

**ORDINANCE #68789**  
**Board Bill No. 187**  
**Committee Substitute**

An Ordinance adopting the International Residential Code, 2009 edition with changes, including Appendix Chapters E, F, G, H, J, K and M, as the Residential Code of the City of Saint Louis; repealing Ordinance 66789, which adopted the 2003 International Residential 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 66789 approved August 2, 2005, pertaining to the Residential Code of the City of Saint Louis which adopted the 2003 International Residential Code is hereby repealed.

**SECTION TWO.**

The International Residential Code, 2009, as published by the International Code Council, Inc., one copy of which is on file in the Office of the Register of the City of Saint Louis, being marked and designated as the International Residential Code, including Appendix Chapters E, F, G, H, J, K and M, is hereby adopted as the Residential Code of the City of Saint Louis, in the State of Missouri; pursuant to the Ordinance and in conformity with Section 71.943 RSMo for the regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height and providing for the issuance of permits and collection of fees therefor; and each of the regulations, provisions, conditions and terms of such control of buildings and structures as herein provided; and that each and all of the regulations, provisions, penalties, conditions and terms of said Residential 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 Residential 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**  
**SCOPE AND ADMINISTRATION**

**SECTION R101**  
**GENERAL**

**R101.1 Title.** These regulations shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Saint Louis, hereinafter referred to herein as "this code."

**R101.2 Scope.** The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the grading, excavation, new construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress and their accessory structures.

**Exceptions:**

1. Live/work units complying with the requirements of Section 419 of the International Building Code shall be permitted to be built as one- and two-family dwellings or townhouses. Fire suppression required by Section 419.5 of the International Building Code when constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to Section 903.3.1.3 of the International Building Code.
2. Existing buildings undergoing repair, alteration or additions, and change of occupancy shall be permitted to comply with the International Existing Building Code.

**R101.2.1 Appendices.** Appendix Chapters E, F, G, H, J, K and M are specifically adopted.

**R101.3 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.

**R101.4 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.

**R101.4.1 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.

**R101.4.2 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.

**R101.4.3 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.

**R101.4.4 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.

**R101.4.5 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.

**R101.4.6 Energy.** The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

**R101.4.7 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 R102 APPLICABILITY**

**R102.1 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.

**R102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**R102.3 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.

**R102.4 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 codes and standards, the provisions of this code shall apply. Reference standards shall be permitted to be updated by rule making authority of the building official.

**R102.5 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.

**R102.6 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.

**R102.7 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.

**R102.7.1 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.

**R102.8 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 residential 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.

**R102.9 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.

**R102.10 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 R103  
DIVISION OF BUILDING AND INSPECTION**

**R103.1 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.

**R103.2 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.

**R103.2.1 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.

**R103.3 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.

**R103.4 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, 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.

**R103.5 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.

**R103.6 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 R104 DUTIES AND POWERS OF THE BUILDING OFFICIAL**

**R104.1 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 conformance 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.

**R104.1.1 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.

**R104.1.2 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 43, Referenced Standards, shall be deemed to represent accepted engineering practice in respect to the material, equipment, system or method of construction therein specified.

**R104.2 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.

**R104.2.1 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.

**R104.3 Notices and orders.** The building official shall issue all necessary notices or orders to insure compliance with this code.

**R104.4 Inspections.** The building official is authorized to make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. 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.

**R104.5 Identification.** The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**R104.6 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 or designee 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.

**R104.6.1 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 of 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.

**R104.6.1.1 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.

**R104.7 Liability.** The building official, member of the Board of Building Appeals or employee charged with the enforcement of this code, while acting for the City of Saint Louis 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 cost 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.

**R104.8 Approved materials and equipment.** Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

**R104.8.1 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.

**R104.9 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, life and fire safety requirements or structural. The details of action granting modifications shall be recorded and entered in the files of the Division of Building and Inspection.

**R104.9.1 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.

**R104.10 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.

**R104.10.1 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.

**R104.10.2 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.

**R104.10.3 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.

## SECTION R105 PERMITS

**R105.1 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 120 of the International Building Code if such building or structure is included in an executed contract for demolition between the City of Saint Louis and a demolition contractor.

**R105.1.1 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.

**R105.1.2 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.

**R105.2.1 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.

**R105.2.2 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 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.

**R105.2.3 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.

**R105.2.4 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 and signed by a Missouri licensed design professional.

**R105.2.4.1 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 and signed by a Missouri licensed design professional.

**R105.2.5 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.

**R105.2.6 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.

**R105.3 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.

**R105.3.1 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 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 in Section R106.1.
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.

**R105.3.2 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 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 pre-damage condition. If the building official finds that the value of the proposed work equals or exceeds fifty 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.

**R105.3.3 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the 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.

**R105.3.4 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.

**R105.4 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.

**R105.5 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 of the International Building Code 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 (30) days each after receiving a written request from the owner explaining the reasons for failing to commence or for suspending work.

**R105.6 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.

**R105.6.1 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.

**R105.6.2 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.

**R105.7 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.

**R105.8 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.

**R105.10 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 R106 SUBMITTAL DOCUMENTS

**R106.1 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 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.

Any person who renders architectural services in connection with the construction, remodeling or repairing of any privately owned dwelling house or for a multiple family dwelling house, flat or apartment containing not more than two (2) families, and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect, is exempted.

Any person who renders architectural services in connection with the remodeling or repairing of any privately owned dwelling house or for a multiple family dwelling house, flat or apartment containing not more than four (4) families, and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect, is exempted.

If the construction documents for single family or multiple family dwelling units are prepared by a Missouri licensed architect, that architect must seal, sign and date the construction documents as required by Chapter 327 of the Revised Statutes of the State of Missouri.

A Missouri licensed professional engineer cannot render architectural services or seal, sign and date construction documents

for any residential project. This could be interpreted as the unlawful practice of architecture by a Missouri licensed professional engineer. A Missouri licensed professional engineer may prepare seal, sign and date architectural work which is incidental (insignificant, minor, etc.) to the engineering work (and vice versa.) This determination shall be made on a case by case basis depending upon the full scope of the project.

All construction documents prepared by a Missouri Licensed Design Professional 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.

**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.

**R106.1.1 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.

**R106.1.1.1 Fire protection construction drawings.** Construction drawings for the fire protection 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 of the International Building Code.

**R106.1.1.2 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.

**R106.1.2 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.

**R106.1.3 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.

**R106.1.4 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.

**R106.2 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.

**R106.2.1 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.

**R106.3 Examination of documents.** The building official shall examine or cause to be examined the construction documents for code compliance.

**R106.3.1 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 R108.3.1.

**R106.3.2 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.

**R106.3.2.1 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.

**R106.3.3 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.

**R106.3.4 Design professional in responsible charge.**

**R106.3.4.1 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 of the International Building Code, 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 of the International Building Code.

**R106.3.4.2 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.

**R106.3.4.3 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.

**R106.4 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 R107 TEMPORARY STRUCTURES AND USES**

**R107.1 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.

**R107.2 Conformance.** Temporary construction and uses shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of this code as necessary to insure the public health, safety and general welfare.

**R107.3 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.

**R107.4 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.

#### **SECTION R108 FEES**

**R108.1 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.

**R108.1.1 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, or fees for inspections or other privileges or requirements, both within and without the jurisdiction of the Division of Building and Inspection.

**R108.2 Schedule of permit fees.** Fees for permits for construction shall be as established as follows:

**R108.2.1 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 R108.3.1.

**R108.2.2 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 R108.3.1 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, plumbing work, mechanical work, electrical work, interior and exterior finishes, 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.

**R108.2.3 Miscellaneous structures and site work.** The fee for a permit for, including but not limited to, retaining wall, fences and site work (including parking lots) shall be based on the estimated total cost of the construction at the rate listed in Table R108.3.1.

**R108.2.4 Alterations and repairs.** The fee for a permit for alterations or repairs to a building or structure shall be based on the estimated total cost of said alterations or repairs and shall be charged at the rate listed in Table R108.3.1.

**R108.2.5 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 R108.3.1. 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 estimated total 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 estimated total cost of the portion of the journey from the city limits to the site of re erection.

**R108.2.5.1 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 R108.3.1. In addition, all additional electrical, mechanical and plumbing permits shall be obtained.

**R108.2.6 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 R108.3.1.
2. For each and every amendment not involving additional work, a minimum fee as listed in Table R108.3.1 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.

**R108.2.7 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 R108.3.1 for the special demolition fund.

**R108.2.8 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 R108.3.1 for the special lead remediation fund.

**R108.2.9 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.

**R108.2.10 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 R108.3.1.

**R108.2.11 Fee for occupancy permit:** Fees for the issuance of an occupancy permit shall be as listed in Table R108.3.1. 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).

**R108.2.11.1 Fee for temporary or partial occupancy permit:** The fee for a temporary or partial occupancy permit shall be as listed in Table R108.3.1.

**R108.2.11.2 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 R108.3.1.

**R108.2.12 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 R108.3.1.

**R108.3 Fee tables.** The building official shall cause to be collected all fees as listed in Table R108.3.1 and elsewhere in this code.

**R108.3.1 Fee schedule.** Table R108.3.1 contains fees for permits for new construction and additions, permits for miscellaneous structures, permits for alterations and repairs to existing buildings, moving of building permits, demolition permits, addendums to permit, the special demolition fund, special inspections and occupancy permits.

**R108.3.2 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.

<b>Table R108.3.1 Building Permit Fees for Structures and Inspections Fees</b>				
<b>ITEM</b>	<b>FEE</b>	<b>MINIMUM FEE</b>	<b>SECTION</b>	<b>REMARKS &amp; REQUIREMENTS</b>
APPLICATION FEE; or Building Line Survey	\$25.00		R108.2.1	An administrative charge made for processing applications.
Certificate of Flood Plain Status	\$10.00		R108.2.1	
PERMIT FOR NEW CONSTRUCTION AND ADDITIONS	\$6.00/\$1000 of estimated cost or fraction thereof	\$15.00	R108.2.2	

MISCELLANEOUS STRUCTURES PERMIT - Structures such as retaining walls, parking lots, fences, etc.	\$6.00/\$1000 of estimated cost or fraction thereof	\$15.00	R108.2.3	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	R108.2.4	
MOVING OF BUILDING PERMIT Within City Limits	\$1.00/\$100 of estimated cost or fraction thereof	\$15.00	R108.2.5	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 with 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/\$100 of estimated cost or fraction thereof	\$15.00	R108.2.5.1	
ADDENDUM PERMIT Amendment which involves additional dollars in project cost.	\$6.00/\$1000 of estimated increased cost or fraction thereof	\$25.00	R108.2.6	
Amendment which involves decrease or no increase in project cost.	\$25.00	\$25.00		
SPECIAL DEMOLITION FUND	\$2.00/\$1,000 of estimated cost of fraction thereof		R108.2.7	Special fund approved by the voters.
LEAD REMEDIATION FUND	\$2.00/\$1,000 of estimated cost of fraction thereof		R108.2.8	Special fund approved by Ordinance 64699.
VACANT BUILDING REGISTRATION FEE	\$200.00 Semi-annually		R108.2.9	Special fee established by Ordinance 64678.
DUPLICATE COPY OF BUILDING PERMIT OCCUPANCY PERMIT OR CERTIFICATE OF INSPECTION	\$1.00 per copy		R108.2.10	

APPLICANT REQUEST FOR OCCUPANCY PERMIT	\$80.00 \$20.00/each additional unit in same structure		R108.2.11 R108.2.11.1	When units are inspected on the same site inspection.
RE-ISSUANCE OF OCCUPANCY PERMIT DUE TO NAME CHANGE	\$5.00 per copy		R108.2.11.2	
COST FOR APPROVING ADDITIONAL SETS OF CONSTRUCTION DOCUMENTS	\$1.00 per page		R108.2.12	

**R108.4 Work started surcharge fees schedule.** In case any work for which a 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 R108.5. 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 R108.4  
SCHEDULE FOR SURCHARGE FEES**

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
\$2,001 to \$10,000	\$480.00
Over \$10,000	\$600.00

**R108.5 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.

**R108.6 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.

**R108.7 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 R109 INSPECTIONS**

**R109.1 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.

**R109.2 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.

**R109.2.1 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.

**R109.3 Required inspections.** The building official, upon notification, shall make the inspections set forth in Sections R109.3.1 through R109.3.10. 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.

**R109.3.1 Footing or 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.

**R109.3.1.1 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.

**R109.3.1.2 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.

**R109.3.2 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.

**R109.3.3 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 of the International Building Code shall be submitted to the building official.

**R109.3.4 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.

**R109.3.5 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.

**R109.3.5.1 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.

**R109.3.6 Fire-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

**R109.3.7 Energy efficiency inspections.** Inspections shall be made to determine compliance with Chapter 11 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.

**R109.3.8 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.

**R109.3.8.1 Approved inspection agencies.** The building official shall accept reports of approved inspection agencies provided such agencies satisfy the requirements as to qualifications and reliability.

**R109.3.8.2 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.

**R109.3.8.3 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.

**R109.3.8.3.1 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.

**R109.3.8.3.2 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.

**R109.3.8.3.3 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.

**R109.3.8.3.4 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.

**R109.3.9 Special Inspections.** For special inspections, see Section 1704 of the International Building Code.

**R109.3.10 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

R110, 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.

**R109.4 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.

**R109.5 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.

**R109.5.1 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.

**R109.6 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.

**R109.7 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 R109.7. 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.

**TABLE R109.7  
PERIODIC INSPECTION OF STRUCTURES**

Item	Period Between Inspections
Exterior Cantilevered Balconies, Stairways and Fire Escapes.	3 years

**R109.7.1 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.

**R109.8 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 R110 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.

## SECTION R110 CERTIFICATE OF OCCUPANCY

**R110.1 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.

**R110.1.1 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.

**R110.2 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.

**R110.3 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.

**R110.4 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.

**R110.5 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.

**R110.6 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.

**R110.7 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.

**R110.8 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 R111 SERVICE UTILITIES

**R111.1 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.

**R111.2 Temporary connection.** The building official shall have the authority to authorize and approve the temporary connection

of the building or system to the utility source of energy, fuel or power.

**R111.3 Authority to disconnect service utilities.** The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section R102.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section R111.1 or R111.2. 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 disconnection. The owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## SECTION R112 BOARD OF BUILDING APPEALS

**R112.1 General.** Any person aggrieved by a decision of the building official may appeal said decision to the Board of Building Appeals.

**R112.2 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.

## SECTION R113 VIOLATIONS

**R113.1 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 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.

**R113.2 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, 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.

**R113.2.1 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 R110.5 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."

**R113.3 Prosecution of violation:** If the notice of violation is not complied with in the time prescribed by such notice, 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.

**R113.4 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

by law.

**R113.5 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 R114 STOP WORK ORDER**

**R114.1 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.

**R114.2 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.

**R114.3 Emergencies.** When an emergency exists, the fire official shall not be required to give a written notice prior to stopping the work.

**R114.4 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 R115 PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES**

**R115.1 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.

**R115.1.1 Design.** All design for new construction, alteration, repair, expansion, addition 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 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.

