



FLORISSANT CITY COUNCIL AGENDA

City Hall

955 rue St. Francois

Monday, December 10, 2018

7:30 PM

Karen Goodwin, MMC/MRCC



I. PLEDGE OF ALLEGIANCE

II. ROLL CALL OF MEMBERS

III. APPROVAL OF MINUTES

- Meeting minutes of November 26, 2018

IV. HEARING FROM CITIZENS

(Speaker cards are available at the entrance to the Council Chambers)

V. POLICE COMMENDATIONS

- Kristi Pennington
- Officer Patrick O'Fallon
- Officer Patrick O'Fallon & Sgt. Jerrod Coder
- Officer Dominic Margherio
- Officers Tim Swope & Dewitt Edwards
- Sgt. Andre Reece & Officer Jonathan Kemp
- Detectives Dustin Edwards, Nick Osmer, Eric Schlueter and Dan Cushing

VI. PROCLAMATION

- Police Chief Timothy Lowery

VII. SPECIAL PRESENTATION

- Meridian Waste - Recycle Information and Service
- Litter Campaign winners

VIII. COMMUNICATIONS

None

IX. PUBLIC HEARINGS

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| None | | |
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X. OLD BUSINESS

A. BILLS FOR SECOND READING

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| 9450 Memo | Ordinance amending the zoning code to define “Installment Lenders”, redefine “Consumer Loan Company”, and “Short Term Loan Establishment” and add “Installment Loan Lenders” as a permitted use. | 2 nd Reading Council as a whole |
| 9451 | Ordinance to rezone for Smart Senior Living, LLC the property located at 1475 & 1415 Carla Drive from R-6 “Multiple Family Dwelling District” to PEU “Planned Environmental Unit” to allow for the construction of a new senior living facility complex. | 2 nd Reading Siam |
| 9453 Memo | Ordinance to amend Title II, Chapter 245 “Parks & Recreation” of the Florissant City Code, Section 245.180 “Fees For Use”, to adjust fees for use of various park facilities. | 2 nd Reading Council as a whole |
| 9454 Memo | Ordinance to amend Chapter 245 “Parks and Recreation” Article XI “Old Fleurissant Golf Club” of the Florissant City Code, Subsection 245.610 “Fees and Charges” to adjust fees for the golf course facility. | 2 nd Reading Council as a whole |
| 9456 | Ordinance amending Section 100.090, “Schedule of Court Costs” within the Florissant Code of Ordinances, by adding a State Court Automation Surcharge. | 2 nd Reading Caputa |

XI. NEW BUSINESS

A. BOARD APPOINTMENTS

B. REQUESTS

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|--------------------|---|-----------------|
| Ward 6 Application | Request to transfer Special Use Permit No. 6008 as amended from Gettemeier's to Brennen's Bar and Grill, LLC located at 1740 Thunderbird. | Julie Meresicky |
| Ward 6 Application | Request for a Full Liquor by the Drink license for Brennan's Bar and Grill located at 1740 Thunderbird. | Julie Meresicky |

C. BILLS FOR FIRST READING

| | | |
|------------------|--|--------|
| 9461 Memo | Ordinance of the city of Florissant, Missouri, authorizing and directing the submission of a ballot proposition to the qualified voters of the city of Florissant, Missouri, to consider imposing a Local Use Tax at the same rate as the local sales tax of the city of Florissant, Missouri, for purchases from out-of-state vendors that exceed two thousand dollars. | Caputa |
| E9462 Memo | Ordinance authorizing an appropriation of \$6,000 to Account No. 05-56-26000 "Utilities-Koch" for the purpose of disconnecting the utilities at the Koch Aquatic Center to continue demolition. | Jones |
| 9463 Memo | Ordinance providing for the repeal of Chapters 500, 505 and 510 of the code of ordinances of the city of Florissant, Missouri, as amended, relating to the building code and enacting in lieu thereof a new Chapter 500, a new Chapter 505, and a new Chapter 510 on the same subject with certain modifications as hereinafter set forth. | Caputa |
| 9464 Memo | Ordinance amending Section 210.1280 "Regulation of Portable Outdoor Storage Containers" Subsection C "Permits" by deleting the section in its entirety and replacing it to provide consistency between code sections. | Caputa |
| 9465 Application | Ordinance authorizing a transfer of Special Use Permit No. 6008 as amended from Gettemeier's to Brennen's Bar and Grill, LLC located at 1740 Thunderbird. | Henke |

