprinkler heads per fire area when supplied from a two (2) inch domestic service. A fire area shall be a confined area which may contain hazardous substances. Limited service sprinklers in any one (1) building shall be limited to a maximum of twenty (20) sprinklers. No sprinkler supply line shall be attached to a domestic service before the domestic water meter.

A backflow preventer is not required on limited area sprinkler systems using approved copper or plastic sprinkler piping.

Change Sections 903.5.3 and 903.5.4 to read as follows:

903.3.5.3 Water flow tests. Water flow tests for fire sprinkler systems shall be conducted between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday.

903.3.5.4 Water flow safety factor. A safety factor shall be applied to all flow tests for fire sprinkler systems. A parallel curve shall be drawn to the actual flow test curve that has been reduced by 10 percent (10%) of the static pressure. A sprinkler system design shall not exceed the 10 percent (10%) curve.

Change Section 905.3 to read as follows:

905.3 Required installations. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.7 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are allowed to be combined with automatic sprinkler

systems.

Exceptions:

1. Standpipe systems are not required in Group R-3 occupancies.
2. Where Group R-2 and R-4 occupancies, up to and including four stories in height, required to have a standpipe system in accordance with Section 905, are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or Section 903.3.1.2, and a Class I standpipe is installed in accordance with NFPA 14, the automatic water supply is not required to exceed the requirements of NFPA 13 or NFPA 13R as applicable.

Change Section 1009.13 to read as follows:

1009.13 Stairway to roof. In buildings four or more stories in height above grade, except those with a roof slope greater than four (4) units vertical in twelve (12) units horizontal (4:12), access to the roof shall be provided by means of a stairway or a ladder and trap door. The ladder shall not be on the exterior of the building. Where the roof is used as a roof garden or for other habitable purposes, sufficient stairways shall extend to the roof to provide the necessary exit facilities from the roof as required for such occupancy.

Change Section 1013.3 to read as follows:

1013.3 Opening Limitations. Required guards shall not have openings which allow passage of a sphere 4 inches (102 mm) in diameter from the walking surface to the required guard height. Guards shall not have an ornamental pattern that would provide a ladder effect.

Exceptions:

1. From a height of thirty-six (36) inches to forty-two (42) inches, guards shall not have openings which allow passage of a sphere four-and-three-eighths (4 3/8) inches in diameter.
2. The triangular openings at the open sides of a stair, formed by the riser, tread and bottom rail shall not allow passage of a sphere six (6) inches in diameter.
3. At elevated walking surfaces for access to and use of electrical, mechanical or plumbing systems or equipment, guards shall not have openings which allow passage of a sphere twenty-one (21) inches in diameter.
4. In areas which are not open to the public within occupancies in Group I-3, F, H or S, and for alternating tread devices and ship ladders, guards shall not have openings which allow passage of a sphere twenty-one (21) inches in diameter.
5. In assembly seating areas, guards at the end of aisles where they terminate at a fascia of boxes, balconies and galleries shall not have openings which allow passage of a sphere four (4) inches in diameter up to a height of twenty-six (26) inches. From a height of twenty-six (26) inches to forty-two (42) inches above the adjacent walking surfaces, guards shall not have openings which allow passage of a sphere eight (8) inches in diameter.
6. Within individual dwelling units and sleeping units in Group R-2 and R-3 occupancies, guards on the open side of stairs shall not have openings which allow passage of a sphere four-and-three-eighths (4 3/8) inches in diameter.

Add Section 1013.7 to read as follows:

1013.7 Retaining walls. Where retaining walls with difference in grade level on either side of the wall in excess of four (4) feet are located closer than two (2) feet to a walk, path, parking lot or driveway on the high side, such retaining wall shall be provided with guards that are constructed in accordance with Section 1012 or other approved protective measures.

Add or change definitions in Section 1102.1 to read as follows:

ACCESSIBLE. Describes a site, building, facility or portion thereof that complies with Chapter 11 of this code and ICC/ANSI

A117.1-2003 Accessible and Useable Buildings and Facilities, and that can be approached, entered and used by a person with a physical disability.

TECHNICALLY INFEASIBLE. An alteration of a building or a facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification of addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary provide accessibility.

Add Section 1103.1.1 to read as follows:

1103.1.1 Unknown Use Group. In cases where the previous Group is unknown or not documented, it shall be considered a Change of Use Group, and, as such, accessibility requirements shall be enforced.

