

SUSTITUTE BILL No 5811

ORDINANCE No 5693

An Ordinance repealing Article IX, PROPERTY MAINTENANCE CODE, of Chapter 500 of the City Code of Ordinances of the City of Creve Coeur, and enacting in lieu thereof a new ARTICLE IX, PROPERTY MAINTENANCE CODE.

WHEREAS, the city regulates construction practices and standards by means of technical codes to protect the health, safety, and welfare of its citizens, and

WHEREAS, such codes must be updated from time to time, and

WHEREAS, at least one copy of the 2015 International Property Maintenance Code, which is hereby to be adopted by reference, has been filed with the City Clerk's office and made available for public use, inspection and examination for a period of at least 90 days prior to adoption of this ordinance pursuant to Section 67.280 RSMo and notice thereof has been publicly posted, and

WHEREAS, a copy of this ordinance has been available for public inspection in the City Clerk's office and it has been read two times by the City Council as required by the City's Charter prior to adoption.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: ARTICLE IX, PROPERTY MAINTENANCE CODE, of Chapter 500 of the City Code of Ordinances is hereby repealed and a new ARTICLE IX of Chapter 500 is hereby enacted to be known as "THE PROPERTY MAINTENANCE CODE". Said ARTICLE to read as follows:

ARTICLE IX. PROPERTY MAINTENANCE CODE

SECTION 500.910 ADOPTED: A certain document, a copy of which is on file in the office of the City Clerk; such copy being marked and designated as the "INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION", as published by the International Code Council, Inc., is hereby adopted as the Property Maintenance Code of the City of Creve Coeur, Missouri, for the control of property, building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION, are hereby referred to, adopted and made a part thereof, as if fully set out in this Article, with the additions, insertions, deletions, and changes, prescribed in this Article.

SECTION 500.920 JURISDICTIONAL TITLES: Throughout the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION, wherever the terms "name of jurisdiction" or "local jurisdiction" appear, it shall be deemed to mean "City of Creve Coeur, Missouri". Likewise, wherever the terms "department of building inspection" or "department of property maintenance inspection" appear, it shall be deemed to mean "Creve Coeur Building Division". Wherever the term "code" appears, it shall mean the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION, as amended in this Article.

SECTION 500.930. AMENDMENTS TO CHAPTER 1 INTERNATIONAL PROPERTY MAINTENANCE CODE:

- CHAPTER 1 - SCOPE AND ADMINISTRATION :

Chapter 1 of the International Property Maintenance Code, 2015 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted or amended to read as set forth

SUBSTITUTE BILL No 5811**ORDINANCE No 5693**

below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

101.1 Title. These regulations shall be known as the Property Maintenance Code for the City of Creve Coeur, Missouri, hereinafter referred to as “this code”.

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and premises in addition to the provisions of the codes that were in effect when the existing residential and nonresidential structures and premises were built. Where differences occur between the provisions of this code and the provisions of the building, mechanical, electrical and plumbing codes that were in effect when the existing residential and nonresidential structures and premises were built, the provisions of the codes that were in effect shall apply. The provisions of this code 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.

Exception: Existing detached single-family dwellings or owner-occupied dwelling units are subject only to the provisions of Section 404 OCCUPANCY LIMITATIONS. No other provisions of this code shall apply to existing detached single-family dwellings or owner-occupied dwelling units.

102.3 Application of other codes. The Building, Mechanical, Electrical, Plumbing, Fuel Gas and Zoning Codes referenced in this code and listed in Chapter 8 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, the provisions of this code shall apply. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the Zoning Code, Building Codes, Mechanical Code, Electrical Code, Plumbing Code and Fuel Gas Code as adopted by the City of Creve Coeur.

103.5 Fees. The fees for making inspections, working overtime, issuing certificates of occupancy, penalties and other administrative enforcement activities performed by the building division shall be paid in accordance with the fees established in Appendix B, Community Development and Public Works Fee Schedule, of the City Code of Ordinances.