**R115.1.2 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.

**R115.1.3 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.

**R115.1.4 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.

**R115.2 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 116.1.2. 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.

**R115.2.1 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.

**R115.2.2 Fees and costs.** All fees and costs related to the performance of special inspection services shall be borne by the owner.

**R115.2.3 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 44, 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 R116  
WORKMANSHIP**

**R116.1 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.

*Modify SECTION R202 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.

**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.

**REGISTERED DESIGN PROFESSIONAL - same as LICENSED DESIGN PROFESSIONAL.**

*Change Table R 301.2 (1) to read as follows:*

**TABLE R301.2 (1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY <sup>g</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>f</sup>	ICE SHIELD UNDERLAYMENT REQUIRED <sup>j</sup>	FLOOD HAZARDS <sup>h</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>k</sup>
	Speed <sup>d</sup> (mph)	Topographic Effects <sup>e</sup>		Weathering <sup>a</sup>	Front Line Depth <sup>c</sup>	Termite <sup>e</sup>					
20	90	NO	C	Severe	30 inches	Moderate to Heavy	2° F	not Required	July 17, 1979	1500 Days	54° F

*Change Table R302.1 to read as follows:*

**TABLE R302.1  
EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	≤ 3 feet
	(Not fire- resistance rated)	0 hours	> 3 feet
Projections	(fire-resistance rated)	1 hour on the underside	≥ 2 feet to 3 feet
	(Not fire resistance rated)	0 hours	3 feet
Openings in walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	3 feet
Penetrations	All	Comply with Section R317.3	< 3 feet
		None required	3 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

*Change Section 302.2 to read as follows:*

**R302.2 Townhouses.** Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.

**Exceptions:**

1. A common 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119 or UL263 is permitted for townhouses protected by a residential fire sprinkler system if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with the City of Saint Louis Electrical Code. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.
2. A common 2-hour fire-resistance-rated-wall assembly tested in accordance with ASTM E119 or UL263 is permitted for townhouses not protected by a residential fire sprinkler system if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with the City of Saint Louis Electrical Code. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

*Add Section R303.1.1 to read as follows:*

**R303.1.1 Light and ventilation in unfinished basements.** Glass area 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 R303.3 to read as follows:*

**R303.3 Bathrooms.** Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than three (3) square feet, one-half of which must be openable.

**Exception:** The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be fifty (50) cubic feet per minutes for intermittent ventilation or twenty (20) cubic feet per minute for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or to an attic gable vent or ventilated soffit

*Change Section R 303.4.2 to read as follows:*

**R303.4.2 Exhaust Openings.** Exhaust air shall not be directed below six (6) feet and eight (8) inches onto a walkway.

*Add Section R303.9 to read as follows:*

**R303.9 Kitchen exhaust.** All kitchens shall have mechanical exhaust above or adjacent to the cooking range.

*Change Section R305.1 to read as follows:*

**R305.1 Minimum height.** Habitable space, hallways, bathrooms, toilet rooms, laundry rooms and portions of basements containing these spaces shall have a ceiling height of not less than seven (7) feet.

**Exceptions:**

1. For rooms with sloped ceilings, at least fifty percent (50%) of the required floor area of the room must have a ceiling height of at least seven (7) feet and no portion of the required floor area may have a ceiling height of less than five (5) feet.
2. Bathrooms shall have a minimum ceiling height of six (6) feet eight (8) inches at the center of the front clearance area for fixtures as shown in Figure R307.1. The ceiling height above fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of six (6) feet eight (8) inches above a minimum area thirty (30) inches by thirty (30) inches at the showerhead.
3. Beams and girders spaced not less than four (4) feet on center may project not more than six (6) inches below the required ceiling height.

*Add Sections R306.5 and R306.6 to read as follows:*

**R306.5 Hose bibb.** Every dwelling shall provide one outside frost-proof hose bibb. Hose bibbs shall be protected from backflow in accordance with the City of Saint Louis Plumbing Code.

**R306.6 Floor Drain.** Floor drains shall be installed in the following areas and the floor shall slope toward the floor drains: in common laundry facilities in multi-family buildings within 15 feet and in the same room as a hot water heater or water heater boiler, within fifteen (15) feet and in the same room as backflow devices which have in their design the capacity of a discharge, within fifteen (15) feet and in the same room as a boiler.

*Add Section R307.3 to read as follows:*

**R307.3 Threshold Drain.** All wheelchair accessible roll-in showers shall be supplied, in addition to the shower drain, with a threshold drain outside the shower within five (5) feet of the shower drain. The waste-line of the threshold drain shall be connected to the shower drain waste pipe above the trap.

*Add Sections R310.6 and R310.7 to read as follows:*

**R310.6 Alterations and additions.** All unfinished areas and reconfigured space converted to sleeping rooms and unfinished basement spaces being converted to habitable space shall have emergency escape and rescue openings.

**R310.7 Bathrooms in unfinished basements.** Bathrooms or bathroom rough-ins shall not be permitted within unfinished basements on new construction unless an emergency escape and rescue opening is provided to allow for future conversion to habitable space.

*Change Section R311.3.2 to read as follows:*

**R311.3.2 Floor elevations for other exterior doors.** Doors other than the required egress door shall be provided with landing or floors not more than 7 ¾ inches below the top of the threshold.

**Exception:** A landing is not required where a stairway of four (4) or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

*Change Sections R311.7.4.1 thru R311.7.4.2 to read as follows:*

**R311.7.4.1 Riser Height.** The maximum riser height shall be eight-and-one-quarter (8¼) inches. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighths (?) inch.

**R311.7.4.2 Tread depth.** The minimum tread depth shall be nine (9) inches. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of the adjacent treads and at a right angle to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than three-eighths (?) inch. Consistently shaped winders at the walkline shall be allowed within the flight of stairs as rectangular treads and do not have to be within three-eighths (?) inch of the rectangular tread depth.

Winder treads shall have a minimum tread depth of nine (9) inches measured between the vertical planes of the foremost projection of adjacent treads at the intersection of the walkline. Winder treads shall have a minimum tread depth of six (6) inches at any point. Within any flight of stairs, the greater winder tread depth at the twelve (12) inch walk line shall not exceed the smallest by more than three-eighths (?) inch.

*Change Section R312.3 to read as follows:*

**R312.3 Opening limitations.** Required guards shall not have openings from the walking surface to the required guard height which allow passage of a sphere four (4) inches in diameter. Guards shall not have an ornamental pattern that would provide a ladder effect.

**Exceptions:**

1. The triangular openings at the open side of a stair, formed by the riser, tread and bottom rail of a guard, shall not allow passage of a sphere six (6) inches in diameter.
2. Guards on the open sides of stairs shall not have openings which allow passage of a sphere four and three-eighths (4 3/8) inches in diameter.

*Change Sections R313.1 To R313.2.1 to read as follow:*

**R313.1 Townhouse automatic fire sprinkler systems.** A builder of townhouse units shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the townhouse unit. No purchaser of such a townhouse unit shall be denied the right to choose or decline to install a fire sprinkler system in such townhouse being purchased.

**Exception:** An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

**R313.1.1 Design and installation.** Automatic fire sprinkle systems for townhouses shall be installed in accordance with the City of Saint Louis Plumbing Code.

**R313.2 One- and two-family dwellings automatic fire systems.** A builder of single family dwellings or residences or multi-unit dwellings of four (4) or fewer units shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling, residence or unit. No purchaser of such a single family dwelling, residence, or multi-unit dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased.

**Exception:** An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

**R313.2.1 Design and installation.** Automatic residential fire sprinkler systems shall be designed and installed in accordance with

the City of Saint Louis Plumbing Code or NFPA 13D.

*Change Section R319.1 to read as follows:*

**R319.1 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.

*Change Section R323.1.7 to read as follows:*

**R323.1.7 Protection of water supply and sanitary sewer systems.** New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems in accordance with the provisions of the City of Saint Louis Plumbing Code. New and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of floodwaters into systems and discharge from systems into floodwaters in accordance with the City of Saint Louis Plumbing Code.

*Delete Sections 322.3 thru 322.3.6.*

*Change Section R403.1.4.1 to read as follows:*

**R403.1.4.1 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 (1) 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.

*Change Section R404.1.2 to read as follows:*

**R404.1.2 Concrete foundation walls.** Concrete foundation walls that support light-frame walls shall be designed and constructed in accordance with the provisions of this section, ACI 318, ACI 332 or PCA 100. Concrete foundation walls that support above-grade concrete walls that are within the applicability limits of Section R611.2 shall be designed and constructed in accordance with the provisions of this section, ACI 318, ACI 332 or PCA 100. Concrete foundation walls that support above-grade concrete walls that are not within the applicability limits of Section R611.2 shall be designed and constructed in accordance with the provisions of ACI 318, ACI 332 or PCA 100. When ACI 318, ACI 332, PCA 100 or the provisions of this section are used to design concrete foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority.

*Change Section R 404.1.2.2 to read as follows:*

**R404.1.2.2 Reinforcement for foundation walls.** Concrete foundation walls shall be laterally supported at the top and bottom. Horizontal reinforcement shall be provided in accordance with Table R404.1.2(1). Vertical reinforcement shall be provided in accordance with Table R404.1.2(2), R404.1.2 (3), R404.1.2(4), R404.1.2(5), R404.1.2(6), R404.1.2(7) or R404.1.2(8). Vertical reinforcement for flat basement walls retaining four (4) feet or more of unbalanced backfill is permitted to be determined in accordance with Table R404.1.2(9). For basement walls supporting above-grade concrete walls, vertical reinforcement shall be the greater of that required by Tables R404.1.2(2) through R404.1.2(8) or by Section R611.6 for the abovegrade wall. In buildings

assigned to Seismic Design Category D0, D1 or D2, concrete foundation walls shall also comply with Section R404.1.4.2.

**Exceptions:**

1. Where unstable soil or ground water conditions do not exist, plain concrete foundation walls may be constructed a minimum of eight (8) inches thick where the wall height from the top of the footing to the top of the wall does not exceed eight (8) feet and when the unbalanced backfill height from the top of the basement slab to the finished grade immediately adjacent to the wall does not exceed seven (7) feet. A minimum of two (2) No. 4 horizontal reinforcing bars shall be provided in the top and bottom of plain concrete foundation walls. A minimum of two (2) No. 5 reinforcing bars shall be provided around all window and door openings in plain concrete foundation and basement walls. Bars shall extend a minimum twenty-four (24) inches beyond the corners of the openings.
2. Where unstable soil or ground water conditions do not exist, plain concrete foundation walls may be constructed a minimum of ten (10) inches thick where the wall height from the top of the footing to the top of the wall does not exceed nine (9) feet and when the unbalanced backfill height from the top of the basement slab to the finished grade immediately adjacent to the wall does not exceed eight (8) feet. A minimum of two (2) No. 5 reinforcing bars shall be placed horizontally in the top, middle, and bottom of the foundation wall.
3. Where unstable soil or ground water conditions do not exist, plain concrete foundation walls may be constructed a minimum of ten (10) inches thick where the wall height from the top of the footing to the top of the wall does not exceed eight (8) feet and when the unbalanced backfill height from the top of the basement slab to the finished grade immediately adjacent to the wall does not exceed eight (8) feet. A minimum of two (2) No. 5 reinforcing bars shall be placed horizontally in the top, middle, and bottom of the foundation wall.

*Change Section R405.1 to read as follows:*

**R405.1 Concrete or masonry foundations.** Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Drain tile, gravel or crushed stone drains, perforated pipe or other approved systems or materials shall be installed at or below the area to be protected and shall discharge to an approved sump, fifteen (15) inches in diameter eighteen (18) inches deep with fitted cover. A sump located in a space containing a finished area shall have a sump pump and piping installed to discharge the water to a separate storm (not sanitary) lateral, or if approved, to the ground surface a minimum of 6 feet away from the building. Gravel or crushed stone drains shall extend at least one (1) foot beyond the outside edge of the footing and six (6) inches above the top of the footing and be covered with an approved filter membrane material. The top of the open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or perforated pipe shall be placed on a minimum of two (2) inches of washed gravel or crushed rock at least one sieve size larger than the tile joint opening or perforation and covered with not less than six (6) inches of the same material.

Drainage tiles, gravel or crushed stone drains, perforated pipe or other approved system shall be placed on both the inside and the outside of foundations in areas where a high water table exists, or other severe soil-water conditions exist, or water is present in the excavation. The drainage system shall be discharged to an approved sump having a sump pump and piping to discharge the water to a separate storm (not sanitary) lateral, or if approved, to the ground surface a minimum of six (6) feet away from the building.

**Exception:** A drainage system shall not be required when the foundation is installed on well-drained ground or sand-gravel mixture soils according to the Unified Soil Classification System, Group I Soils, as detailed in Table R405.1

*Change Section R502.2.2.3 to read as follows:*

**R502.2.2.3 Deck lateral load connection.** The lateral load connection required by Section R502.2.2 shall be permitted to be in accordance with Figure R502.2.2.3. Hold-down tension devices shall be installed in not less than two locations per deck, and each device shall have an allowable stress design capacity of not less than 1500 pounds (6672 N).  
Exception: All decks that are 100 square feet or less.

*Change Section R602.3 and Table R 602.3(1) to read as follows:*

**R602.3 Design and construction.** Exterior walls of wood-frame construction shall be designed and constructed in accordance with the provisions of this chapter and Figures R602.3(1) and R602.3(2) or in accordance with AF&PA's NDS. Components of exterior walls shall be fastened in accordance with Tables R602.3(1) through R602.3(4). Structural wall sheathing shall be fastened directly

to structural framing members. Exterior wall coverings shall be capable of resisting the wind pressures listed in Table R301.2(2) adjusted for height and exposure using Table R301.2(2) adjusted for height and exposure using Table R301.2(3). Wood structural panel sheathing used for exterior wall shall conform to the requirement of Table R602.3(3).

Studs shall be continuous from support at the sole plate to a support at the top plate to resist loads perpendicular to the wall. The support shall be a foundation on floor, ceiling or roof diaphragm or shall be designed in accordance with accepted engineering practice.

**Exceptions:**

1. Jack studs, trimmer studs and cripple studs at openings in walls that comply with Tables R502.5(1) and R502.5(2).
2. Headers adjacent to the top plate at openings in a wall.