X. COUNCIL ANNOUNCEMENTS

XI. MESSAGE FROM THE MAYOR

XII. ADJOURNMENT

***HAPPY HOLIDAYS
FROM THE CITY OF FLORISSANT!***

THIS AGENDA WAS POSTED AT THE FLORISSANT CITY HALL DECEMBER 7TH, 2018 AT 12:00 PM ON THE BULLETIN BOARD OUTSIDE THE COUNCIL CHAMBERS. ANY ONE WISHING TO ATTEND THE COUNCIL MEETING WHO HAS SPECIAL NEEDS SHOULD CONTACT THE CITY CLERK'S OFFICE AT 839-7630 OR TDD 839-5142 BY NOON ON MONDAY, DECEMBER 10, 2018.

CITY OF FLORISSANT



COUNCIL MINUTES

November 26, 2018

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, November 26, 2018 at 7:30 p.m. with Council President Caputa presiding. The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

On Roll Call the following Councilmembers were present: Henke, Pagano, Parson, Siam, Harris, Jones, Eagan, Caputa and Schildroth. Also present was Mayor Schneider, City Attorney John Hessel and City Clerk Karen Goodwin. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

Councilman Schildroth moved to approve the meeting and executive minutes of November 12, 2018, seconded by Harris. Motion carried.

The next item on the Agenda was Hearing from Citizens.

Derrick Standley, Meridian Waste, spoke regarding the company's recycling and waste services provided in regards to the city. Recycling changes are coming to all trash haulers and all municipalities. Florissant currently has dual stream recycling and Meridian will be making an educational presentation at the December 10th Council Meeting regarding changes. In regard to service, things have been difficult, especially over Thanksgiving. Meridian is working hard on solving the problems.

The next item on the Agenda was Communications of which there were none.

The next item on the Agenda was Public Hearings.

The City Clerk reported that Public Hearing #18-11-033 to be held this night on a request to amend the Zoning Code concerning short term loan establishments had been advertised in substantially the same form as appears in the foregoing publication and by posting the same. The Chair declared the Public Hearing to be open and invited those who wished to be heard to come forward.

Mr. Hessel gave a brief overview of the history of consumer loan companies, pay day loans and title loans in Missouri and in particular in Florissant. He noted that some cities banned pay day loans while others regulated them. The Supreme Court has ruled that pay day/short term/consumer loans

could not be banned, but could be regulated. The Missouri legislature recently ruled that installment loan lenders should be treated like a bank. He also noted that there is a codification error in our Code. He stated that the proposed amendments to code will define/redefine/clarify the terms of various financial businesses in order to comply with state statute. This proposal will also correct the codification error.

Phil Lum, Building Commissioner, explained that the code changes revolve around the discrepancy between state law versus local ordinances. The presentation made to Planning & Zoning revolved around making the necessary changes which need to be implemented in order to align the two.

The Chair asked if there were any citizens who would like to speak on said public hearing.

Gary Feder, attorney for Regional Finance, explained that Regional Finance had found a location in Florissant in order to open a consumer loan facility and was turned down on the basis that it was a short term lender. The petitioner stressed that Regional Finance is a consumer lender that makes traditional loans and does not make, title loans, pay day loans, or short term loans. No checks will be cashed on the premises. The interest rates will start in the mid-twenties and run through the mid-thirties.

Being no citizens who wished to speak, Councilman Henke moved to close P.H. #18-11-033, seconded by Schildroth. Motion carried.

The City Clerk reported that Public Hearing #18-11-034 to be held this night on a request to rezone for Smart Senior Living, LLC, the property located at 1475 & 1415 Carla Drive from R-6 "Multiple Family Dwelling District" to PEU "Planned Environmental Unit" to allow for the construction of a new senior living facility complex had been advertised in substantially the same form as appears in the foregoing publication and by posting the property. The Chair declared the Public Hearing to be open and invited those who wished to be heard to come forward.