103.5.1 Building Code Board of Appeals filing fee. A filing fee of \$150.00 shall be paid upon the submittal of the written appeal in order for a quorum of the Building Code Board of Appeals to be notified to convene for the purpose of hearing an appeal of a decision of the building official as set forth in Section 111. The filing fee shall be refunded to the applicant if the Board reverses the decision of the building official.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any requirements thereof, shall be guilty of an ordinance violation, punishable by a fine of not more than \$400. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.2 Temporary safeguards. When, in the opinion of the code official, there is eminent danger due to an unsafe condition, the code official may cause the necessary work to be done in an effort to render such structure temporarily safe, whether or not legal procedure described herein has been instituted. Neither the city or the code official or any other city employee shall be deemed to have guaranteed such security or safety or have any liability related to actions or omissions hereunder.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the city on approval from the code official. The city attorney shall institute appropriate

SUSTITUTE BILL No 5811**ORDINANCE No 5693**

action against the owner of the premises where the unsafe structure is or was located for purpose of recovering such costs and may cause a special tax lien to be placed against the property for such purposes.

**SECTION 111
MEANS OF APPEAL**

111.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there is and shall remain a Building Code Board of Appeals. The board shall adopt rules of procedure for conducting its business.

111.2 Limitations on authority. Any person shall have a right to appeal a decision of the code official to the Building Code Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction shall be allowed to be used. The board shall have no authority to waive requirements of this code.

111.3 Time limitation and filing procedure. All appeals shall be filed in writing with the code official. A written appeal may not be filed more than thirty days after the affected individuals are notified of the code official's decision.

111.3.1 Filing fee. An application for appeal shall not be filed without full payment of the filing fee as set forth in Section 103.5.1. Said filing fee shall be refunded to the applicant if the Board reverses the decision of the code official.

111.4 Membership of board. The Building Code Board of Appeals shall consist of five regular members, who shall be residents of the City of Creve Coeur, appointed pursuant to Section 4.4(i) of the City Charter for three-year staggered terms. To the extent possible, based on applications submitted to the City, members of the Building Code Board of Appeals should be representative of the following professions or disciplines: registered architects, builder or superintendent of building construction with ten years of experience, structural engineer, code enforcement professional, mechanical engineer, electrical engineer, civil engineer, fire protection engineer, mechanical contractor, electrical contractor, plumbing contractor, fire protection contractor, or other disciplines associated with the building trades or design professions.

111.4.1 Chair. The Chair of the Building Code Board of Appeals shall be elected annually by the Board of Appeals.

111.4.2 Secretary. The City Administrator shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the city administrator.

111.4.3 Compensation of members. Members of the Building Code Board of Appeals shall not be compensated for service but shall be reimbursed for actual expenses pursuant to established City policy.

111.4.4 Code of Ethics for members. All members shall be subject to the city's Code of Ethics.

111.5 Notice of meeting. The Building Code Board of Appeals shall meet upon notice from the chair, within 5 calendar days of the filing of a written appeal with the code official, or at stated periodic meetings.

111.6 Open hearing. All hearings before the Building Code Board of Appeals shall be open to the public. Proper public notice shall be given. The appellant, the appellant's representative, the

SUSTITUTE BILL No 5811

ORDINANCE No 5693

code official, and any person whose interests are affected shall be given the opportunity to be heard.

111.6.1 Procedure. The Board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

111.7 Quorum. Three members of the Building Code Board of Appeals shall constitute a quorum for the purpose of hearing appeals.

111.8 Board decision. The Building Code Board of Appeals shall only reverse or modify the decision of the code official by a majority vote of the quorum present and voting. Otherwise, the decision shall be deemed to be upheld.

111.8.1 Notification of decision. The secretary of the board shall notify the appellant and the building official of the decision in writing.

111.8.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

111.9 Court review: Any aggrieved person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision of the Building Code Board of Appeals in the office of the City Administrator.

112.4 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as set forth in Section 106.4.