**TABLE R602.3(1)**

Modify the following rows within the table to read as follows (Rows not amended by this code amendment and shown in the code as published are adopted without amendments.):

Other wall sheathing <sup>h</sup>				
Item	Description of Building Materials	Description of Fastener	Spacing of Fasteners	
			Edge (inches) <sup>i</sup>	Intermediate Supports <sup>g,c</sup> (inches)
34	1/2" structural cellulosic fiberboard sheathing	1/2" galvanized roofing nail, 7/16" crown or 1" crown staple 16 ga., 1 1/4" long	3	6
35	25/32" structural cellulosic fiberboard sheathing	1 3/4" galvanized roofing nail, 7/16" crown or 1" crown staple 16 ga., 1 1/2" long	3	6
36	1/2" gypsum sheathing	1 1/2" galvanized roofing nail; staple galvanized, 1 1/2" long; 1 1/4" screws, Type W or S; or 1 1/8" screws, pan head or button head	7	7
37	5/8" gypsum sheathing	1 3/4" galvanized roofing nail; staple galvanized, 1 5/8" long; 1 5/8" screws, Type W or S; or 1 1/4" screws, pan head or button head	7	7

Add Section R602.10.1.1.1 to read as follows:

**R602.10.1.1.1 Alternate Braced Wall Panels.** Exterior walls shall be sheathed over the entire structure with minimum 7/16" APA exterior exposure rated plywood or Oriented Strand Board (OSB). Panels shall be fastened per Table R602.10.1.2(1). Exterior corner framing shall comply with Figure 602.10.4.4(1). This alternative braced wall panel method is applicable for all buildings in Seismic Design Categories C and D and precludes any interior braced wall panel requirements.

Change Section R603.1 to read as follows:

**R603.1 General.** Elements shall be straight and free of any defects that would significantly affect structural performance. Cold formed steel wall framing members shall comply with the requirements of this section or with American Iron and Steel Institute (AISI) Standards for cold formed steel framing.

Delete Sections 612.2 through 612.4.2 as printed:

Change Section R802.10.2 to read as follows:

**R802.10.2 Design.** Wood trusses shall be designed in accordance with approved engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared and sealed by a Missouri Licensed Professional Engineer.

Change Section R905.2.8.2 to read as follows:

**R905.2.8.2 Valleys.** Valley linings shall be installed in accordance with the manufacturer's installation instructions before applying shingles. Valley linings of the following types shall be permitted:

1. For open valleys (valley lining exposed) lined with metal, the valley lining shall be at least twenty-four (24) inches wide and of any of the corrosion-resistant metals in table R905.2.8.2.
2. For open valleys, valley lining of two (2) plies of mineral surfaced roll roofing, complying with ASTM D 3909 or ASTM D 6380 Class M, shall be permitted. The bottom layer shall be eighteen (18) inches and the top layer a minimum of thirty-six (36) inches wide.
3. For closed valleys (valley covered with shingles), valley lining of one (1) ply of smooth roll roofing complying with ASTM D 6380, or two (2) plies of fifteen (15) pound felt complying with ASTM D 226 Type I, ASTM D 4869 Type I or ASTM D 6757 and at least thirty-six (36) inches wide or valley lining as described in Item 1 or 2 above shall be permitted. Self-adhering polymer modified bitumen underlayment complying with ASTM D 1970 shall be permitted in lieu of the lining material.

Change Section R1006.1.1 to read as follows:

**R1006.1.1 Factory-built fireplaces.** Exterior combustion air ducts for factory-built fireplaces shall be a listed component of the fireplace or equivalent and shall be installed according to the fireplace manufacturer's instructions.

Delete Section N1101.9.

Change Table 1102.1 to read as follows:

**TABLE N1102.1  
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT<sup>a</sup>**

CLIMATE ZONE	FENESTRATION U-FACTOR <sup>b</sup>	SKYLIGHT <sup>b</sup> U-FACTOR	GLAZED FENESTRATION SHGC <sup>b, c</sup>	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE <sup>e</sup>	FLOOR R-VALUE	BASEMENT <sup>c</sup> WALL R-VALUE	SLAB <sup>d</sup> R-VALUE & DEPTH	CRAWL SPACE <sup>e</sup> WALL
4	.40	.60	NR	30	13	5/10	19	131	10,2 FT	5m

For SI: 1 foot = 304.8 mm.

- a. R-values are minimums. U-factors and SHGC are maximums. R-19 batts compressed into a nominal 2 ? 6 framing cavity such that the R-value is reduced by R-1 or more shall be marked with the compressed batt R-value in addition to the full thickness R-value.
- b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- c. "15/19" means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.
- d. R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Zones 1 through 3 for heated slabs.
- i. The second R-value applies when more than half the insulation is on the interior of the mass wall.
- l. Unfinished basements may have a total of twenty percent (20%) of the total basement wall area exposed above the outside finished

grade/ground level an un-insulated concrete foundation walls. The foundation wall area above the outside grade/ground level that may be un-insulated is determined by the formula 0.20 times the basement wall height of all walls (including insulated exterior frame walls for walkout basements and walls common to both basement and attached garages) time the perimeter of these basement walls. Exposed foundation wall area above the outside finished grade/ground level exceeding twenty percent (20%) of the total basement wall area shall be insulated with R-5 insulation. When required in unfinished areas, the basement foundation wall insulation shall extend down to the basement floor slab or to a minimum of twenty-four (24) inches below the outside finished grade when the grade is above the floor slab elevation.

m. Naturally vented crawl space wall R-value may be 0.

*Change Section N1102.2.3 to read as follows:*

**N1102.2.3 Access hatches and doors.** Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

*Change Section N1102.4.1 to read as follows:*

**N1102.4.1 Building thermal envelope.** The building thermal envelope shall be durably sealed to limit infiltration. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. The following shall be caulked, gasketed, weatherstripped or otherwise sealed with an air barrier material, suitable film or solid material.

1. Openings between window and door assemblies and their respective jambs and framing.
2. Utility penetrations.
3. Walls and ceilings separating the garage from conditioned spaces.
4. Behind tubs and showers on exterior walls.
5. Common walls between dwelling units.
6. Rim joists junction.
7. Other sources of infiltration.

*Delete Section N1102.4.2.*

*Delete Sections N1102.4.2.1. and N1102.4.2.2*

*Delete Section N 1102.4.3.*

*Change Sections N1103.2.1 and N1103.2.2 to read as follows:*

**N1103.2.1 Insulation.** Supply ducts in attics shall be insulated to a minimum of R-4.

**N1103.2.2 Sealing.** Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601.4.

**Exception:** Duct sealing and tightness test is not required if the air handler and most ducts are located within conditioned space.

*Delete Chapters 12 thru 23. Refer to the City of Saint Louis Mechanical Code*

*Delete Chapter 24. Refer to the City of Saint Louis Fuel Gas Code.*

*Delete Chapters 25 thru 32. Refer to the City of Saint Louis Plumbing Code.*

Delete Chapters 33 thru 42. Refer to the City of Saint Louis Electrical Code.

Modify Chapter 43 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.....	R104.1

Change AG 101.1 to read as follows:

**AG101.1 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.

Add Sections AG101.1.1 to AG 101.1.3 to read as follows:

**AG101.1.1 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.

**AG101.1.2 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 drawings for in-ground swimming pools shall be sealed, signed and dated by a Missouri licensed design professional.

**AG101.1.3 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.

### **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; 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**

**ORDINANCE #68790  
Board Bill No. 182  
Committee Substitute**

An Ordinance adopting the International Existing Building Code, 2009 Edition with changes including Appendix Chapters A and B, as the Existing Building Code of the City of Saint Louis; repealing Ordinances 66788; 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.**

An ordinance repealing Ordinance 66788, approved September 1, 2005, and codified as Chapter 25.20, pertaining to the Existing Building Code of the City of Saint Louis which adopted the International Existing Building Code 2003: and enacting in lieu thereof a new Existing Building Code and adopting the International Existing Building Code 2009 including Appendix Chapters A and B.

**SECTION TWO**

The International Existing Building Code, 2009, as published by the International Code Council, Inc., one copy of which is on file in the Office of the Register of the City of Saint Louis, being marked and designated as the International Existing Building Code, 2009, as published by the International Code Council, Inc., be and is hereby adopted as "The Existing Building Code of the City of Saint Louis, in the State of Missouri", pursuant to the Ordinance and in conformity with Section 71.943 RSMo for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Existing Building Code, 2009, 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.**

The International Existing 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 Existing 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 the repair, alteration, change of occupancy, addition, and relocation of existing buildings. A building or portion of a building which has not been previously occupied or used for its intended purpose shall comply with the provisions of the International Building Code, Uniform Plumbing Code, International Mechanical Code, National Electrical Code and Zoning Ordinances as amended for new construction.

This code does not replace nor repeal any existing codes except as herein mentioned. This code applies to existing buildings only, and if in conflict with any other ordinance, the most restrictive shall apply.

**101.2.1 Appendices.** Appendix Chapters A and B 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.

**101.5 Compliance methods.** The repair, alteration, change of occupancy, addition or relocation of all existing buildings shall comply with one of the methods listed in Sections 101.5.1 through 101.5.3 as selected by the applicant. Application of a method shall be the sole basis for assessing the compliance of work performed under a single permit unless otherwise approved by the building official. Sections 101.5.1 through 101.5.3 shall not be applied in combination with each other. Where this code requires consideration of the seismic-force-resisting system of an existing building subject to repair, alteration, change of occupancy, addition or relocation of existing buildings, the seismic evaluation and design shall be based on Section 101.5.4 regardless of which compliance method is used.

**Exception:** Subject to the approval of the building official, alterations complying with the laws in existence at the time the building or the affected portion of the building was built shall be considered in compliance with the provisions of this code unless the building is undergoing more than a limited structural alteration as defined in Section 807.5.3. New structural members added as part of the alteration shall comply with the International Building Code. Alterations of existing buildings in flood hazard areas shall comply with Section 601.3.

**101.5.1 Prescriptive compliance method.** Repairs, alterations, additions and changes of occupancy complying with Chapter 3 of this code in buildings complying with the International Fire Code shall be considered in compliance with the provisions of this code.

**101.5.2 Work area compliance method.** Repairs, alterations, additions, changes in occupancy and relocated buildings complying with the applicable requirements of Chapters 4 through 12 of this code shall be considered in compliance with the provisions of this code.

**101.5.3 Performance compliance method.** Repairs, alterations, additions, changes in occupancy and relocated buildings complying with Chapter 13 of this code shall be considered in compliance with the provisions of this code.

**101.5.4 Evaluation and design procedures.** The seismic evaluation and design shall be based on the procedures specified in the International Building Code, ASCE 31 or ASCE 41. The procedures contained in Appendix A of this code shall be permitted to be used as specified in Section 101.5.4.2.

**101.5.4.1 Compliance with IBC level seismic forces.** Where compliance with the seismic design provisions of the International Building Code is required, the procedures shall be in accordance with one of the following:

1. The International Building Code using one hundred percent (100%) of the prescribed forces. The R-factor used for analysis in accordance with Chapter 16 of the International Building Code shall be the R-factor specified for structural systems classified as “Ordinary” in accordance with Table 12.2-1 of ASCE 7, unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as “Intermediate” or “Special.”
2. Compliance with ASCE 41 using both the BSE-1 and BSE-2 earthquake hazard levels and the corresponding performance levels shown in Table 101.5.4.1.

**TABLE 101.5.4.1  
PERFORMANCE CRITERIA FOR IBC LEVEL SEISMIC FORCES**

OCCUPANCY CATEGORY (Based on IBC Table 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL
I	Life safety (LS)	Collapse prevention (CP)
II	Life safety (LS)	Collapse prevention (CP)
III	Note a, Note b	Note a
IV	Immediate occupancy (IO)	Life safety (LS)

- a. Acceptable criteria for Occupancy Category III shall be taken as eighty (80) percent of the acceptance criteria specified for Occupancy Category IV performance levels.
- b. For Occupancy Category III, the ASCE 31 screening phase checklists shall be based on the life safety performance level.

**101.5.4.2 Compliance with reduced IBC level seismic forces.** Where seismic evaluation and design is permitted to meet reduced International Building Code seismic force levels, the procedures used shall be in accordance with one of the following:

1. The International Building Code using seventy-five percent (75%) of the prescribed forces. Values of R,  $\phi$ , and Cd used for analysis shall be as specified in Section 101.5.4.1 of this code.
2. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A as specified in Items 2.1 through 2.5 shall be deemed to comply with this section.
  - 2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.
  - 2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Chapter A2.
  - 2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Chapter A3.

- 2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Chapter A4.
- 2.5. Seismic evaluation and design of concrete buildings and concrete with masonry infill buildings in all occupancy categories are permitted to be based on the procedures specified in Chapter A5.
3. Compliance with ASCE 31 based on the applicable performance level as shown in Table 101.5.4.2. It shall be permitted to use the BSE-1 earthquake hazard level as defined in ASCE 41 and subject to the limitations in Item 4 below.
4. Compliance with ASCE 41 using the BSE-1 Earthquake Hazard Level and the performance level shown in Table 101.5.4.2. The design spectral response acceleration parameters SXS and SX1 specified in ASCE 41 shall not be taken less than 75 percent of the respective design spectral response acceleration parameters SDS and SD1 defined by the International Building Code.

**TABLE 101.5.4.2  
PERFORMANCE CRITERIA FOR REDUCED IBC  
LEVEL SEISMIC FORCES**

OCCUPANCY CATEGORY (Based on IBC Table 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 31	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL
I	Life safety (LS)	Life safety (LS)
II	Life safety (LS)	Life safety (LS)
III	Note a	Note a
IV	Immediate occupancy (IO)	Immediate occupancy (IO)

- a. Performance levels for Occupancy Category III shall be taken as halfway between the performance levels specified for Occupancy Categories II and IV.

**101.6 Safeguards during construction.** All construction work covered in this code, including any related demolition, shall comply with the requirements of Chapter 14.

**101.7 Correction of violations of other codes.** Repairs or alterations mandated by any property, housing or fire safety maintenance code or mandated by any licensing rule or ordinance, adopted pursuant to law, shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this code unless the code requiring such repair or alteration so provides.

## 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 Chapter 14 of 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 codes and 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, 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 the structural, fire or sanitary safety of an existing building or structure, or for the safety of the occupants thereof, 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.

**Exception:** Repairs, and Level 1 Alterations.

**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.

## 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 of the International Building Code 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.
  1. Tuckpointing, ordinary and/or minor repair to exterior masonry, exterior painting and similar repair and or finish work;
  2. 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;
  3. Application of pre-finished aluminum, steel, vinyl or other like materials on soffits, fascia boards, rake boards and overhangs;
  4. Repair or replacement of existing gutters and above grade portions of downspouts;
  5. Roof covering replacement with like material; Replacement of twenty-five percent (25%) or less of the roof sheathing;
  6. 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;
  7. 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;

8. 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;
9. 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 pre-damage 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.

**105.4 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 (30) 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 SUBMITTAL DOCUMENTS**

**106.1 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.

**106.1.1 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.

**106.1.1.1 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 of the International Building Code.

**106.1.1.2 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.

**106.1.2 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.

**106.1.3 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.

**106.1.4 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.

**106.2 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.

**106.2.1 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.

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

**106.3.1 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 108.3.1.

**106.3.2 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.

**106.3.2.1 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.

**106.3.3 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.

#### **106.3.4 Design professional in responsible charge.**

**106.3.4.1 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 of the International Building Code, 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 of the International Building Code.

**106.3.4.2 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.

**106.3.4.3 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.

**106.4 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 107 TEMPORARY STRUCTURES AND USES**

**107.1 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.

**107.2 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.

**107.3 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.

**107.4 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.

## **SECTION 108 FEES**

**108.1 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.

**108.1.1 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.

**108.1.2 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 (5) 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.

