

1 **BOARD BILL 117 INTRODUCED BY ALDERWOMAN JENNIFER**

2 **FLORIDA, ALDERMAN MATT VILLA**

3 **WHEREAS**, the Board of Aldermen finds that there are a growing number of residential  
4 rental properties within the City, and that many of these properties are in a declining state  
5 of maintenance; and

6 **WHEREAS**, inadequate maintenance directly affects the health, life, safety and welfare  
7 of the citizens of St. Louis and impacts the health and vitality of the surrounding  
8 neighborhood and the City as a whole; and

9 **WHEREAS**, the City of St. Louis promotes the use of community policing efforts and  
10 cooperation with property owners and residents to help ensure the safety of the entire  
11 community, including residential rental properties; and

12 **WHEREAS**, the regular collection and maintenance of accurate, up-to-date information  
13 about residential properties and the identification of responsible persons for the property  
14 who are easily accessible will assist the City to ensure their safety and compliance with  
15 relevant property maintenance codes.

16 **BE IT ORDAINED CITY OF ST. LOUIS, MISSOURI, AS FOLLOWS:**

17 **SECTION ONE. Purpose**

18 It is the purpose of the City of St. Louis Rental Registration Program adopted herein to  
19 collect current and accurate information identifying existing rental properties and to assist  
20 with efforts of various City officials and departments, including the Department of Public  
21 Safety, Building Division, Police Department and Fire Department in maintaining  
22 accurate records of residential rental properties and their tenants to enable said officials  
23 and departments to perform their respective duties.

June 19, 2009

Page 1 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa

1 **SECTION TWO. Scope**

2 This Ordinance applies to any dwelling unit and its accessory units that  
3 are leased as rental units located within the City, with the following exceptions:

- 4 (1) nursing homes, as defined in the Revised Code of the City of St. Louis;
- 5 (2) hotels and motels, as defined in the Revised Code of the City of St. Louis;
- 6 (3) public housing, owned by a governmental agency.

7 **SECTION THREE. Definitions.**

8 The following words and phrases, when used in this Ordinance, shall have the meanings  
9 respectively ascribed to them in this section, except where the context otherwise requires.

- 10 1. "Building Official" means the Building Commissioner, or his/her authorized designee.
- 11 2. "Property Maintenance Code" means the International Property Maintenance Code as  
12 adopted by the City.
- 13 3. "Local Agent" means one or more persons or business entity who has charge, care, or  
14 control of a building in whole, or part thereof, in which rental units are maintained.
- 15 4. "Multi-Family Building" means a structure that contains two (2) or more Rental Units.
- 16 5. "Owner" means one (1) or more persons, jointly, severally or in common, or any  
17 organization, in whom is vested all or part of the legal title to property, or all or part of  
18 the beneficial ownership and a right to present use and enjoyment of the premises,  
19 including a mortgage in possession. As used herein, an organization shall include a  
20 corporation, trust, estate, partnership, association or any other legal or commercial entity.  
21 The term shall not include a lessee who previously occupied a rental unit and who is  
22 subleasing the unit for the remaining part of his or her lease.

June 19, 2009

Page 2 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa

1 6. "Rental Property" means a structure with one or more residential units which are  
2 leased for occupancy. However, it does not include property excluded under Section  
3 Two.

4 7. "Rental Agreement" means all agreements, written or oral, and rules and regulations  
5 embodying the terms and conditions concerning the use and enjoyment of rented  
6 premises. It shall also include subleases.

7 8. "Rental Unit" means one (1) or more rooms in a structure arranged, designed and used  
8 as a residence or living quarters by one (1) or more persons who are not its owner(s), and  
9 contained within a rental property as defined herein.

10 9. "Rent, Rented or Rental" means any payment made to an Owner or an Owner's agent  
11 pursuant to a rental agreement.

12 10. "Single Family Dwelling" means a residential structure with one (1) rental unit.

13 **SECTION FOUR. Registration of Rental Property.**

14 1. After the effective date of this Ordinance, it shall be unlawful for any  
15 owner, as defined herein, to lease or operate a rental property without first registering it  
16 with the City and complying with the provisions of this Ordinance, together with other  
17 applicable codes and ordinances of the City of St. Louis. The registration of rental  
18 properties required herein shall expire on the 1st day of June of each year.

19 2. No owner shall be allowed to register any property if the owner has outstanding  
20 fees or fines due and owing to the City.