Add Sections 1103.3 and 1103.4 to read as follows:

1103.3 Waiver requirements. In order to request a waiver from the requirements of Chapter 11: Accessibility, a property owner or design professional shall submit a written request to the Commissioner on the Disabled, outlining the specific reasons for their request. The Commissioner on the Disabled shall consult with the Building Inspector, Plan Review Section or other Building Division staff about the property. A recommendation shall be made by the Commissioner on the Disabled to the Building Commissioner. The Commissioner on the Disabled and Building Commissioner shall agree to grant or deny the request for a waiver. The property owner or design professional is informed in writing of the decision by the Commissioner on the Disabled. This decision is not subject to appeal by the Board of Building Appeals. Permits for the renovated or altered building shall only be issued contingent upon compliance with the letter of agreement.

1103.4 Waiver criteria. A waiver of accessibility requirements may be granted if any or all of the following conditions exist:

1. It is technically infeasible to achieve accessibility. This term means that there is little likelihood that an alteration can be accomplished because the existing structural conditions require the removal of or alteration of a load-bearing member that is essential to the structural frame, or because of existing site constraints of physical constraints that prohibit achieving accessibility. This is determined by the Commissioner on the Disabled.
2. The type of business or work being performed at a property, i.e., physically demanding or requiring a high level of strength and physical mobility, cannot be reasonably performed by a person with a mobility impairment. This is determined by the Commissioner on the Disabled.
3. In an existing multi-floor building with two (2) or more floors, where the functions on the second or other floors above grade are identical to all the functions on the first floor, vertical accessibility can be waived if the first floor is totally accessible. This is determined by the Commissioner on the Disabled.
4. In cases where the previous use group is unknown or un-documented and the new use group is similar to the previous group, a property owner or design professional shall submit a written request for a waiver of the accessibility requirements to the Commissioner on the Disabled, outlining the specific reasons for the request.

Add Section 1205.2.3 to read as follows;

1205.2.3 Light and ventilation in unfinished basement: Glass in unfinished basements shall not be less than two percent (2%) of the floor area served. One half (½) of this area must be available for unobstructed ventilation with screens included.

Change Section 1301.1 to read as follows:

1301.1.1 Criteria. Buildings shall be designed and constructed in accordance with the International Energy Conservation Code.

Exception: Buildings of Residential Groups R-2, R-3 and R-4 shall be permitted to be designed and constructed to comply with Chapter 11, Energy Efficiency in the International Residential Code.

Change Exception 3 to Section 1406.3 to read as follows:

3. Balconies and similar appendages on buildings of Type III, IV and V construction, three (3) stories or less above grade, shall be permitted to be of Type V construction, and shall not be required to have a fire resistance rating.

Change Section 1510.1 to read as follows:

1510.1 General. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. Structural calculations are required when the roof structure supporting elements result in a five percent (5%) or more increase in force in any of the roof structure supporting elements in accordance with Section 3403.2, unless the increased force on the structural element is still in compliance with the code for new structures. The calculations shall include verification of the prevention of ponding instability.

Exception: Reroofing shall not be required to meet the minimum design slope requirement of one-quarter ($\frac{1}{4}$) unit vertical in twelve (12) units horizontal (two-percent (2%) slope) in Section 1507 for roofs that provide positive roof drainage.

Add Section 1510.4.1 and Section 1510.4.2 to read as follows:

1510.4.1 When required. A permit is required for reroofing buildings or structures of four (4) dwelling units or less, which fall within any one of the following categories:

1. Where more than twenty-five percent (25%) of the roof sheathing is being replaced. The fastening method must be outlined in detail.;
2. Anytime a supporting joist, rafter, girder, truss member, or any other structural support is being replaced, strengthened, scabbed or altered by cutting, or is fire damaged. Depending on the building size, occupancy, etc., drawings, calculations and specifications shall be permitted to be required, each bearing the original seal, signature and date of a Missouri licensed design professional;
3. Where there is a change in roofing material which results in an increase in the loads imposed on the roof structure, or which results in an increase in the flammability of the roof structure. Sealed construction documents shall be permitted to be required.;
4. Buildings in designated city historic districts when the roofing is visible from the street;
5. Buildings located within three hundred (300) feet of a city park or within three hundred (300) feet of a city historic district where the roofing is visible from the park or historic district;
6. Roofing on a landmark building which is listed on a National Register;
7. Roofing on a local ordinance listed landmark building or on property facing a landmark when the roofing is visible from said landmark;
8. Buildings located within a city park or on city-owned property.