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

**108.2.1 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 108.3.1.

**108.2.2 Repairs, Level I, II or III alterations and additions.** The building permit fee for repairs, alterations and additions will be based on the total estimated cost of construction, and shall be charged at the rate listed in Table 108.3.1 for repairs, alterations 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.

**108.2.3 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, fences, awnings, etc. shall be based on the total estimated cost of the construction at the rate listed in Table 108.3.1.

**108.2.4 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 108.3.1. 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.

**108.2.4.1 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 108.3.1. In addition, all additional electrical, mechanical and plumbing permits shall be obtained.

**108.2.5 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 108.3.1. 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 feet (250) 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 (250) 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.

**108.2.6 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 108.3.1.
2. For each and every amendment not involving additional work, a minimum fee as listed in Table 108.3.1 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.

**108.2.7 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 108.3.1 for the special demolition fund.

**108.2.8 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 108.3.1 for the special lead remediation fund.

**108.2.9 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 108.3.1.

**108.2.10 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 108.3.1.

**108.2.11 Fee for occupancy permit.** Fees for the issuance of an occupancy permit shall be as listed in Table 108.3.1. There shall be no charge for the issuance of the original occupancy permit upon completion of construction in accordance with the building permit for buildings hereafter altered with construction costs exceeding thirty thousand dollars (\$30,000).

**108.2.11.1 Fee for temporary or partial occupancy permit.** The fee for a temporary or partial occupancy permit shall be as listed in Table 108.3.1.

**108.2.12 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 108.3.1.

**108.2.13 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 108.3.1.

**108.2.14 Lead inspection request.** Any person requesting a lead inspection of any building shall be charged the fee as listed in Table 108.3.1.

**108.3 Fee tables.** The building official shall cause to be collected all fees as listed in Table 108.3.1 and elsewhere in this code.

**108.3.1 Fee schedule.** Table 108.3.1 contains fees for permits for repairs and alterations, additions, permits for miscellaneous structures, moving of building permits, permits for blasting for demolition purposes, permits for blasting for construction purposes, addendums to permit, the special demolition fund, lead remediation fund, special inspections and occupancy permits.

**108.3.2 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 108.3.1  
BUILDING PERMIT FEES FOR STRUCTURES; BLASTING AND INSPECTIONS FEES**

Item	Fee	Minimum Fee	Section	Remarks & Requirements
APPLICATION FEE;	\$ 25.00		108.2.1	An administrative charge made for processing applications.
PERMIT FOR REPAIRS, LEVEL I, II OR III ALTERATIONS, AND ADDITIONS	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	108.2.2	Includes Cultural Resources Only permits.
MISCELLANEOUS STRUCTURES PERMIT - Structures such as towers, retaining walls, floating structures, parking lots, outdoor pay telephone, fences, awnings, etc.	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	108.2.3	For all structures, devices, appurtenances and equipment requiring permits & not otherwise provided for by this code.
MOVING OF BUILDING PERMIT Within City Limits	\$ 1.00/\$100 of estimated cost or fraction thereof	\$ 15.00	108.2.4	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	108.2.4.1	
EXPLOSIVES PERMIT Blasting permit for trenching	\$ 6.00/250 lineal feet or fraction thereof	\$ 100.00	108.2.5	For construction, excavation or other building operation.
Blasting for Demolition	\$ 100.00	\$100.00	108.2.5	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	108.2.6	
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		108.2.7	Special fund approved by the voters.
LEAD REMEDIATION FUND	\$2.00/\$1,000 of estimated cost or fraction thereof		108.2.8	Special fund approved by Ordinance 64699.
VACANT BUILDING REGISTRATION FEE	\$200.00 Semi-annually		108.2.9	Special fee established by Ordinance 64678.
DUPLICATE COPY OF BUILDING PERMIT, OCCUPANCY PERMIT OR CERTIFICATE OF INSPECTION	\$ 1.00 per copy		108.2.10	
APPLICANT REQUEST FOR OCCUPANCY PERMIT Residential.	\$80.00  \$20.00/each additional unit in same structure		108.2.11 108.2.11.1	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		108.2.12	
COST FOR APPROVING ADDITIONAL SETS OF CONSTRUCTION DOCUMENTS	\$1.00 per page		108.2.13	
APPLICANT REQUEST FOR LEAD INSPECTION	\$100.00		108.2.14	

**108.4 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 108.4. 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 108.4**  
**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
\$ 2,001 TO \$ 10,000	\$ 480.00
OVER \$ 10,000	\$ 600.00

**108.5 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.

**108.6 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.

**108.7 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 109 INSPECTIONS

**109.1 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.

**109.2 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.

**109.2.1 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.

**109.3 Required inspections.** The building official, upon notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.11. 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.

**109.3.1 Footing or 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.

**109.3.1.1 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.

**109.3.1.2 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.

**109.3.2 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.

**109.3.3 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.

**109.3.4 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

**109.3.5 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.

**109.3.5.1 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.

**109.3.6 Fire-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

**109.3.7 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.

**109.3.8 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.

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

**109.3.8.2 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.

**109.3.8.3 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.

**109.3.8.3.1 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.

**109.3.8.3.2 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.

**109.3.8.3.3 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.

**109.3.8.3.4 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.

**109.3.9 Special Inspections.** For special inspections, see Section 1704 of the International Building Code.

**109.3.10 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 110, 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.

**109.3.11 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.

**109.4 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.

**109.5 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.

**109.5.1 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.

**109.6 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.

**109.7 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 109.7. 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 109.7  
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

**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.

**109.7.1 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.

**109.8 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 110 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.

**109.9 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.

**109.10 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.

**109.10.1 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 109.10, 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 110 CERTIFICATE OF OCCUPANCY

**110.1 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.

**110.1.1 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.

**110.2 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.

### **110.2.1 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.

**110.3 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.

**110.4 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.

**110.5 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.

**110.6 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.

**110.7 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.

**110.8 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 111 SERVICE UTILITIES

**111.1 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 approved by the building official.

**111.2 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.

**111.3 Authority to disconnect service utilities.** The building official shall have the authority to authorize 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 112  
BOARD OF BUILDING APPEALS**

**112.1 General.** Any person aggrieved by a decision of the building official may appeal said decision to the Board of Building Appeals.

**112.2 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.

**SECTION 113  
VIOLATIONS**

**113.1 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.

**113.2 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.

**113.2.1 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 110.5 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.

**113.3 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.

**113.4 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.

**113.5 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 114 STOP WORK ORDER

**114.1 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.

**114.2 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.

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

**114.4 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 115 UNSAFE BUILDINGS, STRUCTURES AND EQUIPMENT

**115.1 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.

**115.2 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.

**115.3 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.

**115.4 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.

**115.5 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 and Chapter 13.

#### SECTION 116 PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES

**116.1 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.

**116.1.1 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.

**116.1.2 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.

**116.1.3 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.

**116.1.4 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.

**116.2 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 116.1.2. 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.

**116.2.1 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.

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

**116.2.3 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 15, 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 117 WORKMANSHIP

**117.1 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 118 EMERGENCY MEASURES

**118.1 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, 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.

**118.2 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.

**118.3 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.

**118.3.1 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.

**118.4 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.

**118.5 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.

**118.6 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.

**118.7 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 119 DEMOLITION

**119.1 General.** The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, to demolish and remove such structure. Conditions of the demolition shall be as set forth in Section 121 of the International Building Code.

**119.2 Notices and orders.** All notices and orders shall comply with Section 113.

**119.3 Failure to comply.** If the owner of a premises fails to comply with a demolition order within the time prescribed, the building official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**119.4 Salvage materials.** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

*Add or change the following definitions in Section 202 to read as follows:*

**ACCESSIBLE.** Describes a site, building, facility or portion thereof that complies with this code and ICC A117.1, and that can be approached, entered and used by a person with a disability.

**ACCESSIBLE ROUTE.** A continuous unobstructed path connecting all accessible elements and spaces in a building or facility which can be negotiated by a person with a severe disability, using a wheelchair and which is also safe for and useable by people with other disabilities. Interior accessible routes include corridors, floors, ramps, elevators, lifts and clear floor space at fixtures. Exterior accessible routes include parking, access aisles, curb ramps, walks, ramps and lifts.

**ALTERATION.** Any construction or renovation to an existing building or structure other than repair or addition. Alterations are classified as Level 1, Level 2 and Level 3.

**BUILDING.** Any structure occupied or intended for supporting or sheltering any occupancy. For application of this code, each portion of a building which is completely separated from other portions by fire walls complying with Section 706.0 of the International Building Code, shall be considered as a separate building.

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

**CHANGE OF OCCUPANCY.** A change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of this code. Change of occupancy requirements apply both to a change in which the occupancy, or use group classification under Chapter 3 of the International Building Code remains the same and one in which it changes.

**DWELLING UNIT OR SLEEPING UNIT, TYPE A.** A dwelling unit or sleeping unit designed and constructed for accessibility in accordance with Section 1002 of the ICC/ANSI A117.1 *Accessible and Useable Buildings and Facilities*. A Type A, accessible dwelling unit has all required knee and toe clearances, clear floor space requirements, door openings, turning radius, approaches, accessible routes, grab bars and accessible hardware. All bathrooms in a Type A (accessible) dwelling unit shall be designed as fully accessible. All kitchens in a Type A (accessible) dwelling unit shall be designed as fully accessible.

**DWELLING UNIT OR SLEEPING UNIT, TYPE B.** A dwelling unit or sleeping unit designed and constructed for accessibility in accordance with Section 1002 of the ICC/ANSI A117.1 *Accessible and Useable Buildings and Facilities* and is intended to be consistent with technical requirements for fair housing required by Federal law. Dwelling units required to be Type B shall be permitted to be designed and constructed as Type A units. A Type B dwelling unit has all required knee and toe clearances, clear floor space requirements, door openings, turning radius, approaches, accessible routes. Blocking for grab bars in the bathroom is installed. Kitchen cabinets can be installed under the sink. Grab bars and kitchen cabinets are removed for a person with a disability buying

or renting the unit. In Type B (adaptable) dwelling units with two (2) or more bathrooms, only one (1) common use bathroom shall be designed as fully accessible.

**GROUP.** The classification of occupancy within a building or structure in accordance with the International Building Code.

**HIGH RISE.** All buildings having occupied floors located more than seventy-five (75) feet above the lowest level of fire department vehicle access. This term shall not apply to structures that are not buildings.

**LICENSED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.** 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. Also referred to as Registered Design Professional In Responsible Charge.

**REPAIR.** The restoration to good or sound condition any part of an existing building for the purpose of its maintenance. Repair work shall not include the cutting away of any wall, partition or portion thereof; the removal or cutting away of any structural beam or loadbearing 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, water supply, sewer, drainage, drain leader, gas, oil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**STRUCTURE, EXISTING.** A structure erected prior to the legal date of adoption of the appropriate code or one for which a legal building permit has been issued.

*Add Section 401.4 to read as follows:*

**401.4 Aggregation of permits.** For the purpose of applying Sections 404.1 and 405.1, all permits issued within any twelve (12) month period for work to be performed on an existing building shall be included in the calculation of a work area.

*Add Section 601.1.1 to read as follows:*

**601.1.1 Elevators and escalators.** Existing elevators and escalators not otherwise being altered shall conform to ASME A17.3.

*Change Section 602.4 to read as follows:*

**602.4 Materials and methods:** All new work shall comply with materials and methods requirements in the City of Saint Louis Building, Mechanical, Electrical and Plumbing Codes as amended as applicable, that specify material standards, detail of installation and connection, joints, penetrations and continuity of any element, component or system in the building.

*Add Section 602.4.2 to read as follows:*

**602.4.2 Concealed space requirements.** In types 1 and 2 construction, plastic piping shall not be permitted in concealed spaces and above dropped ceilings.

*Add Sections 604.2 to 604.4 to read as follows:*

**604.2 Alternate to Second Stair.** An existing building shall be allowed to have a single stair provided it complies with all of the following conditions:

1. The entire building shall be fully sprinklered, all rooms and spaces with no exceptions
2. Floor area shall be ten thousand (10,000) square feet or less per floor.
3. The window sill height on the top floor shall be one hundred (100) feet or less from the lowest level of Fire Department vehicle access.
4. Standby power, light and emergency systems are required in all buildings having occupied floors located more than seventy-five (75) feet above the lowest level of Fire Department vehicle access.
5. Public corridors shall have a two (2) hour fire rated construction in a straight line with no turns.

6. The entire building shall have a complete fire alarm system.
7. Groups above the fifth floor shall be limited to B, M, R, S-1 and S-2. H Group occupancies shall not be allowed in the building.
8. Atriums and communicating stairs are not allowed in the building.
9. Stair enclosure shall be a minimum two (2) hour fire rated construction, with mechanical pressurization and automatic fire detection systems powered by an approved standby power system and a standpipe and hose connections at each floor. Stair shall be constructed of steel, steel pan, concrete or acceptable non-combustible construction.
10. All public corridors shall have emergency and exit lighting.
11. Stair shall discharge directly to the exterior or be connected to an exterior exit by a two (2) hour fire rated exit access corridor enclosure.
12. The basement, if used for any purpose other than mechanical equipment or storage, must have two (2) means of egress.

**604.3 Dual exits over two stories.** All habitable buildings over two stories in height containing one or more dwelling units above the second floor shall provide two separate exits from each floor above the second floor, accessible to each dwelling unit on said floor. All required exit facilities shall lead to a public thoroughfare either directly or through a court or yard, and passage to such exits shall not lead through any other dwelling unit. Dual means of exit shall consist of two interior stairs discharging directly or through a rated exit enclosure to the outside, or one interior and one exterior stair or existing fire escape accessible to all dwelling units on each floor above the second floor and discharging directly or through a court or yard to a public thoroughfare.

**Exceptions:**

1. Buildings permitted to have only one means of egress under the building code as amended.
2. Single Family Dwelling Units of Use Group R-3, two and one-half or three stories in height, of Type 3 (exterior masonry) construction, shall be exempt from the requirements for two exits.
3. A single exit shall be permitted from townhouse dwelling units located on the second and third floors, in buildings of Type 3 (exterior masonry) construction, provided that the exit is from the second floor, with a minimum of forty percent of the habitable space located on the second floor, and all of the following requirements are met:
  - a. Horizontal and vertical fire separation assemblies based on the Use Group classification between the first and second floor as determined under the current building code as amended. A horizontal fire separation is not required between a first floor commercial space and dwelling units above provided that an AC powered battery back-up interconnected smoke detection system is installed in the commercial space and basement with remote alarms in all dwelling units above or in the common stair and hall if audible within all dwelling units.
  - b. The building is limited to a maximum of six dwelling units and three stories in height.
  - c. An AC powered battery back-up interconnected smoke detection system is installed for each dwelling unit throughout the building including the basement. The location of the smoke detectors shall be sufficient to detect smoke in any habitable room or basement.

**604.4 Fire-resistance rating.** The fire-resistance rating for corridors and tenant separation walls, partitions and floor/ceiling assemblies shall be a minimum of one (1) hour.