Gregory Lee, petitioner and general contractor, stated that they were requesting a rezoning in order to construct 88 senior living units in a "greenhouse" concept. They could have up to 118 units. The inside circle, the "donut," would be an assisted living/memory care facility and the outer ring would have 28 independent living units, all rental units. A community building would be shared by both. The development will be for those 55 years and older. The assisted living/memory care facility will be electronically gated.

In regards to providing transportation, the owner will wait and see if there is a need of the community.

Councilman Caputa informed Mr. Lee that Florissant and North County were very labor friendly communities and made it clear that the development will utilize union labor and will not include subsidized housing. Private payment is required. There could be some minor insurance payments involved. A "Certificate of Need" is required and is currently being processed in Jefferson City.

An individual could rent an independent living unit and have no services what so ever provided. Some services can be requested "al a carte." In the inner ring, the assisted living cottages, there exists a ratio of care giver to individual.

Council Henke expressed his concerns about the development's impact on the abutting apartment complex and residential homes.

In regards to lighting, Mr. Lee stated they are currently looking into "wall packs." The petitioner added that the development will be a gated community. They have talked to the Florissant Valley Fire Protection District. He stated that 68 parking spaces are required and they are proposing 69. The time frame for completion is hopefully 1 ½ - 2 years.

Management will be someone on site at all times, including a nurse for assisted living residents when needed. Maintenance will be on site 5 days a week. There is a maintenance facility near the dumpster in the corner. The lagoon, which is a retention pond, will be a water feature. After having worked with MSD, the sewer district will now allow the retention pond that was built in 2006. Some fixes and modifications will need to be made.

Councilman Eagan stated that the 24 hour community center might be a good place for a police substation. In regards to visitors, Mr. Lee stated that they will have strict rules as to whom and how long visitors can stay, usually 2 weeks. They don't have too much of this kind of issue with the elderly. The Cottages of Lake St. Louis and the Gables in Cottleville are other facilities in the area most comparable to this development.

The Chair asked if there were any citizens who would like to speak on said public hearing.

Robert Smith, 2823 Chapel View, asked the petitioner what rents will be.

Mark Behlmann, 740 Lindsay, stated that he was very much in favor of the project. There is no subsidized housing in the development.

Deborah Noonan, 1840 Debra Lyn, owner of the property across from the development, expressed her concern regarding privacy fencing, lighting and several other issues. She would prefer a

6 foot privacy fence to be installed. Mr. Lee responded that they want to be good neighbors and will work with Ms. Noonan to make sure her needs are met.

Being no other citizens who wished to speak, Councilman Siam moved to close P.H. #18-11-034, seconded by Henke. Motion carried.

The City Clerk reported that Public Hearing #18-11-035 to be held this night on a request to amend B-5 Ord. No. 6836, as amended, to allow for additions to the Siteman Cancer Center located at 1225 Graham Rd. had been advertised in substantially the same form as appears in the foregoing publication and by posting the property. The Chair declared the Public Hearing to be open and invited those who wished to be heard to come forward.

Greg Mohler, petitioner for BJC, apologized that the construction team got started ahead of the approval process. There is a Career Resource Center on the northern end of property to outreach to high schools students and encourage them to enter into the construction or healthcare fields. It has been received very positively by local schools. He could provide tours for the Council if they would like one.

Joe Fischer, petitioner, stated that they would like to expand the original Siteman Cancer Center. Construction has already started and matches the existing brick. There has been no change to the landscaping. The bio-retention did grow somewhat to help with the water quality. Fall of 2019 is the time frame for completion. Councilman Schildroth asked the petitioner to keep the egresses clean of mud and dirt.

The Chair asked if there were any citizens who would like to speak on said public hearing.

Being no citizens who wished to speak, Councilman Schildroth moved to close P.H. #18-11-035, seconded by Caputa. Motion carried.

The Chair stated that the next item on the agenda is old business. The first item under old business is bills for second reading.