Add Section 1603.1.3.1 to read as follows:

1603.1.3.1 City of Saint Louis criteria. For purposes of this code the ground snow load (Pg) shall be twenty pounds per square foot (20 psf).

Add Section 1603.1.4.1 to read as follows:

1603.1.4.1 City of Saint Louis criteria. For purposes of this code the basic wind speed (3-second gust) shall be ninety miles per hour (90 mph), Exposure B.

Add Section 1603.1.5.1 to read as follows:

1603.1.5.1 City of Saint Louis criteria. For purposes of this code the mapped spectral response accelerations Ss and S1 shall be .60g and .18g respectively.

Add Section 1607.14 to read as follows:

1607.14 Change of occupancy. Any existing structure heretofore approved, in which there is not a change of occupancy to an occupancy requiring greater floor live loads, is permitted to be continued in use for the originally approved live loads, provided that the structure is structurally safe and adequate for the proposed occupancy, and the public safety is not endangered thereby. If the

approved live load is less than required by Section 1606, the areas designed for the reduced live load shall be posted with the approved load. Placards shall be of an approved design.

In every building or other structure or part thereof of Use Groups A, B, E, F, M, S where there is a change of use or function and in the building official's opinion the live load may exceed the existing allowable floor live load, there shall be a placard posted indicating the maximum allowed floor live load. Structural calculations establishing the maximum allowed floor live load shall be prepared by a Missouri licensed professional engineer. All structural calculations shall bear an original embossed or wet ink seal, original ink signature and the date the structural calculations were sealed by the Missouri licensed professional engineer on the first sheet or on the cover sheet of the structural calculations.

The maximum allowed floor live load shall be marked on placards of an approved design which shall be supplied and securely affixed by the owner of the building, or the owner's authorized agent, in a conspicuous place in each space to which they relate. Any placards lost, removed or defaced shall be replaced by the owner or the owner's agent.

Add Section 1613.8 to read as follows:

1613.8 Seismic review board. There is hereby established a Seismic Review Board which shall meet on call of the Building Commissioner as Chairman, and shall consist of said Commissioner and two other Missouri licensed design professionals (an architect and an engineer) in the Division of Building and Inspection, who shall be appointed by the Building Commissioner. They shall be knowledgeable in seismic design. One of the members shall act as secretary. The purpose of the Seismic Review Board is to review questions from the Plan Exam Section concerning seismic design issues as they pertain to structural alterations to buildings, and questions concerning changes of use or occupancy. This Board will not design, but will answer questions raised by the Plan Exam staff. Decisions rendered by the Seismic Review Board can be appealed to the Board of Building Appeals..

Change Section 1703.6.2 to read as follows:

1703.6.2 Test and inspection records. All required test and inspection records shall be accessible to the building official or quality assurance agency at all times during the fabrication of the unit or sub-assembly and the erection of the building; such records as the building official designates shall be filed in the office of the building official.

Add Section 1703.6.3 to read as follows:

1703.6.3 Inspection reports. All inspection reports shall be in writing and shall be certified by the licensed authority, or responsible officer of the service, or the individual when expert inspection services are accepted. An identifying label or stamp permanently fixed to the product indicating that factory inspection has been made shall be accepted in lieu of the aforesaid inspection report in writing if the intent or meaning of such identifying label or stamp is properly substantiated.

Add Section 1803.7 and 1803.7.1 to read as follows:

1803.7 Hazardous excavations. Should there be an unfenced excavation or hole or open basement that endangers the sidewalk, alley or street right-of-way, the Street Department is authorized to, without prior notice, fill or abate such hazard. Should such excavation, hole or open basement not endanger the public right-of-way, but in fact endanger an adjacent building footing, or cause an embankment problem, or constitute a public safety hazard anywhere on the site, or have accumulated over eighteen (18) inches of standing water for more than seven (7) days, which, in the opinion of the Health Department, upon certification, constitutes a vector-control problem, the Building Commissioner shall be permitted to emergency-hire a contractor to fill, or partially fill, that excavation, hole or open basement to mitigate the danger. All costs attending such action shall be paid by the owner of said property or premises whereon the violation was permitted to exist; said costs to be collected as described in Section 119.5.