*Add Sections 605.3 thru 605.5 to read as follows:*

**605.3 Resolving issues of accessible design solutions.** Unresolved design issues related to accessibility shall be resolved by the Commissioner on the Disabled. A letter of agreement shall be drafted by the Commissioner on the Disabled to the design professional

outlining the accessibility requirements. The building permit shall be issued contingent upon compliance with the letter of agreement.

**605.4 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.

**605.5 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 Sections 608 to 610 to read as follows:*

#### **SECTION 608 ELECTRICAL**

**608.1 Electrical materials and methods.** Alterations of any kind shall not diminish the building's existing structural strength, the integrity of existing electrical systems below that which legally exists at the time of the permit application or that which is required by the City of Saint Louis Electrical Code as amended, whichever is less.

New electrical wiring and new electrical equipment shall meet the requirements of the City of Saint Louis Electrical Code as amended.

The replacement or addition of fixtures, equipment or appliances shall not increase loads on the electrical service unless the service is upgraded in accordance with the City of Saint Louis Electrical Code as amended to accommodate the increased load.

#### **SECTION 609 MECHANICAL**

**609.1 Mechanical materials and methods.** Alterations of any kind shall not diminish the building's existing structural strength, system capacity or mechanical ventilation below that which legally exists at the time of permit application or that which is required by the City of Saint Louis Mechanical Code as amended, whichever is less, except as otherwise required by this section.

**609.1.1 General regulations.** The General Regulations requirements of the City of Saint Louis Mechanical Code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

**Exception:** The electrical requirements of the City of Saint Louis Mechanical Code shall only be applied to new or replacement equipment.

**609.1.2 Ventilation.** The Ventilation requirements of the City of Saint Louis Mechanical Code as amended shall be followed for all new equipment in the area undergoing alterations of any kind. Mechanical ventilation shall be required of all bathrooms, smoking lounges, toilet rooms, locker rooms, dressing rooms and garages as required by the current City of Saint Louis Mechanical Code as amended for all areas undergoing alterations of any kind.

**Exceptions:**

1. Existing mechanical equipment shall not be required to provide more ventilation than that which legally exists at the time of permit application, or
2. Bathrooms and toilet rooms in private dwellings that have natural ventilation.

**609.1.3 Duct systems.** The Duct Systems requirements of the City of Saint Louis Mechanical Code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

**Exception:** City of Saint Louis Mechanical Code shall apply only to newly-constructed plenums. Modifications to existing legally installed plenums, such as installation of new building, electrical or plumbing materials inside the plenum, increasing air flow rate within the plenum, etc. shall not require the plenum to comply with the construction requirements for new plenums. However, newly-installed materials within the plenum shall be consistent with the material requirements of the Mechanical Code.

**609.1.4 Fuel oil piping and storage.** The Fuel Oil Piping and Storage requirements of the City of Saint Louis Mechanical Code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

**Exception:** City of Saint Louis Mechanical Code shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the existing City of Saint Louis Mechanical Code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the existing City of Saint Louis Mechanical Code minimums.

**609.2 Fuel gas materials and methods.** Alterations of any kind shall not diminish the buildings existing structural strength, system capacity or mechanical ventilation below that which legally exists at the time of permit application or that which is required by the City of Saint Louis Fuel Gas Code, whichever is less, except as otherwise required by this section.

**609.2.1 General regulations.** The General Regulations requirements of the City of Saint Louis Fuel Gas Code shall be followed for all new equipment in the area undergoing alterations of any kind.

**Exception:** The electrical requirements of Sections 306.3.1, 306.4.1 and 306.5.2 of the City of Saint Louis Fuel Gas Code shall only be applied to new or replacement equipment.

**609.2.2 Gas piping installations.** The Gas Piping Installations requirements of the City of Saint Louis Fuel Gas Code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

**Exception:** The Fuel Gas Code shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the City of Saint Louis Fuel Gas Code. Existing systems lawfully in existence that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the City of Saint Louis Fuel Gas Code minimums.

**609.3 New mechanical appliances and new mechanical equipment.** New mechanical appliances and new mechanical equipment shall meet the requirements of the City of Saint Louis Mechanical Code and/or City of Saint Louis Fuel Gas Code.

The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the City of Saint Louis Mechanical Code and/or City of Saint Louis Fuel Gas Code as amended to accommodate the increased load.

## SECTION 610 PLUMBING

**610.1 Plumbing materials and methods.** Alterations of any kind shall not diminish the building's existing structural strength, system capacity or mechanical ventilation below that which legally exists at the time of permit application or that which is required by the City of Saint Louis Plumbing Code as amended, whichever is less, except as otherwise required by this section.

**610.1.1 Water supply and distribution.** The Water Supply and Distribution requirements of the City of Saint Louis Plumbing Code as amended shall be followed for all new piping and fixtures in the area undergoing alterations of any kind.

**Exception:** City of Saint Louis Plumbing Code as amended shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the City of Saint Louis Plumbing Code as amended. Existing systems lawfully in existence that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the City of Saint Louis Plumbing Code as amended minimums.

**610.1.2 Sanitary drainage systems.** The Sanitary Drainage Systems requirements of the City of Saint Louis Plumbing Code as amended shall be followed for all new piping and fixtures in the area undergoing alterations of any kind.

**Exception:** City of Saint Louis Plumbing Code as amended shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the City of Saint Louis Plumbing Code as amended. Existing systems lawfully in existence that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the City of Saint Louis Plumbing Code as amended minimums.

**610.2 New plumbing piping and fixtures.** New plumbing piping and fixtures shall meet the requirements of the City of Saint Louis Plumbing Code as amended.

The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the City of Saint Louis Plumbing Code as amended to accommodate the increased load.

*Change Section 704.2.2 to read as follows:*

**704.2.2 Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2.** In buildings with occupancies in Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2, work areas that have exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than 30 shall be provided with automatic sprinkler protection where all of the following conditions occur:

1. The work area is required to be provided with automatic sprinkler protection in accordance with the International Building Code as applicable to new construction;
2. The work area exceeds 50 percent of the floor area; and
3. The building has sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump.

**Exception:**

Work areas in Group R occupancies three (3) stories or less in height when the building is equipped throughout with a hard-wired smoke detection system.

*Change Section 705.2 to read as follows:*

**705.2 General.** The means of egress shall comply with the requirements of this section.

**Exception:** Means of egress conforming to the requirements of the building code under which the building was constructed shall be considered compliant means of egress if, in the opinion of the building official, they do not constitute a distinct hazard to life.

*Add Section 705.5.5 to read as follows:*

**705.5.5 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 706.1 to read as follows:*

**706.1 General.** A building, facility or element that is altered shall comply with Section 506. An accessible entrance shall be provided when entrance steps are being replaced in buildings required to be accessible. Vertical platform lifts can be used to achieve vertical accessibility. In an existing multi-floor building with two or more floors above grade, where the functions on the second or other floors above grade are identical to all the functions on the first floor and is the same tenant, vertical accessibility can be waived by the Commissioner on the Disabled if the first floor is totally accessible.

In Level 2 alterations, change of use or occupancy, accessible dwelling units in occupancies in Use Group R 2 containing more than twenty dwelling units, at least two percent but not less than one of the dwelling units shall be Type A dwelling units.

**Exception:** Use Group R-2 apartment buildings without a change of use or occupancy.

*Change Section 708.1 to read as follows:*

**708.1 New installations.** All newly-installed electrical equipment and wiring relating to work done in any work area shall comply with the materials and methods requirements of Chapter 5.

**Exception:** Electrical equipment and wiring in newly installed partitions and ceilings shall comply with all applicable requirements of the City of Saint Louis Electrical Code as amended.

*Change Section 708.3.4 to read as follows:*

**708.3.4 Ground fault circuit interruption.** Newly installed receptacle outlets shall be provided with ground fault circuit interruption as required by the City of Saint Louis Electrical Code as amended.

*Add Section 709.4 to read as follows:*

**709.4 Reconfigured or converted spaces.** All reconfigured spaces intended for occupancy and all spaces converted to habitable or occupiable space in any work area shall be provided with either natural or mechanical ventilation in accordance with the City of Saint Louis Mechanical Code.

*Change Section 710.1 to read as follows:*

**710.1 Minimum fixtures.** Where the occupant load of the story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the City of Saint Louis Plumbing Code as amended listed in Chapter 15 based on the increased occupant load.

*Add Sections 808 thru 810 to read as follows:*

## **SECTION 809 ELECTRICAL**

**809.1 Electrical.** In buildings undergoing Level 3 Alterations, the electrical system shall meet the City of Saint Louis Electrical Code.

**SECTION 810  
MECHANICAL**

**810.1 Mechanical systems.** In buildings undergoing Level 3 Alterations, all mechanical systems shall meet the City of Saint Louis Mechanical Code.

**SECTION 811  
PLUMBING**

**811.1 Plumbing systems.** In buildings undergoing Level 3 Alterations, the plumbing system shall meet the City of Saint Louis Plumbing Code as amended.

*Add Section 901.1.1 to read as follows:*

**901.1.1 Converting unfinished area to habitable rooms.** Any alteration work within a dwelling undertaken to convert unfinished areas to habitable rooms shall be considered a change in occupancy and shall conform to the applicable requirements of the International Residential Code, or the International Building Code for Groups R-3 or R-4 for the converted area. Light and ventilation shall comply with the requirements of the International Building Code for the new occupancy.

*Add Section 907.1.1 to read as follows:*

**907.1.1 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 of the International Building Code, 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.

*Change Section 912.8.2 to read as follows:*

**912.8.2 Accessibility.** Existing buildings or portions thereof that undergo a change of occupancy classification shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with the International Building Code.
4. Accessible parking, where parking is being provided.
5. At least one accessible passenger loading zone, where loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
7. Accessible toilets shall be provided. Where full compliance is not possible, a single fixture unisex, accessible toilet shall be permitted.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of use group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible. Change of use group or occupancy that incorporate any alterations or additions shall comply with this Section and Sections 506.1 and 506.2 as applicable.

**Exceptions:**

1. Type B dwelling units required by Section 1107 of the International Building Code are not required to be provided in existing buildings and facilities.
2. Waivers as provided for in Section 605.4 and 605.5

*Add Sections 1006 through 1009 to read as follows:*

**SECTION 1006  
ENERGY CONSERVATION**

**1006.1 Minimum requirements.** Additions to existing buildings or structures may be made to such buildings or structures without making the entire building or structure comply with the requirements of the International Energy Conservation Code. The addition shall conform to the requirements of the International Energy Conservation Code as they relate to new construction only.

**Exception:** Residential additions shall be permitted to comply with Chapter 11, Energy Efficiency in the International Residential Code.

**SECTION 1007  
ELECTRICAL**

**1007.1 Minimum requirements.** Additions to existing buildings or structures may be made to such buildings or structures without requiring that the entire building or structure comply with the requirements of the City of Saint Louis Electrical Code as amended. The addition shall conform to the requirements of the City of Saint Louis Electrical Code as amended. The addition of fixtures, equipment or appliances shall not increase loads on the electrical service unless the service is upgraded in accordance with the City of Saint Louis Electrical Code as amended to accommodate the increased load.

**SECTION 1008  
MECHANICAL**

**1008.1 Minimum requirements.** Additions to existing buildings or structures may be made to such buildings or structures without requiring that the entire building or structure comply with the requirements of the City of Saint Louis Mechanical Code as amended. The addition shall conform to the requirements of the City of Saint Louis Mechanical Code as amended. The addition of fixtures, equipment or appliances shall not increase loads on any mechanical system unless the system is upgraded in accordance with the City of Saint Louis Mechanical Code as amended to accommodate the increased load.

**SECTION 1009  
PLUMBING**

**1009.1 Minimum requirements.** Additions to existing buildings or structures may be made to such buildings or structures without requiring that the entire building or structure comply with the requirements of the City of Saint Louis Plumbing Code as amended. The addition shall conform to the requirements of the City of Saint Louis Plumbing Code as amended. The addition of fixtures, equipment or appliances shall not increase loads on any plumbing system unless the system is upgraded in accordance with the City of Saint Louis Plumbing Code as amended to accommodate the increased load.

*Add Section 1101.5 and 1101.5.1 to read as follows:*

**1101.5 Cultural Resources Office permit requirements:** When the ordinances of the Cultural Resources Office (CRO) 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 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 staff of the Cultural Resources Office.

**1105.1.1 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 Cultural Resources Office shall be the final denial; no further notice from the building official shall be required to any person.

*Change Section 1105.15 to read as follows:*

**1105.15 Accessibility requirements.** The provisions of Section 912.8 shall apply to buildings and facilities designated as historic structures that undergo a change of occupancy, unless technically infeasible. Where compliance with the requirements for accessible routes, ramps, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, as determined by the authority having jurisdiction, the alternative requirements of Sections 1104.1.1 through 1104.1.4 for that element shall be permitted.

**Exception:** Waivers as provided for in Section 605.5 and 605.6

*Change Section 1301.2 to read as follows:*

**1301.2 Applicability.** Structures existing prior to the date of August 1, 2003, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 11. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or I.

*Change Section 1401.5 to read as follows:*

**1401.5 Facilities required.** Sanitary facilities shall be provided during construction or demolition activities in accordance with the City of Saint Louis Plumbing Code as amended listed in Chapter 15.

*Modify Chapter 15 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.....	

### **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, or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues shall constitute a separate and distinct offense.

### **SECTION FIVE ....SAVING CLAUSE**

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

### **SECTION 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 Section Two of this ordinance be codified in the Revised Code of the City of Saint Louis.

**Approved: November 8, 2010**

**ORDINANCE #68791  
Board Bill No. 186  
Committee Substitute**

An Ordinance adopting the International Property Maintenance Code, 2009 edition with changes, as the Property Maintenance Code of the City of Saint Louis; repealing Ordinance 66787; and containing a penalty clause; savings clause and an emergency clause.

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

**SECTION ONE.**

Ordinance 66787, approved September 1, 2005, pertaining to the 2003 International Property Maintenance Code is hereby repealed.

**SECTION TWO.**

The International Property Maintenance Code, 2009, as published by the International Code Council, Inc., one copy of which is on file in the Office of the Register of the City of Saint Louis, being marked and designated as the International Property Maintenance Code, be and is hereby adopted as The Property Maintenance 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 the buildings and structures as herein provided; and that each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby referred to, adopted and made a part hereto, as if set out in this Ordinance, with the additions, insertions, deletions and changes prescribed in Section Three of this Ordinance.

**SECTION THREE.**

The 2009 International Property Maintenance Code is amended and changed in the following respects:

*Change Chapter One to read as follows:*

**CHAPTER 1  
SCOPE AND ADMINISTRATION**

**PART 1 - SCOPE AND ADMINISTRATION**

**SECTION 101  
GENERAL**

**101.1 Title.** These regulations shall be known as the International Property Maintenance Code of the City of Saint Louis, Missouri, hereinafter referred to as "this code."

**101.2 Scope.** The provisions of this code shall apply to all existing residential and non-residential structures and all existing premises and shall constitute minimum requirements and standards for premises, structures, equipment and facilities for, light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

**101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and general welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required

herein.