**SECTION 113
CERTIFICATE OF OCCUPANCY**

113.1 Use and occupancy. It shall be unlawful for any person, owner or agent thereof to re-occupy or re-use, or to permit any person to re-occupy or re-use any existing building, structure, tenant space or dwelling unit for any purpose, including the movement of any furniture, equipment or other personal property into said building, structure, tenant space or dwelling unit, until the code official has issued a certificate of occupancy therefor as provided herein.

Exceptions: Detached single-family dwellings, owner-occupied dwelling units and sleeping rooms within hotels, motels or dormitories may be re-occupied or re-used without the issuance of a certificate of occupancy.

113.2 Application. Upon written request from the owner or prospective tenant of an existing building, structure, tenant space or dwelling unit, the code official shall issue a certificate of occupancy, provided that there are not violations of this code or orders of the code official pending which are found to exist upon an inspection of the building, structure, tenant space or dwelling unit, and it has been established after inspection and investigation that the proposed occupancy is also in conformance with the Zoning Ordinance of Creve Coeur, Missouri. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the city.

113.3 Certificate issued. After the code official inspects the existing building, structure, tenant space or dwelling unit and finds no violations of the provisions of this code or other city laws, the code official shall issue a certificate of occupancy that contains the following:

SUSTITUTE BILL No 5811

ORDINANCE No 5693

1. The date of issuance.
2. The address of the building, structure, tenant space or dwelling unit.
3. The name and address of the owner.
4. Type of use.
5. Description of occupancy.
6. Name of the code official.

113.4 Required certificate of occupancy. Failure of the owner or tenant of a building, structure, tenant space or dwelling unit to obtain a certificate of occupancy as required by Section 113.1 shall be deemed a violation of this code and shall subject said owner or penalties as set forth in Section 106.4 and/or fees as set forth in Section 103.5.

113.5 Suspension of the certificate of occupancy for buildings, structures, and tenant spaces. Any certificate of occupancy shall become invalid if the occupation of the building, structure or tenant space is not commenced within three months or if said occupation is terminated.

113.6 Suspension of the certificate of occupancy for dwelling units. Any certificate of occupancy for a dwelling unit shall become invalid after one (1) year of the date of issuance or after said occupation is terminated, whichever is longer.

113.7 Revocation of the certificate of occupancy. The certificate of occupancy shall always be subject to this code and other laws enforced by the code official. Non-compliance with the regulations of this code and other laws enforced by the code official shall be deemed a violation subject to the penalties set forth herein, and, in addition, the code official shall be empowered to revoke the certificate of occupancy issued for the building, structure, tenant space or dwelling unit in question, until such time as the violations are corrected and the building, structure, tenant space or dwelling unit is in compliance with this code and the Zoning Ordinance of Creve Coeur, Missouri. The issuance of a certificate of occupancy shall not relieve the owner or tenant from compliance with all regulations of this code and other applicable regulations.

**Section 114
UTILITY COMPANY NOTIFICATION**

Section 114.1 Notification. For any month when there is a change of user of residential rate (rate 001) or non-residential rate (rate 043) electric service within the city, Ameren Missouri Company shall notify the Chief Building Official of the changes, indicating the address and apartment number or unit number in whose name the service is connected or billed.

**SECTION 500.940 AMENDMENTS TO CHAPTER 2 INTERNATIONAL PROPERTY
MAINTENANCE CODE:
– CHAPTER 2 – DEFINITIONS:**

Chapter 2 of the International Property Maintenance Code, 2015 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the City of Creve Coeur Building Code, St. Louis County Mechanical Code, St. Louis County Electrical Code, St. Louis County Plumbing Code and City of Creve Coeur Zoning Ordinance, such terms shall have the meanings ascribed to them as in those codes.

SUSTITUTE BILL No 5811

ORDINANCE No 5693

SECTION 500.950 AMENDMENTS TO CHAPTER 3 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 3 – GENERAL REQUIREMENTS:

Chapter 3 of the International Property Maintenance Code, 2015 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted or amended to read as set forth below. Each provision set forth below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

302.4 Weeds. Insert: “seven (7) inches”.

304.14 Insect screens. Insert: “April 15 to November 15”.

SECTION 500.960 AMENDMENTS TO CHAPTER 4 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS:

Chapter 4 of the International Property Maintenance Code, 2015 Edition, is adopted without modification.