1803.7.1 Adjacent to excavations. Every excavation on a site located five (5) feet or less from the street lot line shall be enclosed with a barrier not less than six (6) feet high. Where located more than five (5) feet from the street lot line, a barrier shall be erected when required by the building official. Barriers shall be of adequate strength to resist wind pressure as specified in Chapter 16 of the Building Code as amended.

Add Section 1804.7 to read as follows:

1804.7 Sanitary landfills. No grading, excavation or construction of buildings or structures shall be permitted on or above land used or formerly used as a sanitary landfill, or above decaying deposits of organic materials, unless approved by the building official. The building official shall require a comprehensive report on the underlying soils, prepared by a Missouri licensed professional engineer. This report shall take proper note of possible formation and release of combustible, explosive or toxic vapors or gasses emanating

from the underlying deposits, and shall contain positive construction recommendations for elimination of such hazards.

Change Section 1805.1 to read as follows:

1805.1 General. Walls or portions thereof that retain earth and enclose interior spaces and floors below grade shall be waterproofed and dampproofed in accordance with this section, with the exception of those spaces containing groups other than residential and institutional where such omission is not detrimental to the building or occupancy.

Exception: Buildings of Residential Groups R-2, R-3, and R-4 complying with Section R405 Foundation Drainage and Section R406 Foundation Waterproofing and Dampproofing in the International Residential Code.

Ventilation for crawl spaces shall comply with Section 1203.4.

Change Sections 1807.2 through 1807.2.4 to read as follows.

1807.2 Retaining walls. Retaining walls shall be designed in accordance with Sections 1807.2.1 through 1807.2.4.

1807.2.1 General. Retaining walls shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Where a keyway is extended below the wall base with the intent to engage passive pressure and enhance sliding stability, lateral soil pressures on both sides of the keyway shall be considered in the sliding analysis.

1807.2.2 Design lateral soil loads. Retaining walls shall be designed for the lateral soil loads set forth in Section 1610.

1807.2.3 Safety factor. Retaining walls shall be designed to resist the lateral action of soil to produce sliding and overturning with a minimum safety factor of 1.5 in each case. The load combinations of Section 1605 shall not apply to this requirement. Instead, design shall be based on 0.7 times nominal earthquake loads, 1.0 times other nominal loads, and investigation with one or more of the variable loads set to zero. The safety factor against lateral sliding shall be taken as the available soil resistance at the base of the retaining wall foundation divided by the net lateral force applied to the retaining wall.

Exception: Where earthquake loads are included, the minimum safety factor for retaining wall sliding and overturning shall be 1.1.

1807.2.4 Guards. Guards shall be provided in accordance with Section 1013.7.

Change Section 1809.5 to read as follows:

1809.5 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extend thirty (30) inches minimum below finished grade;
2. Constructing in accordance with Section R403.3;
3. Constructing in accordance with ASCE 32-01; and
4. Erecting on solid rock.

Exception:

Freestanding accessory structures with an area of two hundred (200) square feet or less and an eave height of twelve (12) feet or less shall not be required to be protected.

Delete Chapter 27 in its entirety. Refer to the City of Saint Louis Electrical Code.

Delete Chapter 29 in its entirety. Refer to the City of Saint Louis Plumbing Code.

Change Section 3003.2.1 to read as follows:

3001.2 Referenced standards. Except as otherwise provided for in this code, the design, construction, installation, alteration, repair

and maintenance of elevators and conveying systems and their components shall conform to Missouri II CSR 40-5.010 through 40-5.150.

Add Sections 3009 and 3010 to read as follows:

SECTION 3009 CERTIFICATE OF ELEVATOR INSPECTION

3009.1 Certificate of Elevator Inspection. A valid state operating certificate for all non-residential elevating equipment shall be displayed as required by MO 11 CSR 40-05.100.

3009.2 Definition. The following words and terms shall, for the purposes of this chapter, have the meanings shown herein: RESIDENTIAL ELEVATOR. An elevator that is contained entirely within a single dwelling unit

SECTION 3010 AMUSEMENT RIDES

3010.1 General. All amusement rides must comply with MO 11 CSR 40-6.010 through 40-6.100.

Exceptions:

1. Unpowered, non-mechanical playground equipment including, but not limited to: swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides and trampolines, and
2. Any single passenger manually, mechanically, or electrically operated, coin-actuated ride, which is customarily placed singly, or in groups, in a public location and which does not normally require the supervision or services of an operator

3010.2 Definitions. The following words and terms shall, for the purposes of this chapter, have the meanings shown herein: AMUSEMENT RIDE. Any mechanical device that carries or conveys passengers along, around or over a fixed or restricted route or course within a defined area for the purpose of giving its passengers amusement, pleasure or excitement.