**101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.5 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 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.

**101.4.5 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.

**101.5 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

## **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 Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

**102.7 Application of other codes.** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, Uniform Plumbing Code, International Mechanical

Code, International Fuel Gas Code and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the zoning code.

**102.8 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the City of Saint Louis or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

**102.9 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.

**102.10 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the building official.

**102.11 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or structures designated by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the building official to be safe and in the public interest of health, safety and welfare.

### SECTION 103 DIVISION OF BUILDING AND INSPECTION

**103.1 Enforcement agency.** The enforcement agency shall be 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 THE 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.

**104.2 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 individuals. Reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. 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.

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

**104.4 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.

**104.5 Notices and orders.** The building official shall issue all necessary notices or orders to ensure compliance with the code.

**104.6 Nuisance.** The building official is authorized to enter and inspect every room, building, structure, inhabitable structure, or portion thereof which constitutes a nuisance as defined herein, within forty-eight hours of being notified by the police department that such condition exists. The police department shall notify the building official of a nuisance property within twenty-four hours of identifying such property. If the owner or occupant of said building refuses to permit an inspection, the building official shall immediately condemn for occupancy the building or structure, or portion thereof, and issue an order to vacate. In the event that any person refuses to leave, interferes with the evacuation of other occupants, or continues any operation within said building or structure, or portion thereof, after having been given an evacuation order by the building official, it shall be the duty of the police department

to immediately remove such person from said building or structure and prevent anyone from reentering the building or structure until such time as the police department has been notified by the building official that the order to condemn for occupancy has been rescinded. The building official shall immediately rescind the condemnation order, issued herein, upon the completion of the inspection authorized by this section. For purposes of this section a nuisance shall be defined as any violation of this ordinance which if not promptly corrected will constitute a fire hazard or a serious threat to the life, health or safety of the occupants of the building, structure, or portion thereof in which the violations occur.

**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.

## SECTION 105 APPROVAL

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

**105.1.1 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.

**105.2 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 Department of Public Safety.

**105.3 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.

**105.3.1 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.

**105.3.2 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.

**105.3.3 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.

## SECTION 106 VIOLATIONS

**106.1 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 or the building official.

**106.2 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.

**106.2.1 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 the International Building 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."

**106.3 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.

**106.4 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.

**106.5 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 107 NOTICES AND ORDERS

**107.1 Notice to owner or to person or persons responsible.** Whenever the building official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections 107.2 and 107.3.

**107.2 Form.** Such notice prescribed in Section 107.1 shall:

1. Be in writing;

2. Include a description of the real estate sufficient for identification;
3. Include a statement of the violation or violations and why the notice is being issued;
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code; and
5. Inform the property owner of the right to appeal.

**107.3 Method of service.** The notice to the owner of the building, structure or premise found to be in violation of this code by the building official, shall be directed to the owner or owners of such building, structure or premise 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. Delivered personally to owner or owners; or
2. By posting a copy of said notice upon the building, structure or premise; or
3. By mailing a copy of said notice by regular mail, postage prepaid, direct to the owner or owner's place of business or the address currently recorded in the Assessor's Office of the City of Saint Louis; or
4. By publication in a newspaper of general circulation in the City of Saint Louis.

**107.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the building official shall not be mutilated, destroyed or tampered with, or removed without authorization from the building official.

**107.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section Four.

**107.6 Transfer of ownership.** It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the building official and shall furnish to the building official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

**107.7 Continuation of Violation.** Any notice sent pursuant to this code or any other ordinance of the City of Saint Louis concerning the condition of a property or structure, including building, health, safety or environmental, shall run with the land and no further notices are required to be sent to any new owner, except any violation notice or condemnation of structure or property shall be in full force and effect upon transfer of property and the city is not required to reissue the notice or re-condemn the property unless twelve (12) months have elapsed since the last notice.

## SECTION 108 UNSAFE BUILDINGS, STRUCTURES AND EQUIPMENT

**108.1 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.

**108.1.1 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the building official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the building official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

**108.1.2 Authority to disconnect service utilities.** The building official shall have the authority to authorize disconnection

of utility service to the building, structure or system regulated by this code and the reference codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The building official shall notify the serving utility and, whenever 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 disconnection the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

**108.2 Notice.** If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the 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.

**108.2.1 Prohibited occupancy.** Any occupied structure condemned and placarded by the building official shall be vacated as ordered by the building official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

**108.3 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.

**108.4 Restoration.** The 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. of the International Building Code

**108.4.1 Abatement methods.** The owner, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe condition either by repair, rehabilitation, demolition or other approved corrective action.

**108.5 Securing structures.** The building official shall be permitted to order the owner of a vacant or partially vacant building or structure that is open and unsecured, in whole or in part, to secure all openings of said building or structure in accordance with Section 119 of the International Building Code.

If the owner or owners fail to comply with the order of the building official within seven (7) calendar days, and in such a manner as provided by code, then such owner or owners shall have violated this code, and the building official may forthwith, subject to funds availability, proceed to undertake and complete the work specified in that order. Billing, liens and cost recovery shall be in accord with Section 119.5 of the International Building Code.

**108.6 Declaration of emergency securing.** The building official may declare an emergency to exist which shall waive the required seven calendar day owner compliance period, and allow the building official to immediately cause the removal or the securing of open hazardous structures by placarding a notice on the structure and after a twenty four (24) hour period, causing the securing. Lien and recovery of costs shall be in accord with applicable sections of the Building Code. In extreme imminent public safety conditions, the twenty four (24) hour period need not be observed.

**108.7 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.

## SECTION 109 EMERGENCY MEASURES

**109.1 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, 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 principal 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.

**109.2 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.

**109.3 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.

**109.3.1 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 of the hazard, and the recovery of said costs will be as described in Section 119.5 of the International Building Code.

**109.4 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.

**109.5 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.

**109.6 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.

**109.7 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 110**  
**RIGHT TO APPEAL**

**110.1 Appeals.** Any person aggrieved by a decision of the building official may appeal said decision to the Board of Building

Appeals.

**110.2 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.

#### SECTION 111 STOP WORK ORDER

**111.1 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.

**111.2 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.

**111.3 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 112 WORKMANSHIP

**112.1 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.

*Add or modify within Section 202 GENERAL DEFINITIONS as follows:*

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

**COMMON EXIT.** An exit that serves two (2) or more dwelling units.

**OWNER.** Any person, agent, operator, management firm, collector of rent, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the Assessor's Office of the City of Saint Louis 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 executor or administrator of the estate of such person if ordered to take possession of real property by a court.

*Change Section 302.3 through 302.8 to read as follows:*

**302.3 Private property areas.** All sidewalks, steps, driveways, parking spaces and similar paved areas on private property shall be kept in a proper state of repair, free of all snow, ice, mud, overhanging trees and shrubs which obstruct walkways, and other debris and shall be maintained free of hazardous conditions. If any sidewalk or driveway or portion thereof on private property by virtue of its state of repair shall constitute a danger to public health and safety, the sidewalk or driveway or portion thereof shall be replaced. Steps shall comply with the requirements for exterior stairs.

Whenever off-street parking is permitted in any dwelling district behind the building line, the parking area, including the driveway to said parking area, if one thousand (1000) or more square feet, shall be paved with concrete, bituminous material or an equivalent surface approved by the building official, and any new off-street parking and loading areas, including a driveway behind the building line, must be constructed to conform with the building code. Any said off-street parking areas and driveways for said parking areas existing at the date of the passage of this ordinance shall be of a surface approved by the building official. Any existing off-street parking areas that are enlarged or changed in any manner that results in the total parking area, including the driveway to said parking area, to be one thousand (1,000) or more square feet, the entire parking area and driveway shall be paved with concrete, bituminous material or an equivalent surface approved by the building official.

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of

a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the City of Saint Louis. Upon failure to comply with the notice of violation, any duly authorized employee of the Forestry Division or contractor hired by the City of Saint Louis shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

**302.5 Rodent harborage.** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent infestation. Control of rodents and their harborage shall be regulated by the City of Saint Louis Health Department.

**302.6 Exhaust vents.** Location and usage of exhaust vents shall be as regulated in the City of Saint Louis Mechanical Code as listed in Chapter 8.

**302.7 Accessory structures.** All accessory structures, including attached and detached garages, fences and walls, shall be maintained structurally sound and in good repair. All garages opening onto an alley or street shall have doors in good repair and capable of being closed and locked.

**302.8 Motor vehicles, residential areas.** Except as provided in other regulations, no currently unlicensed, unregistered or uninspected, derelict or abandoned motor vehicle shall be parked on any property, and no such vehicle shall at any time be in a state of major disassembly, disrepair or shall it be in the process of being stripped or dismantled unless such work is provided in a structure or similarly enclosed area designed and approved for such purposes, except no vehicle of any type shall at any time undergo major overhaul, including body work, in a residential district unless such work is provided in a structure or similarly enclosed area designed and approved for such purposes.

Except as provided in other regulations and approved by the building official, no currently unregistered or uninspected, derelict or abandoned motor vehicle shall be permitted on any property in a nonresidential district, and no such vehicle shall at any time be in a state of major disassembly or disrepair; nor shall it be in the process of being stripped or dismantled. (Also see Ordinance 60935).

*Add Section 302.10 to read as follows:*

**302.10 Metal structures and fixtures.** All metal structures, metal fixtures appurtenant to such structures and metal fixtures attached to any property shall be free of rust and maintained weatherproof and in good condition.

*Change Section 304.3 to read as follows:*

**304.3 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 (0.5) 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.

*Change Section 304.6 to read as follows:*

**304.6 Exterior walls.** Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portion of the walls or to the occupied spaces of the building. All exterior surface materials, including wood, composition or metal siding, shall be maintained weatherproof and shall be properly surface coated when required to prevent deterioration. Tuckpointing shall not be loose or missing.

*Change Section 304.7 to read as follows:*

**304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that adversely affects adjacent property.

*Add Section 304.10.1 to read as follows:*

**304.10.1 Stair dimension tolerances.** Treads and risers shall be significantly the same in depth or height so as to not create a trip hazard.

*Change Sections 304.12 and 304.12.1 to read as follows:*

**304.12 Handrails and guards.** Every flight of stairs which is more than four (4) risers high shall have a handrail on at least one (1) side of the stair, and every open portion of a stair, landing or balcony which is more than thirty (30) inches above the floor or grade below shall have guards. Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition.

**304.12.1 Handrail and guard installations.** The replacement or installation of handrails and/or guards shall be in accordance with the Building Code listed in Chapter 8 of this code.

*Change Section 304.14 to read as follows:*

**304.14 Insect screens.** During the period from April 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per inch and every swinging door shall have a self-closing device in good working condition.

**Exception:** Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans are employed.

*Add section 305.5.1 to read as follows:*

**305.4.1 Stair dimension tolerances.** Treads and risers shall be significantly the same in depth or height so as to not create a trip hazard.

*Change Section 305.5 and add Section 305.5.1 to read as follows:*

**305.5 Handrails and guards.** Every flight of stairs which is more than four (4) risers high shall have a handrail on at least one (1) side of the stair, and every open portion of a stair, landing or balcony which is more than thirty (30) inches above the floor or grade below shall have guards. Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition.

**305.5.1 Handrail and/or Guard Installations.** The replacement or installation of handrails and/or guards shall be in accordance with the International Residential Code, or International Building Code, whichever is applicable.

*Add Section 305.7 to read as follows:*

**305.7 Storage.** The interior of every structure shall be free from excessive storage, as determined by the building official, to maintain the health, safety and welfare of the occupants. Storage shall not interfere with the clearances required for egress or the operation of plumbing, mechanical or electrical equipment.

*Change Section 307.1 to read as follows:*

**307.1 General.** Every exterior and interior flight of stairs having more than four (4) risers shall have a handrail on one side of the stair and every portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than thirty (30) inches above the floor or grade below shall have guards. Handrails shall not be less than thirty-four (34) inches high or more than thirty-eight (38) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surface. Guards shall not be less than thirty-six (36) inches high above the floor of the landing, balcony, porch, deck, ramp or other walking surface.

*Change Section 308.1 to read as follows:*

**308.1 General.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. The control of rubbish and garbage shall be the responsibility of the Health Department and Street Department, Refuge Division.

Delete Sections 308.2 through 308.3.2. in its entirety.

Change Section 309 to read as follows:

**SECTION 309  
PEST ELIMINATION**

**309.1 Owner.** The owner of any structure shall be responsible for extermination of rats, insects or other pests within the structure prior to renting, leasing or selling the structure. Primary enforcement of Section 309 is by the Health Department.

**309.2 Single occupancy.** The owner and/or occupant of a structure containing a single dwelling unit or of a single non-residential structure shall be equally responsible for the extermination of any insects, rodents or other pests in the structure or on the premises.

**309.3 Multiple occupancy.** The owner of a structure containing two (2) or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for extermination.

**309.4 Continued rodent infestation.** Continuing or repeated incidents of rodent infestation determined from the official records shall require the installation of rat and vermin proof walls. The rat and vermin proof walls shall be installed in accordance with the building code.

Change Section 404.4.1 to read as follows:

**404.4.1 Room area.** Every living room shall contain at least 120 square feet and every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one person shall contain at least fifty (50) additional square feet of floor area for each additional occupant thereof.

Change Section 404.5 to read as follows:

**404.5 Overcrowding.** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5

**TABLE 404.5 MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room	120	120	150
Dining room	No requirements	80	100
Kitchen	50	50	60
Bedrooms	Shall comply with Section 404.4.1		

Add Section 404.5.1 to read as follows:

**404.5.1 Combined spaces.** Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is so located that it functions as a combination living room/dining room. This option is also applicable for a combination kitchen/dining room.

Change Section 502.5 to read as follows:

**502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the City of Saint Louis Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the public facilities at all time during occupancy of the premises.

Add Section 503.1.1 to read as follows:

**503.1.1 Toilet partitions.** Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room, partitions, enclosures or compartments for privacy between water closets and shall comply with fixture clearance requirements of the City of Saint Louis Plumbing Code for such installations.

*Change Section 504.3 to read as follows:*

**504.3 Plumbing system hazards.** Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate water supply, leaking water supply service line, leaking drains, inadequate drainage, inadequate venting, cross connection, backsiphonage, improper installation, accumulation of sewage, deterioration or damage or for similar reasons, the building official shall require the defects to be corrected to eliminate the hazard.

*Change Section 505.1 to read as follows:*

**505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to a public water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the City of Saint Louis Plumbing Code.

*Change Section 505.2 to read as follows:*

**505.2 Contamination.** The water supply shall be maintained free from contamination. All water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. All water inlets for plumbing fixtures in residential buildings of six (6) families or less shall be located above the overflow of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

*Change Section 505.3 to read as follows:*

**505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks. Faucets to kitchen sinks and lavatories shall be capable of delivering a minimum of 1.5 gallons per minute.

*Change Section 505.4 to read as follows:*

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than one hundred degrees Fahrenheit (100°F). A fuel-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless combustion air is provided according to the City of Saint Louis Mechanical Code. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

*Change Section 507 to read as follows:*

## **SECTION 507 STORM DRAINAGE**

**507.1 General.** Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be modified or altered to discharge in a manner that adversely affects adjacent property or creates a public nuisance.