Councilman Caputa moved to amend Bill No. 9441 Ordinance adopting the budget for the City of Florissant for the fiscal year commencing on December 1, 2018 and ending on November 30, 2019 and providing for its effective date to add “\$29,387 to the budget to cover an additional full time position to be shared by the City Clerk and Finance department,” seconded by Henke. Motion carried.

Councilman Henke moved that amended Bill No. 9441 be read for a second time, seconded by Caputa. Motion carried and amended Bill No. 9441 was read for a second time.

Councilman Caputa moved to amend Bill No. 9441 to include safety program expenses of \$5,000, seconded by Eagan. Motion carried. Councilman Caputa moved to amend Bill No. 9441 to amend the Street Contract Account by \$200,000 seconded Jones. Motion carried.

Councilman Eagan moved that amended Bill No. 9441 be read for a third time, seconded by Pagano. Motion carried and amended Bill No. 9441 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Being no citizens who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam no, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared amended Bill No. 9441 to have passed and became Ordinance No. 8467.

Councilman Shildroth moved that Bill No. 9442 Ordinance approving the Community Development Block Grant (CDBG) FY2019 Annual Action Plan for the City of Florissant, Missouri and authorizing and directing the Mayor to submit such plan to the United States Department of Housing and Urban Development be read for a second time, seconded by Harris. Motion carried and Bill No. 9442 was read for a second time. Councilman Siam moved that Bill No. 9442 be read for a third time, seconded by Henke. Motion carried and Bill No. 9442 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Being no citizens who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9442 to have passed and became Ordinance No. 8468.

Councilman Schildroth moved that Bill No. 9443 Ordinance to authorize an amendment to B-5 Ordinance No. 8105 to allow for a shopping center with a sit-down, carry-out restaurant (Imo's) for the property located at 15285 New Halls Ferry Road be read for a second time, seconded by Caputa. Motion carried and Bill No. 9443 was read for a second time. Councilman Caputa moved that Bill No. 9443 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9443 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Being no citizens who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9443 to have passed and became Ordinance No. 8469.

155 Councilman Siam moved that Bill No. 9444 Ordinance to authorize a transfer of Special Use
156 Permit No. 7018 from Cross Keys Auto Inc. to STL Cheap Cars Inc. for the operation of a used car
157 dealership located at 14050 New Halls Ferry Road be read for a second time, seconded by Pagano.
158 Motion carried and Bill No. 9444 was read for a second time. Councilman Siam moved that Bill No.
159 9444 be read for a third time, seconded by Caputa. Motion carried and Bill No. 9444 was read for a
160 third and final time and placed upon its passage.

161 Before the final vote all interested persons were given an opportunity to be heard. Being no
162 citizens who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam
163 yes, Harris yes, Jones yes, Eagan no, Caputa yes and Schildroth yes. Whereupon the Chair declared
164 Bill No. 9444 to have passed and became Ordinance No. 8470.

165 Councilman Caputa moved that Bill No. 9445 Ordinance to authorize a transfer of Special Use
166 Permit No. 8223 from Metropolitan Events LLC to Grace and Mercy Adult Day Program, LLC for the
167 operation of an event/banquet center located at 11 Patterson Plaza Shopping Center be read for a
168 second time, seconded by Henke. Motion carried and Bill No. 9445 was read for a second time.
169 Councilman Caputa moved that Bill No. 9445 be read for a third time, seconded by Schildroth. Motion
170 carried and Bill No. 9445 was read for a third and final time and placed upon its passage.

171 Before the final vote all interested persons were given an opportunity to be heard.

172 Being no citizens who wished to speak, on roll call the Council voted: Henke yes, Pagano yes,
173 Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon
174 the Chair declared Bill No. 9445 to have passed and became Ordinance No. 8471.

175 Councilman Caputa moved that Bill No. 9446 Ordinance to authorize an amendment to Special
176 Use Permit No. 8223 previously issued for event banquet center to allow for the additional use as an
177 adult day program for the property located at 11 Patterson Plaza Shopping Center be read for a second
178 time, seconded by Eagan.