3010.3 Permits and fees. Permits shall be obtained for all amusement rides and air-inflated amusement devices. Missouri State permits and liability insurance are required prior to the issuance of amusement ride permits. Liability insurance is required prior to the issuance of air-inflated amusement device permits. Fees shall be as described in the City of Saint Louis Mechanical Code.

3010.4 Permanent amusement devices. Amusement rides and air-inflated amusement devices that are left in place for more than one (1) year must annually re-apply and obtain a new permit to continue operation

Change Section 3103 to read as follows:

SECTION 3103 TEMPORARY STRUCTURES

3103.1 General. The provisions of this section shall apply to structures erected for a period of not less than one hundred eighty (180) days. Tents and other membrane structures erected for a period of less than one hundred eighty (180) days shall comply with the International Fire Code. Those erected for a longer period shall comply with applicable sections of this code.

Exception: Provisions of the International Fire Code shall apply to tents and membrane structures for a period of less than one hundred eighty (180) days.

3103.1 Permit required. Temporary structures that cover an area in excess of one thousand (1,000) square feet, including connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of ten (10) or more persons, shall not be erected, operated or maintained for any other purpose without obtaining a permit from the building official.

3103.2 Construction documents. A permit application and construction documents shall be submitted for each installation of a temporary structure. The construction documents shall include a site plan indicating the location of the temporary structure and information delineating the means of egress and the occupant load.

3103.3 Location. Temporary structures shall be located in accordance with the requirements of Table 602 based on the fire-resistance rating of the exterior walls for the proposed type of construction.

3103.4 Means of egress. Temporary structures shall conform to the means of egress requirements of Chapter 10 and shall have a maximum exit access travel distance of one hundred (100) feet.

Add Sections 3108.3 and 3108.3.1 to read as follows:

3108.3 Permits. The approval of the building official shall be secured for all dish antenna structures more than two (2) feet in diameter which are roof or ground mounted or attached to any building or structure. A permit is not required for any dish antennae not more than two (2) feet in diameter erected and maintained on the roof of any building or structure, or erected on the ground not in front of the building line. All construction documents submitted for application for dish antenna structures erected on the roof of or attached to any building or structure shall bear the seal of an Missouri licensed professional engineer, and shall be accompanied by structural calculations sealed by said engineer.

3108.3.1 Location. No satellite dish antenna or other similar device shall be located in front of the building line of any structure or attached to the street side of any structure unless such placement is required to properly access a satellite transmission. A satellite dish may not extend more than thirty-six (36) inches above the roof peak.

Any satellite antenna, or similar device, must be located in the rear yard and shall have suitable protective anti-climb fencing. A landscape planting screen shall be provided and maintained around the structure and accessory attachments.

Satellite antennas, or similar devices, which are located in a rear yard which fronts a public street shall be properly screened from view. Proper screening shall be limited to suitable protective anti-climbing fence and a landscape planting screen.

No satellite antenna, or similar device shall be located in any side yard, nor shall it be located on the street side of any structure, except as permitted above.

Add Sections 3109.1, 3109.1.1, 3109.1.2 and 3109.1.3 to read as follows:

3109.1 General. Swimming pools shall comply to the requirements of this section of this code, provided that these regulations shall not be applicable to any such pool less than twenty-four (24) inches deep or having a surface area less than two hundred fifty (250) square feet, except where such pools are permanently equipped with a water-recirculating system or involve structural materials.

3109.1.1 Permits and construction documents. A swimming pool or appurtenances thereto shall not be constructed, installed, enlarged or altered until construction documents have been submitted and a permit has been obtained from the building official. The approval of all authorities having jurisdiction over swimming pools shall be obtained before a permit can be issued.

3109.1.2 Construction documents. Construction documents shall accurately show dimensions and construction of the pool and appurtenances and properly establish distances to lot lines, buildings, walks, fences, as well as details of the water supply system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool. Detailed construction drawings of structures, vertical elevations and sections through the pool showing depth shall be included. All construction documents for in-ground swimming pools shall be sealed, signed and dated by a Missouri licensed design professional.