**507.2 Gutters and downspouts.** Unless otherwise approved by the Plumbing Inspection Section, all gutters and downspouts must be maintained so as to function properly and must be sewer connected where existing drain connections are provided. Primary structures and room additions with a roof area of less than five hundred fifty (550) square feet and all accessory structures including residential garages shall not be sewer connected provided the surface drainage water does not adversely affect the adjacent property or create a nuisance. Surface drainage shall be diverted to a public right-of-way, storm sewer conveyance or other point of collection so as not to create a hazard. Lots shall be graded so as to drain water away from foundation walls.

*Add Section 508 to read as follows:*

**SECTION 508  
PLUMBING REPAIRS**

**508.1 General.** Minor repairs or replacement of any existing plumbing system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved. Lead water lines may not be repaired.

**508.2 Materials.** The following plumbing materials and supplies shall not be used:

1. All purpose solvent cement, excluding transition glues;
2. Flexible traps and tailpieces;
3. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S 17 gauge (0.045 inch); and
4. Solder having more than 0.2% lead in the repair of potable water systems.
5. Water closets having a concealed trap seal or an unventilated space or having walls that are not thoroughly washed at each discharge in accordance with ASTM 112.19.2.
6. The following types of joints shall be prohibited:
  - 6.1 Cement or concrete joints.
  - 6.2 Mastic or hot-pour bituminous joints.
  - 6.3 Joints made with fittings not approved for the specific installation.
  - 6.4 Joints between different diameter pipes made with elasto-meric rolling "O"-rings.
  - 6.5 Solvent-cement joints between different types of plastic pipe.
  - 6.6 Saddle-type fittings unless they receive prior approval from the Plumbing Section.

**508.3 Lead water service lines.** Lead water service lines shall not be repaired.

*Add Section 602.2.1 to read as follows:*

**602.2.1 Enforcement.** The Health Department is the principal enforcement agency of Section 602.

*Change 602.3 to read as follows:*

**602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to April 30 to maintain a room temperatures of not less than sixty-eight degrees Fahrenheit (68oF) in all habitable rooms, bathrooms, and toilet rooms. The heat supply shall be permanently installed.

**Exception:** When the outdoor temperature is below the winter outdoor design temperature for the City of Saint Louis, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the City of Saint Louis shall be zero degrees Fahrenheit (0°F).

*Change 602.4 to read as follows:*

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 30 to maintain a temperature of not less than sixty-five degrees Fahrenheit (65oF.) during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage and operations areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

*Add Sections 603.7 to 603.12 to read as follows:*

**603.7 Free-standing stoves.** All free-standing stoves with doors or drawers shall be equipped with an anti-tip device.

**603.8 Water accumulation/damage.** Mechanical appliances, mechanical equipment and ductwork shall show no signs of water accumulation or damage. When signs of water accumulation or damage are evident, those areas are to be examined by a registered design professional and a detailed report on recommended repairs and prevention methods is to be made to the building official. If the recommended repairs are approved by the building official, the owner or the owner's agent shall have the recommended repairs performed in a timely manner.

**603.9 Air filters.** All air handling units that condition air shall be equipped with air filters.

**603.10 Thermostat.** All space heating and/or air conditioning units shall be controlled by a thermostat.

**603.11 Commercial food heat-processing equipment.** All commercial food heat-processing appliances, equipment, hoods, ducts and exhaust systems shall comply with this section.

**603.11.1 Hood system required.** Each existing commercial cooking appliance and domestic cooking appliance utilized for commercial purposes that produce smoke or grease vapors shall be protected with an approved Type I commercial kitchen exhaust hood and duct system.

**Exceptions:**

1. Cooking appliances located within a dwelling unit and not utilized for commercial purposes;
2. Completely enclosed ovens;
3. Steam tables;
4. Auxiliary cooking equipment that does not produce grease-laden vapors, including toasters, coffee makers and egg cookers; and
5. Portable equipment as defined in the City of Saint Louis Mechanical Code.

**603.11.2 Hood system suppression.** Each commercial kitchen exhaust hood and duct system required by Section 603.11.1 shall be protected with an approved automatic fire suppression system installed in accordance with the City of Saint Louis Mechanical Code. A portable fire extinguisher shall be installed within thirty (30) feet of the hood.

**603.11.3 Maintenance.** Commercial kitchen exhaust systems shall be cleaned to remove deposits of residue and grease in the system at intervals specified in the cleaning schedule required to be submitted in accordance with the City of Saint Louis Mechanical Code. Thorough cleaning of ducts, hoods and fans shall require scraping, brushing or other positive cleaning methods.

**603.11.4 Cleaning schedule.** Where a cleaning schedule is not on file, the building official shall require a schedule to be submitted, indicating the method of cleaning and the time intervals between cleanings.

**603.11.5 Leaks.** Venting equipment for commercial food heat processing equipment shall not leak.

**603.11.6 Capture test.** Venting equipment for commercial food heat processing equipment shall pass a capture test.

**603.11.7 Exhaust.** Venting equipment for commercial food heat processing equipment shall not exhaust in a dangerous manner or where a nuisance. (i.e., less than two (2) feet above the roof surface, within ten (10) feet of unprotected combustible materials, or onto a walkway or driveway)

**603.12 Mechanical repairs.** Minor repairs or replacement of any existing mechanical system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved.

*Change Section 604.2 to read as follows:*

**604.2 Service.** Dwelling units shall be served by an electrical service having a rating of not less than sixty (60) amperes. When the electrical system requires modification to correct inadequate service, the service shall be corrected to a minimum of one hundred (100) ampere, three wire electrical service. If the dwelling contains an electric range, electric clothes dryer or electric air conditioning unit, a minimum one hundred (100) ampere, three wire electrical service shall be provided.

*Change Section 605.2 to read as follows:*

**605.2 Receptacles.** Every habitable space in a dwelling unit shall contain at least two (2) separate and remote receptacle outlets. Every laundry area shall contain at least one (1) grounded type receptacle. Every bathroom shall contain at least one (1) receptacle that shall be Ground Fault Circuit Interrupter protected. Every kitchen shall contain at least two (2) twenty (20) ampere grounded appliance branch circuits.

*Change Section 605.3 to read as follows:*

**605.3 Lighting fixtures.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one (1) electric lighting fixture. All habitable spaces shall contain at least one (1) switched lighting fixture or switched receptacle.

*Add Sections 605.4 to 605.7 to read as follows:*

**605.4 Utility rooms and basements.** At least one (1) lighting outlet and one (1) receptacle shall be provided in utility rooms and basements where these spaces are used for storage or contain equipment requiring service.

*Add Section 605.5 to read as follows:*

**605.5 Clearance for equipment.** Clearance for electrical service equipment shall be provided in accordance with the current City of Saint Louis Electrical Code.

*Add Section 605.6 to read as follows:*

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

1. Replacement of a convenience outlet (replacement shall comply with the current electric code);
2. Light switch with the same current carrying capacity as the existing switch (replacement shall comply with the current electric code);
3. Light socket and holder (replacement shall comply with the current electric code),
4. Light fixture (one (1) maximum) installed on the same outlet box and having the same current rating (replacement shall comply with the current electric code);
5. Within a dwelling unit, a fan, blower, pump or other fractional horsepower motor of the same horsepower rating and having the same electrical characteristics and current rating as the existing, limited to one-hundred-twenty to two-hundred-forty (120-240) volts (replacement shall comply with the current electric code); or
6. The replacement of fuses or circuit breakers (except mains) where there is no evidence of over-fusing or tampering per applicable requirements of the electric code.

*Add Section 605.7 to read as follows:*

**605.7 Abandoned electrical and/or communications systems.** All abandoned electrical and/or communications systems shall be removed.

*Change Section 607.1 to read as follows:*

**607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of providing the required function. Recirculating and supply duct systems shall be maintained free from the accumulation of moisture.

*Add Section 702.1.1 to read as follows:*

**702.1.1 Dual exits over two stories.** All habitable buildings over two (2) stories in height containing one (1) or more dwelling units above the second floor shall provide two (2) separate exits from each floor above the second floor, accessible to each dwelling unit on said floor. All required exit facilities shall lead to a public thoroughfare either directly or through a court or yard, and passage to such exits shall not lead through any other dwelling unit. Dual means of exit shall consist of two (2) interior stairs discharging directly or through a rated exit enclosure to the outside, or one (1) interior and one (1) exterior stair or existing fire escape accessible to all dwelling units on each floor above the second floor and discharging directly or through a court or yard to a public thoroughfare.

**Exceptions:**

1. Buildings permitted to have only one (1) means of egress under the building code as amended.
2. Single Family Dwelling Units, two and one-half (2½) or (3) three stories in height, of Type 3 (exterior masonry) construction, shall be exempt from the requirements for two (2) exits.
3. A single exit shall be permitted from townhouse dwelling units located on the second and third floors, in buildings of Type 3 (exterior masonry) construction, provided that the exit is from the second floor, with a minimum of forty percent (40%) of the habitable space located on the second floor, and all of the following requirements are met:
  - a. Horizontal and vertical fire separation assemblies based on the Use Group classification between the first and second floor as determined under the current building code as amended. A horizontal fire separation is not required between a first floor commercial space and dwelling units above provided that an AC powered battery back-up interconnected smoke detection system is installed in the commercial space and basement with remote alarms in all dwelling units above or in the common stair and hall if audible within all dwelling units.
  - b. The building is limited to a maximum of six (6) dwelling units and three (3) stories in height.
  - c. An AC powered battery back-up interconnected smoke detection system is installed for each dwelling unit throughout the building including the basement. The location of the smoke detectors shall be sufficient to detect smoke in any habitable room or basement.

*Change Section 702.2 and 702.3 to read as follows:*

**702.2 Aisles.** The required width of aisles in accordance with the International Building Code shall be unobstructed.

**702.3 Locked doors.** All means of egress doors shall be readily operable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code. Exits from dwelling units, hotel units, boarding houses, and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

**Exception:** Single dwelling units of Use Group R 2 or R 3.

*Add Section 702.5 to read as follows:*

**702.5 Stairways, porches, handrails and guards.** Every stair, porch, fire escape, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair. Every stair, porch and fire escape shall be maintained free of hazardous conditions such as snow, ice, mud and other debris.

Every exterior and interior flight of stairs which is more than four (4) risers high shall have a handrail on at least one (1) side of the stair, and every open portion of a stair, fire escape, porch, landing or balcony which is more than thirty (30) inches above the floor or grade below shall have guards. Handrails shall be not less than thirty-four (34) inches nor more than thirty-eight (38)

inches high, measured vertically above the nosing of the treads. Guards shall be not less than thirty-six (36) inches high above the floor of the porch, landing or balcony. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good condition.

*Change Section 703.2 to read as follows:*

**703.2 Opening Protectives.** Required opening protectives shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable. Door closers at individual units at apartment complexes will be required where it is determined that they were a part of the original, approved equipment. They will be required to be installed where they had been required previously.

*Change Section 704.1 to read as follows:*

**704.1 Smoke detectors.** Smoke detectors shall be installed as per Ordinance 59376 and the City of International Building and Residential Codes.

*Add Section 704.5 to read as follows:*

**704.5 Carbon monoxide detectors.** Carbon monoxide detectors shall be installed a per Ordinances 63673 and 63842.

*Add Section 704.6 to read as follows:*

**704.6 Standpipe systems.** Standpipe systems shall be in proper operating condition at all times and readily identified and fully accessible. Hose connections shall be unobstructed.

**CHAPTER 8  
REFERENCED STANDARDS**

*Modify Chapter 8 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.....	102.3,201.3,505.1,602.2, 602.3

*Add Chapters 9 and 10 to read as follows:*

**CHAPTER 9  
LICENSED FACILITIES**

**SECTION 901  
GENERAL**

**901.1 Scope.** Every building used in whole or in part as a boarding house, rooming house, dormitory or hotel shall conform to the requirements of this Chapter.

**901.2 Special residential uses.** Shelters for the homeless, facilities for battered spouses or children, or similar uses shall be subject to all conditions of this Chapter and shall be treated as Use Group R-1 for technical code requirements.

**901.3 Hazards.** Any boarding house, rooming house, dormitory or hotel which shall fail to conform to the requirements of this code or other adopted codes and is violation of any laws of the city of Saint Louis and is detrimental to the health, safety and welfare of

the inhabitants of the City of Saint Louis shall be deemed a hazard.

## SECTION 902 DEFINITIONS

**902.1 Definitions.** The following words and terms shall, for the purpose of this chapter and as use elsewhere in this code, have the meanings shown herein.

**BOARDING HOUSE.** Residential occupancy arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit. The occupants are transient in nature. This use is classified as Group R-1.

**DORMITORY.** A space in a building where group sleeping accommodations are provided in one (1) room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses. This use is classified as Group R-2.

**HOTEL** (including motels). Residential occupancy, other than a bed and breakfast, where the occupants are primarily transient in nature (less than thirty (30) days). This use is classified as Group R-1

**ROOMING HOUSE.** Residential occupancy arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit. The occupants are not transient in nature. This use is classified as Group R-2.

## SECTION 903 LICENSING

**903.1 Permit and license required.** It shall be unlawful to operate a hotel, dormitory, rooming house or boarding house without first obtaining a permit and license as hereinafter set forth. An applicant for a license to operate a dormitory, rooming house, boarding house or hotel, together with all other requirements of this Chapter, shall also file a plat or drawing showing its location or premises together with the position of the building to be used thereon and a written petition in favor of the issuance of such license signed by a majority of the persons, if any, occupying the premises or conducting any business on the main floor within the prescribed petition circle drawn by a radius of five hundred (500) feet plus one-half (½) of the width of the front of the premises, from the center of such premises projected to the streets. A neighborhood consent petition shall not be required for successive renewals for the same license on the same premises immediately succeeding the original licensing. No such application shall be approved wherein a church, elementary school or secondary school is located within the radius herein above described.

### Exceptions:

1. Sheltered workshops and residence facilities authorized by Sections 205.968 to 205.972 of the Revised Statutes of Missouri, 2000, as amended, shall be and are hereby exempted from the plat and petition and the church and school petitions set forth herein.
2. Hotels of sixty (60) or more rooms shall be and are hereby exempted from the plat and petition requirements set forth within the areas defined herewith:
  - A. Beginning at a point, said point being the intersection of the center lines of the Poplar Street Bridge and Leonor K Sullivan Blvd; thence northwardly along said centerline of Leonor K Sullivan to the point of intersection thereof with the centerline of Biddle Street; thence westwardly along said centerline of Biddle Street to the point of intersection with the centerline of Interstate 70; thence southwardly along said centerline of Interstate 70, to the point of intersection with the centerline of Cole Street; thence westwardly along said centerline of Cole Street to the point of intersection with the center of Tucker Blvd; thence southwardly along said centerline of Tucker Blvd. to the point of intersection with the centerline of Dr. Martin Luther King Blvd.; thence westwardly along said centerline of Dr. Martin Luther King Blvd. to the point of intersection with the centerline of Jefferson Avenue; thence southwardly along said centerline of Jefferson Avenue to the point of intersection with the centerline of Interstate 64; thence eastwardly along said centerline of Interstate 64, to the point of intersection with Leonor K Sullivan Blvd., said point being the point of beginning; and
  - B. Any and all areas within two thousand (2,000) feet of an interstate highway measured from the center line of said interstate highway.