21 3. Registration may be denied or may be invoked by the City as provided in this  
22 Ordinance. If registration is denied or revoked, the City shall notify the Owner or

June 19, 2009

Page 3 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa

1 Owner's Agent, in writing, of the denial and the reasons therefore, and provide an  
2 opportunity to appeal the decision pursuant to this Ordinance.

3 **SECTION FIVE. Application Requirements**

4 Applications for registration shall be filed with the Building Division. Such application  
5 shall include the following information:

- 6 A. Name, street address and telephone number of the owner of the rental unit.
- 7 B. Name, street address, and telephone number of the owner's agent responsible for  
8 the management of the rental unit.
- 9 C. Legal address of the premises.
- 10 D. Number of units in each building within the rental property.
- 11 E. Occupancy as permitted under the applicable Ordinances.
- 12 F. Signed statement of owner and owner's agent indicating that he/she is aware of  
13 the City's Building Safety Codes and Zoning (occupancy) Codes and the legal  
14 ramifications for knowingly violating said codes.
- 15 G. The name and address of the registered agent, if the Owner is a corporation.
- 16 H. The name and address of the mortgage holder, if there is a mortgage on the Rental  
17 Property.
- 18 I. The name and address of any buyer(s) on a Contract for Deed.

19 **SECTION SIX. Registration Renewal**

20 If there are no changes in ownership or agent representation, renewals of the registration  
21 may be made by completing a Registration Renewal form furnished by the City.

22 **SECTION SEVEN. Changes in Ownership**

June 19, 2009

Page 4 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa

1 Within thirty (30) days of any change of ownership of a rental property, the new owner  
2 shall reregister the property by filing the registration information and form(s) as required  
3 by this Chapter. A change of ownership shall include any change in ownership rights,  
4 including execution of a Contract for Deed, whether recorded or not.

5 **SECTION EIGHT. Inspections.**

6 Both the interior and exterior of properties registered under the Rental Registration shall  
7 be subject to periodic inspections by the City as set forth herein.

8 1. Appropriate officials of the City may conduct periodic inspections of Multi-  
9 Family and Single Family Rental Units to ensure compliance with this ordinance as well  
10 as the property maintenance and building codes contained within the City Code and the  
11 permitted use and residential occupancy provisions contained within the Zoning  
12 Ordinances.

13 2. The inspection for Multi-Family and Single Family Units may  
14 be initiated by tenant or neighbor complaints about a particular structure or area of rental  
15 properties, and/or as indicated by Fire and Police calls for service, public complaints  
16 made to elected or appointed officials having municipal or other legal jurisdiction or  
17 exterior nuisance complaints about a structure or area.

18 3. Notice of Inspection and Right to Refuse.

19 A. Notice of inspections of rental units, pursuant to this Section, shall be  
20 given in writing to each owner and each tenant of such rental unit, a minimum of five (5)  
21 days prior to the inspection. Such notice shall be presumed to have been received as of  
22 the time it was served personally on such person, or if mailed by first-class certified U.S.  
23 mail ten (10) days prior to the inspection, it will be presumed to have been received at

June 19, 2009

Page 5 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa

1 least five (5) days prior to the inspection. In such notice, the tenants may be addressed as  
2 “occupants” and one such notice mailed to the address of the rental unit, shall be regarded  
3 as notice to all tenants. Notice to the owner, if mailed, shall be addressed to such owner  
4 at the address provided for such Owner or Agent in the application to register the Rental  
5 Property.

6 B. The notice shall advise that objections to such inspection may be  
7 lodged by telephone, fax, or e-mail or in person at the Office of the Building Division.

8 C. If any owner or any occupant objects to an inspection, no inspection of  
9 the rental unit shall be undertaken without an administrative search warrant issued by a  
10 court of competent jurisdiction, setting forth the general scope of the inspection. The  
11 Office of the Building Division shall promptly advise appropriate City officials of the  
12 objection.

13 D. Failure to reschedule an inspection or respond to a notice of inspection  
14 shall be treated as agreement to the date and time of the proposed inspection. The Owner  
15 shall pay a seventy-five dollar (\$75.00) re-inspection fee if the Owner or his/her Agent  
16 fails to provide access to the Rental Property as scheduled. Failure to provide access as  
17 scheduled or rescheduled, shall also constitute a violation of this Ordinance.

18 E. The notice and warrant requirements of this sub-section do not apply to  
19 inspections conducted pursuant to other parts of the City Code.