SECTION 500.970 AMENDMENTS TO CHAPTER 5 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 5 – PLUMBING FIXTURES AND FIXTURE REQUIREMENTS:

Chapter 5 of the International Property Maintenance Code, 2015 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

504.1 General. Add: “Accordion type plastic or other flexible materials are not allowed on any drains or traps”.

505.3 Supply. Add: “Supply lines to the hot and cold-water valves at the sink shall be metal or metal braid composition. Plastic is not permitted”.

SECTION 500.980 AMENDMENTS TO CHAPTER 6 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS:

Chapter 6 of the International Property Maintenance Code, 2015 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

602.3 Heat supply. Insert: “October 1 to May 15”.

Exception 1: Change last sentence to read: “The winter outdoor design temperature for the City of Creve Coeur shall be as indicated in the Residential Building Code as adopted by the City.”

Exception 2: Delete.

602.4 Occupiable work spaces. Insert: “October 1 to May 15.”

605.2 Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at

SUSTITUTE BILL No 5811**ORDINANCE No 5693**

least one receptacle. All receptacles in a bathroom shall be GFCI protected. All receptacles intended to serve the kitchen countertop shall be GFCI protected. All receptacles installed outdoors shall be GFCI protected. All receptacle outlets shall have the appropriate faceplate cover for the location.

SECTION 500.990 AMENDMENTS TO CHAPTER 7 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 7 – FIRE SAFETY REQUIREMENTS:

Chapter 7 of the International Property Maintenance Code, 2015 Edition, is adopted without modification.

SECTION 500.1000 AMENDMENTS TO CHAPTER 8 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 8 – REFERENCED STANDARDS:

Chapter 8 of the International Property Maintenance Code, 2015 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ICC – International Code Council

500 New Jersey Ave., NW
6th Floor
Washington, DC 20001

Standard reference number	Title	Referenced in code section number
Delete: IMC-15 Add: Mechanical Code	International Mechanical Code St. Louis County Mechanical Code	No changes made.
Delete: IPC-15 Add: Plumbing Code	International Plumbing Code St. Louis County Plumbing Code	No changes made.
Delete: IZC-15 Add: Zoning Code	International Zoning Code City of Creve Coeur Zoning Code	No changes made.

NFPA – National Fire Protection Association

1 Batterymarch Park
Quincy, MA 02269

Standard reference number	Title	Referenced in code section number
Delete: 70-14 Add: Electrical Code	National Electrical Code St. Louis County Electrical Code	No changes made.

SECTION 2: SAVING CLAUSE: Nothing in this ordinance or in the Property Maintenance Code hereby adopted, shall be construed to affect any suit or proceeding currently pending in any court

SUSTITUTE BILL No 5811

ORDINANCE No 5693

as of the effective date hereof, or any rights previously acquired or liability previously incurred, or any cause or causes of action existing under any ordinance hereby repealed, as cited herein.

SECTION 3: SEVERABILITY: If any section, subsection, provision, sentence, clause, or phrase of this ordinance or of the ICC International Property Maintenance Code, 2015 Edition, is, for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City of Creve Coeur City Council hereby declares that it would have passed the same , even though such portion so held to be unconstitutional had not been included therein.

SECTION 4: EFFECTIVE DATE: This ordinance shall become effective on May 1, 2020.

Adopted by the City Council this 13th day of April, 2020.

DocuSigned by:
Council President Lawrence
2A6710E51A514B4
Ellen Lawrence, President of the City Council

Approved this 13th day of April, 2020.

DocuSigned by:
Mayor Glantz
A365D853F744465...
Barry Glantz, Mayor

ATTEST: DocuSigned by:
deborah ryan
3BF7E95BA23D47C...
Deborah Ryan, City Clerk