3109.1.3 Locations. Swimming pools shall not encroach on any front or side yard required by this code or by the governing zoning law, unless in accordance with specific rules of the City of Saint Louis. A wall of a swimming pool shall not be located less than six (6) feet from any rear or side property line or ten (10) feet from any street property line.

Add Section 3109.3.1 to read as follows:

3109.3.1 Walkways. All public swimming pools shall have walkways not less than four (4) feet in width extending entirely around the pool. Curbs or sidewalks around any swimming pool shall have a slip-resistant surface for a width of not less than one (1) foot at the edge of the pool, and shall be so arranged as to prevent return of surface water to the pool.

Add Sections 3111 and 3112 to read as follows:

SECTION 3111 HOUSE NUMBERING

3110.1 Premises identification. Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four (4) inches high with a minimum stroke width of one-half (½) inch.

If there is an alley, numbers shall also be placed on the alley elevation of the premises on which the house, building or structure is located. If there is a garage or carport fronting on an alley, house numbers shall also be placed on the alley elevation of the garage or carport.

SECTION 3112 OUTDOOR PAY TELEPHONES

3112.1 New outdoor pay telephones. A new outdoor pay telephone shall not hereafter be placed, erected, constructed, altered or maintained except as provided herein, and until a permit has been issued by the building official.

Exception: Portable outdoor pay telephones, erected on any private property no earlier than five (5) days prior to a temporary special outdoor event, and removed no later than five (5) days after the event.

3112.2 Permit required. No person shall erect, construct, maintain or collect any revenue from any new outdoor pay telephone until a permit for said outdoor pay telephone has been issued by the building official. An application for said permit shall be filed with the building official accompanied by construction documents and specifications showing the location, dimensions, materials and details of the proposed outdoor pay telephone. Until all the provisions relating to such outdoor pay telephone have been complied with and the prescribed fee for such permit has been paid to the building official, a permit shall not be issued.

3112.3 Additional application information. All additional application information as required to evaluate the new outdoor pay telephone's conformance with the Zoning Ordinance of the City of Saint Louis shall be provided.

3112.4 Permit fees. The permit fee for each outdoor pay telephone shall be at the rate listed in Table 108.3.1 for Miscellaneous Structures.

3112.5 Removal. The building official is authorized to order the removal of any outdoor pay telephone that is not maintained or reported in accordance with Section 3111.6.

3112.6 Notification. The building official shall be notified of the location of all existing outdoor pay telephones within the City of Saint Louis by all vendors doing said business. Failure to provide this information shall be a code violation and, in addition to the removal of the telephone by the building official under Section 3111.5, the vendor shall be subject to a penalty as set forth in Section Four. Each day that a violation continues shall constitute a separate offense.

Add Section 3113 to read as follows:

SECTION 3113 EMERGENCY GUARD BARRICADES

3113.1 General. When the building official orders emergency barricades due to an unsafe building, structure or premises condition, said costs plus a ten percent (10%) administrative cost shall be certified to the Comptroller of the City of Saint Louis. The Comptroller is authorized to place a tax lien against the property in the amount of said bill.

Change Section 3202.1.1 to read as follows

3202.1.1 Structural support below grade. Any part of a building or structure hereafter erected below grade that is necessary for structural support of the building or structure shall not project beyond the lot lines, except that the footings of street or alley walls, or their supports located at least eight (8) feet below grade, shall not project more than twelve (12) inches beyond the lot line. Footings of buildings or structures shall be permitted to project up to six (6) inches into streets or alleys regardless of depth.

Add Section 3202.3.1.1 to read as follows:

3202.3.1.1 Small awning exception. A permit shall not be required for the erection, repair, or replacement of fixed awnings less than forty (40) square feet in projected area or retractable awnings less than one hundred and fifty (150) square feet in area, unless they project over public property. No such awning, however, shall be installed so as to project over property not owned by the premises on which such awning is installed.

Change Section 3202.3.2 and add Section 3202.3.2.1 to read as follows:

3202.3.2 Windows, architectural features and mechanical equipment. Where the vertical clearance above grade to projecting windows, architectural features or mechanical equipment is more than ten (10) feet, one (1) inch of encroachment is permitted for each additional one (1) inch of clearance above ten (10) feet.

2302.3.2.1 Balconies. Balconies shall be located at least ten (10) feet above the grade level.

Add Sections 3205.1 through 3206.1 to read as follows:

3205.1 Signs. Projecting signs, including irons and other fixtures, shall not extend more than five (5) feet into the public right of way.