20 **SECTION NINE. Local Agent Required.**

21 The owner of any rental unit covered by this ordinance shall be available to respond to an  
22 emergency on a 24-hour per day basis. This requirement may be met by maintaining an  
23 operating business or owner residence within the City of St. Louis, St. Louis County,

June 19, 2009

Page 6 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa

1 Missouri; St. Charles County, Missouri; or Jefferson County, Missouri, or by use of a  
2 local agent who resides within the City of St. Louis, St. Louis County, Missouri; St.  
3 Charles County, Missouri; or Jefferson County, Missouri,, either of whom can be  
4 contacted on a 24-hour per day basis. If a local agent is used, the owner shall provide the  
5 City with the name, address, and telephone number of the local agent in addition to  
6 owner information. A post office box, mailing address, or long distance toll-free (e.g.  
7 800 numbers) shall not be deemed sufficient to meet the provisions of this section.

8 **SECTION TEN. Safety and Security.**

9 To ensure the safety of all residents of rental properties, every Owner shall:

10 1. Cooperate with the City and its Police and Fire Departments to continually  
11 address public safety issues and crime problems at any rental property. This cooperation  
12 shall take the form of at least one meeting with City officials and, if necessary, an  
13 inspection of the property to review security and crime issues for formulation of remedies  
14 as may be identified. The resulting security plan may include, but is not limited to, a  
15 review of access and security issues, lighting, fire safety measures, and prevention, access  
16 to common areas, crime prevention, neighborhood watch programs, graffiti removal, No  
17 Trespass Notices, lease clauses, and such other measures which are appropriate to the  
18 individual property and the type of problems at issue.

19 2. Every owner or Local Agent of a Multi-Family Building containing twenty  
20 (20) or more units shall attend a city-sponsored training program about crime prevention  
21 and other safety matters at rental properties. Said training shall be conducted on an as-  
22 needed basis as determined by the Police Department and other relevant City staff.

June 19, 2009

Page 7 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa

1 3. The Police Department, Fire Department and Building Division shall compile and  
2 provide educational materials to assist Owners and tenants with safety and security  
3 concerns. Such materials may include assistance with developing security plans, crime  
4 prevention information, emergency contact information, etc. The information shall be  
5 available at the Office of the Building Division.

6 **SECTION ELEVEN. Violations.**

7 1. Violations of this Ordinance shall be punishable by fine of not less than One  
8 Hundred and Fifty (\$150) dollars nor more than Five Hundred (\$500) dollars for each  
9 violation. Each day may constitute a separate and continuing violation. The City may  
10 seek remedies which include corrective action or prohibitions as a part of its relief.

11 2. In the event that the City denies or revokes registration of a Rental Property, the  
12 tenants of the subject property shall be informed by the City of the decision and of their  
13 need to obtain other housing. An owner, or the Agent of the owner, may appeal a  
14 registration denial or revocation according to the provisions of this Chapter.

15 **SECTION TWELVE. Notice.**

16 Any written notice required to be given to the Owner of a Rental Property under this  
17 Ordinance shall be addressed to such owner at the address provided for such Owner in  
18 the application for registration.

19 **SECTION THIRTEEN. Appeals.**

20 An Owner, or Agent of the Owner, may appeal a registration denial or revocation to the  
21 City Administrator within ten (10) days of the date of written notice to such Owner, or  
22 Agent, of the denial or revocation of registration. The Appeal must be in writing and  
23 state the reasons the Owner or Agent disagrees with the determination to deny

June 19, 2009

Page 8 of 9

Board Bill #117 Sponsors: Alderwoman Jennifer Florida and Alderman Matt Villa



1 registration or the reasons for the revocation. A hearing at a time and date no later than  
2 fourteen (14) days from the date of receipt of the appeal by the City Administrator, or at a  
3 later date at the request of the Owner/Agent. The Hearing Officer shall make written  
4 findings of fact and issue a written decision which shall be promptly mailed to the Owner  
5 and Agent, if any.

6 **SECTION FOURTEEN. Enforcement.**

7 It shall be the duty of the Building Commissioner, or his/her authorized designee to  
8 enforce the provisions of this Ordinance.

9 **SECTION FIFTEEN. Severability.**

10 If any provision, clause, sentence, paragraph or word of this ordinance or the application  
11 thereof to any person, entity or circumstances shall be held invalid, such invalidity shall  
12 not affect the other provisions of this ordinance which can be given effect without the  
13 invalid provisions or application, and to this end the provisions of this ordinance are  
14 declared severable.

15 **SECTION SIXTEEN. Emergency Clause.**

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

June 19, 2009

Page 9 of 9

Board Bill #117

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