**903.1.1 Notification of termination.** The Director of the Saint Louis Office for Mental Retardation/ Developmental Disabilities Resources shall notify the Director of Public Safety, in writing, within ten (10) days when the operation of any sheltered workshop or residence facility is terminated, voluntarily or otherwise. The exemption herein granted for that location shall be automatically withdrawn.

**903.2 Certificate of occupancy.** Upon filing the application as required by Section 903.3, the applicant shall file with the building official an application for a Certificate of Occupancy in accordance with the building code, and if the building official finds that the zoning code permits such usage in the district in which the proposed building is located, the building official shall accept the application of the applicant. If the building official finds that the comprehensive zoning ordinance does not permit such usage in the district in which the proposed building is located, the building official shall not approve the application for a rooming house, boarding house, dormitory or hotel permit. Appeals on the zoning aspects of the Certificate of Occupancy lie within the Board of Adjustment.

**903.3 Filing application with building official required.** Every applicant, before engaging in the business of conducting a boarding house, rooming house, dormitory or hotel, shall file an application with the building official and with the Secretary of the Board of Public Service when required by the Building Code.

**903.3.1 Contents of application.** Every applicant, before engaging in the keeping of a boarding house, rooming house, dormitory or hotel in the City of Saint Louis shall file an application with the building official stating:

1. The name, address and telephone number of the applicant;
2. The street number of the building to be used;
3. If the applicant is not a resident of the City of Saint Louis, the name, address and telephone number of an agent who is a resident of the City;
4. An affidavit of resident agent of the applicant on a form approved by the building official that the agent of the applicant will accept full responsibility for the operation of the hotel, dormitory, rooming house or boarding house;
5. The height of the building in stories;
6. The number of exits and stairways;
7. The number of rooms intended on each floor to be rented or used as sleeping rooms by paying guests;
8. The maximum number of paying guests proposed to occupy each room; in computing guest population of a structure, any child who has attained two and one-half (2½) years of age, shall be counted as a person;
9. The number of beds, cots and bunks intended to be used by the guests;
10. Whether the building has a fire escape;
11. Whether fire extinguishers or any other type of alarm, detection or fire suppression system is provided;
12. The size of the lot on which the building is located and containing such other information as the building official may require to enable it to determine whether the building conforms to the requirements of the ordinances of the City of Saint Louis.

**903.4 Inspection of building.** Upon filing of the application for a permit to operate a boarding house, rooming house, dormitory or hotel, the building official shall make, or cause to be made, an inspection of such proposed building to ascertain whether the proposed use conforms to the requirements of this Chapter and to the rules and regulations of the Building Inspection Section, Health Division and Fire Prevention Bureau.

**903.4.1 Report of building official.** Upon the completion of the said inspection, the building official shall file such application with the Board of Public Service, together with a written report stating whether the place to be used as a rooming house, boarding house, dormitory or hotel conforms to the requirements of this Chapter and to the rules and regulations of the Building Inspection Section, Health Division and the Fire Prevention Bureau and also their

recommendation as to whether or not the permit should be granted and the reason for such recommendation.

**903.4.2 License collector prohibited from issuing license until permit issued.** The license collector is hereby prohibited from issuing a license for the operation of a rooming house, boarding house, dormitory or hotel to any person until a permit has been issued by the Board of Public Service as herein provided.

**903.5 Issuance or denial of permit.** If the Board of Public Service, after receipt of the application and the report and recommendation of the building official, finds that the proposed structure conforms to the requirements of this Chapter and the rules and regulations of the Building Inspection Section, Health Division and the Fire Prevention Bureau, it shall cause to be issued a permit to the applicant. If the Board finds that the building does not conform to the requirements of this Chapter and the rules and regulations of the Building Inspection Section, Health Division and Fire Prevention Bureau, it shall deny the permit and shall notify the applicant of such denial stating the reason or reasons therefor.

**903.5.1 Denial of permit - hearing.** If the permit is denied, the applicant shall, upon written request, be granted a hearing before the Board of Public Service on a day designated by it for reconsideration of the denial of such permit. After considering such request and the evidence and argument, if any, submitted in support thereof, the Board may issue said permit or confirm the action in refusing to do so. If no written request for such rehearing is made by the applicant within ten days after notification of the refusal of the permit, the action of the Board of Public Service in denying the permit shall be final.

**903.6 Notice of violation to violator correction or abatement.** If the building official finds any rooming house, boarding house, dormitory or hotel in violation of any of the requirements of this Chapter, the building official shall immediately notify the applicant thereof to correct or abate same. If the violation is not abated within a reasonable period, the building official shall file a report of such violation with the Board of Public Service with the building official's recommendation to revoke said permit. The Board shall notify the applicant or the applicant's resident agent of the building official's recommendation and shall within a reasonable time conduct a hearing as to whether or not the permit should be revoked. If the Board finds that the rooming house, boarding house, dormitory or hotel is being operated in violation of any of the requirements of this Chapter, the Board shall immediately revoke the permit.

**903.6.1 Revocation of permit license revocation.** Should any permit issued under this Chapter be revoked, the license collector shall, immediately upon receipt of such notice of revocation, revoke the license of such applicant. Whenever a permit shall be revoked by the Board of Public Service, the Secretary of the Board of Public Service shall immediately notify the license collector of such revocation.

**903.7 Change of owner new application to be filed.** Any change of ownership of a boarding house, rooming house, dormitory or hotel shall require that a new application and new neighborhood consent petition be filed as set forth in this Chapter and shall be subject to rules and regulations and ordinances in effect at the date of such application.

## SECTION 904 FEES

**904.1 License fees.** There shall be levied by the License Collector on every boarding house, rooming house, dormitory or hotel an annual fee as required by Ordinance.

**904.2 Expiration of licenses.** Licenses for boarding houses, rooming houses, dormitories or hotels shall expire on the anniversary date of its issuance.

**904.3 Service of notice.** All notices provided herein to be served upon the owner, applicant, agent of owner, or occupant, as the case may require, shall be deemed served upon such owner, applicant, agent of owner, or occupant, as the case may require, if a copy thereof shall:

1. Be delivered to them personally; or
2. If not found, by leaving a copy at the usual place of abode, with a member of the family of sixteen (16) or more years of age; or
3. By posting a copy in a conspicuous place in or about the dwelling affected by the notice; or
4. By sending a copy of the notice by registered letter with a return receipt requested, to the address specified in

the application for a boarding house, rooming house, dormitory or hotel permit or to the last known address; or

5. If registered letter with copy is returned with receipt showing it has not been delivered to them, by posting a copy thereof in a conspicuous place in or about the dwelling affected by the notice.

**904.4 Form of notice.** All notices provided herein shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the reason or reasons why notice is being issued;
4. Include a description of the violations required to be abated to bring the premises into compliance with the provisions of the ordinance and any rules or regulations adopted pursuant thereto.

## **SECTION 905 BUILDING REQUIREMENTS**

**905.1 Existing licenses.** All currently existing licensed rooming houses, boarding houses, dormitories and hotels shall, at a minimum, be governed by the provisions of the building and fire code under which they were initially licensed. Any alteration or change of occupancy shall be made to comply with the International Existing Building Code.

**905.2 New licenses.** All new boarding houses, rooming houses, dormitories and hotels must meet the requirements as defined in this code and the current building code, as amended.

**905.3 Change of operation.** All existing rooming houses, boarding houses, dormitories and hotels that have a change in their procedure/operation such as an increase or decrease in number of sleeping rooms or occupants or a reconfiguration of space shall comply with the International Existing Building Code.

When a change of operation occurs altering the "original" licensing and occupancy permit issued, such an increase or decrease in the number of rooms, the applicant shall comply with all adopted codes necessary to achieve the public safety of its occupants.

**905.4 Appeals.** Appeals of this Chapter shall have their jurisdiction with the Board of Building Appeals of the City of Saint Louis. An appeal shall stay all proceedings from, unless the Building Commissioner or Health Commissioner shall certify to the Board subsequent to the filing of any notice of appeal, that, by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by the order of any court of competent jurisdiction.

**905.5 Master room keys.** It shall be the duty of the applicant to keep available on the premises at all times, proper keys to all rooms, so that proper inspection can be made by the Building Inspection Section, Department of Health or Fire Prevention Bureau or Police Department.

**905.6 Room numbers.** Every rooming unit in every rooming house or boarding house shall be numbered and said number to be placed on the outside of the door to such unit. No two (2) units shall bear the same number.

**905.7 Hotel register required.** Every person to whom a boarding house, rooming house, dormitory or hotel permit has been issued shall at all times keep a standard hotel register within such house in which shall be inscribed the names of all occupants renting or occupying rooming units in such house. The register shall be signed by the person renting such unit. After the name or names of persons renting or occupying such unit, the applicant, or the applicant's agent, shall write the number of the room or rooms which each person is to occupy, together with the date and hour when such room or rooms are rented. All of which shall be done before such person is permitted to occupy such room or rooms. The register shall be at all times open to inspection by the building official, Health Commissioner or fire official of the City of Saint Louis or Police Department.

**905.7.1 False registration prohibited.** No person shall knowingly write or cause to be written in any rooming house, boarding house, dormitory or hotel register any other or different name than the true name of such person or the name by which such person is generally known.

## SECTION 906 POWERS AND DUTIES

**906.1 Power of health commissioner to make rules.** The Health Commissioner shall have power to make such rules and regulations as in the Health Commissioner's opinion may be reasonably necessary for carrying out the provisions of this part insofar as they relate to the public health. Such rules and regulations shall be in writing and a copy filed with the building official.

**906.2 Duty of building official.** It shall be the duty of the building official to make or cause to be made semi-annual inspections of all boarding houses, rooming houses, dormitories and hotels. It shall also be the duty of the building official to investigate changes in the use group and building classification and require a new Occupancy Permit where necessary.

**906.3 Cooperation of other agencies.** The Fire Prevention Bureau and Department of Health shall promptly make requested inspections and forward information to the Building Division. No separate fees shall be required.

## SECTION 907 CONDEMNATION

**907.1 Procedures for condemning.** The designation of boarding houses, rooming houses, dormitories and hotels as unfit for human habitation and the procedure for the condemnation and the placarding of such unfit boarding houses, rooming houses, dormitories and hotels shall be carried out in compliance with the following requirements.

**907.2 Conditions requiring condemnation.** The code official shall condemn as unfit or unsafe for occupancy any rooming house, dormitory or hotel per the requirements listed in Section 118 of the City of Saint Louis Building Code.

**907.3 Notice of condemnation to owner.** Whenever the building official has condemned a boarding house, rooming house, dormitory or hotel, or portion thereof, as unfit for human habitation, the building official shall immediately give notice to the owner, or applicant or resident agent thereof, of such condemnation and of the intent to placard such boarding house, rooming house, dormitory or hotel as unfit for human habitation. Such notice shall:

1. Be in writing;
2. Contain a description of the real estate sufficient for identification;
3. Contain a statement of the grounds of such condemnation as unfit for human occupancy;
4. Contain a description of the violations;
5. Contain a statement informing the owner of their right to appeal such action to the building official within ten (10) days after same is served.

**907.4 Hearing before board of appeals.** Any owner or applicant affected by notice relating to condemnation of a boarding house, rooming house, dormitory or hotel as unfit for human habitation may request and shall be granted a hearing before the Board of Building Appeals; provided, that such person shall file in the office of the building official a written petition requesting such hearing and setting forth a statement of the grounds therefore within ten (10) calendar days after the date of the notice. Within ten (10) calendar days after receipt of such petition, the building official shall set the time and place of such hearing and shall give the petitioner written notice thereof.

**907.4.1 Time of hearing.** At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should be modified or withdrawn. The hearing shall be scheduled not later than forty-five (45) calendar days after the date on which the petition was filed; provided, that upon written application of the petitioner to the building official, the building official may postpone the date of the hearing for a reasonable time beyond such forty-five (45) day period, if, in the official's judgment, the petitioner has submitted a good and sufficient cause for such postponement.

**907.5 Posting notice of condemnation.** If no appeal has been taken within the ten (10) calendar day period, or if after such hearing, the Board of Building Appeals affirms the decision to condemn said premises, the building official shall post, in a conspicuous place or places upon the affected building, a placard or placards bearing the following words, "Condemned as unfit for human habitation" or the words "Condemned for Occupancy" which shall have the same meaning.

**907.6 Vacation of condemned building.** Any boarding house, rooming house, dormitory or hotel which has been condemned and placarded as unfit for human habitation by the building official, shall be vacated within a reasonable time as required by said official. No owner or applicant shall let to any person for human habitation and no person shall occupy said rooming house, boarding house, dormitory or hotel which has been condemned and placarded by the building official after the date on which the building official has required the affected structure to be vacated.

**907.7 Correction of premises.** No boarding house, rooming house, dormitory or hotel which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the building official. The building official shall remove such placard whenever the defect or defects upon which the condemnation and placard action was based shall have been eliminated. The building official may require permits for the corrective work.

**907.7.1 Removal of placard unlawful.** No person shall deface or remove any placard from any boarding house, rooming house, dormitory or hotel which has been condemned as unfit for human habitation and placarded as such, except as provided in Section 907.7.

## CHAPTER 10 INSTITUTIONAL USES

### SECTION 1001 SPECIAL DEFINITION

**1001.1 Scope.** For the purpose of this Chapter, the following special definition shall apply:

**INSTITUTIONAL USES.** The definition for Institutional Uses shall be as found in section 308 of the International Building Code.

### SECTION 1002 GENERAL

**1002.1 Scope.** All currently existing licensed institutional uses shall be governed by the provisions set forth by the building code, as amended.

**1002.2 New uses.** All new institutional uses must meet the requirements as defined in the current building code and this code.

**1002.3 Change of ownership.** All existing institutional uses that have a change of ownership or an increase in occupants shall conform to the current building code and this code.

**1002.4 Duty of building official.** It shall be the duty of the building official to make or cause to be made annual inspections of all institutional uses. It shall also be the duty of the building official to investigate changes in the use group and building classification and require a new Occupancy Permit where necessary.

### SECTION 1003 PERMITS

**1003.1 Permit required.** From and after the effective date of this ordinance, no person, firm or corporation shall operate or maintain in the City of Saint Louis any institutional type use without first obtaining a permit to do so from the Board of Public Service based on a certificate of the building official showing compliance with the provisions of this ordinance.

**1003.2 Revocation.** Unless any such institution as hereinbefore mentioned has complied with the provisions of this ordinance, the Board of Public Service is hereby authorized, after a hearing upon notice, to revoke any permit which it has issued for the operation thereof.

### *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; 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 Section Two and Section Three of this ordinance be codified in the Revised Code of the City of Saint Louis.

**Approved: November 8, 2010**