3205.1.1 Signs projecting into streets. Projections shall not be nearer than two (2) feet to a curb and not less than ten (10) feet above the curb or public sidewalk.

3205.1.2 Signs projecting into alleys. Projections shall not be less than sixteen (16) feet above an alley.

3206.1 Special encroachments. All other encroachments shall be considered special encroachments where the legal sanction is conveyed by the Board of Public Service. These encroachments shall be so constructed as to be readily removable without endangering the safety of the building. Inspections shall be as set forth in Table 109.7.

Delete Chapter 34- Refer to the International Existing Building Code.

Modify Chapter 35 by adding the following:

IAPMO

International Association of Plumbing and Mechanical Officials
5001 E. Philadelphia Street
Ontario, CA 91761-2816

Standard reference number	Title	Referenced in code Section number
UPC-03	Uniform Plumbing Code	101.4.4, 201.3, 415.7.4, 717.5, 903.3.5, 1206.3.3, 1503.4, 1807.4.3, 2901.1, 2902.1.1, 3305.1, 3401.3

Change Appendix G to read 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 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 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.

G102.2 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.

G102.3. 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 July 17, 1979, 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 Article 1, Section B (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 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 a city 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 (FHB). An official map of this city, 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 wave action, clogged 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. (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.

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 pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial-damage," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

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 identified as numbered and unnumbered A zones and AE zones, on the Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) dated July 17, 1979 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.

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 M103.1. 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 (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; and
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 one hundred- (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 A(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 an 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 or above 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.

G106.3 Further appeals. Any person aggrieved by the decision of the Board of Building Appeals may appeal such decision to the Circuit Court as provided in state statute.

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 appendices.
6. The City of Saint Louis shall notify the applicant in writing over the signature of a city official that (1) the issuance of a variance to construct a structure below base flood level will 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 increases 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 appendices. 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 D(2). 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 shall notify the applicant in writing over the signature of a city official that (1) the issuance of a variance to construct a structure below base flood level will 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 increases risks 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 fined not more than five hundred dollars (\$500), and in addition, shall pay all costs and expenses involved in the case. 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 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.

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.

Change Section H101.2 to read as follows:

H101.2 New signs. A new sign shall not hereafter be placed, erected, constructed, altered or maintained except as provided herein, and until a permit has been issued by the building official. All signs controlled and regulated by the Zoning Ordinance of the City of Saint Louis, or this code, shall require building permits.

Exceptions

1. Ground-mounted political or campaign signs, thirty-two (32) square feet or less in area, erected on any private property no earlier than sixty (60) days prior to the primary, and removed within thirty (30) days after the general election. Violation of this exception will result in a seven (7) day citation letter directed to the owner(s) of the property.

2. Temporary signs announcing the sale of property.
3. The changing of moveable parts of an approved sign that is designed for such changes, or the repainting or repositioning of display matter shall not be deemed an alteration.

Add Sections H101.3 through H101.5 to read as follows:

H101.3 Permit required. No person shall erect, construct, or maintain any sign described in this chapter until a permit for said sign has been issued by the building official. An application for said permit shall be filed with the building official accompanied by construction documents and specifications showing dimensions, materials and details of the proposed sign. Until all the provisions of this chapter relating to such sign have been complied with and the prescribed fee for such permit has been paid to the building official, a permit shall not be issued.

H101.3.1 Permit fees. Permit fees for all signs shall be charged at the rate listed in Table 109.3.2.

H101.4 Additional application information. All additional application information as required to evaluate the sign's conformance with the Zoning Ordinance of the City of Saint Louis shall be provided.

H101.5 Removal. The building official is authorized to order the removal of any sign that is not maintained in accordance with the provisions of this code. The removal of any sign, including billboards, shall not require a demolition permit, but shall require a building permit to alter the sign by removal, and shall not be subject to review by the Cultural Resource Office.

Change Section H114.1 to read as follows:

H114.1 In street or sidewalk area. Portable signs shall not be located on public streets or sidewalk areas. Enforcement of this shall be by the Street Department.

SECTION FOUR....PENALTY CLAUSE

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter, extend, repair, remove, demolish, use or occupy any building, structure or premises or equipment regulated by this code in violation of an approved construction document or directive of the building official or the Board of Building Appeals, or of a permit or certificate issued under the provisions of this code, and shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars (\$500), or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION FIVE....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 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.

SECTION SEVEN....CODIFIED

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

Approved: November 8, 2010