179 Councilman Eagan moved to suspend the rules to hear from the petitioner, seconded by Caputa.
180 Motion carried. Juanita Gullet stated that there would be approximately 30 clients, with 8 clients per
181 staff member. A registered nurse will be there 3 times a week, plus as needed. No medication will be
182 kept overnight on the premises. There are 3 rooms, 3 bathrooms and 1 washing sink. The bathrooms
183 will be designated men, women and staff. The fees will be paid by private funds and or Medicaid.
184 Hours of operation to be 7 am to 4 pm. They will “contract out” transportation based upon client’s

needs. Meals will be “contracted out” as well. The nurse will keep the client’s medication in a lock box. Ms. Gullet will be the supervisor of staff.

Mr. Hessel heard Mr. Gullet say it is not an adult day care program. He heard Mrs. Gullet say it would be an adult day care program. Mr. Hessel asked for clarification. The petitioners agreed that they will need a license from the state of Missouri to operate their business as an adult day care program. They have read the state requirements and guidelines. Mr. Hessel enumerated a list of items that were not on the current plans. He recommended to Council not to proceed until staff is comfortable with the plans and the petitioner’s adherence to state regulations.

Councilman Parson asked the Gullets if they had submitted their intent/request to the state and if the state had responded and outlined their requirements for their business. Mr. Gullet stated the state won’t talk to them until they have an occupancy permit.

On the motion for a second reading, motion carried and Bill No. 9446 was read for a second time. Councilman Henke moved that Bill No. 9446 be read for a third time, seconded by Eagan. Motion carried and Bill No. 9446 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Being no citizens who wished to speak, on roll call the Council voted: Henke no, Pagano no, Parson no, Siam no, Harris no, Jones no, Eagan no, Caputa no and Schildroth no. Whereupon the Chair declared Bill No. 9446 to have failed.

Councilman Schildroth moved that Bill No. 9447 Ordinance repealing Ordinance No. 8283 and authorizing the Mayor of the City of Florissant to enter into a contract with the law firm of Lewis, Rice, represented by John M. Hessel for legal services for the City of Florissant commencing on December 1, 2018 and ending on November 30, 2019 be read for a second time, seconded by Caputa. Motion carried and Bill No. 9447 was read for a second time. Councilman Caputa moved that Bill No. 9447 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9447 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Being no citizens who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9447 to have passed and became Ordinance No. 8472.

Councilman Eagan moved that Bill No. 9449 Ordinance appropriating the Community Development Block Grant (CDBG) Funds For the 2018 Fiscal Year for the City of Florissant be read

for a second time, seconded by Schildroth. Motion carried and Bill No. 9449 was read for a second time. Councilwoman Pagano moved that Bill No. 9449 be read for a third time, seconded by Henke. Motion carried and Bill No. 9449 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Being no citizens who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9449 to have passed and became Ordinance No. 8473.

Councilman Schildroth moved to reappoint Teri Reiter, 450 St. Christina, to the Citizen Participation Committee from Ward 5 for a term expiring on 12/12/2019, seconded by Pagano. Motion carried.

Councilman Schildroth moved to approve the request to keep 4 chickens for Christopher Teague located at 276 N Castello St., seconded by Caputa. Motion carried.

The next item on the agenda was bills for first reading.

Council as a Whole introduced Bill No. 9450 Ordinance amending the Zoning Code to define “Installment Lenders,” redefine “Consumer Loan Company,” and “Short Term Loan Establishment” and add “Installment Loan Lenders” as a permitted use and said Bill was read for the first time by title only.

Councilman Siam introduced Bill No. 9451 Ordinance rezoning for Smart Senior Living, LLC, the property located at 1475 & 1415 Carla from R-6, “Multiple Family Dwelling District” to PEU “Planned Environmental Unit” to allow for the construction of a new senior living facility complex and said Bill was read for the first time by title only.

Councilman Schildroth introduced Bill No. 9452 Ordinance to amend B-5 Ord. No. 6836, as amended, to allow for additions to the Siteman Cancer Center located at 1225 Graham Road and said Bill was read for the first time.

Councilman Schildroth moved that Bill No. 9452 be read for a second time, seconded by Caputa. Motion carried and Bill No. 9452 was read for a second time. Councilman Schildroth moved that Bill No. 9452 be read for a third time, seconded by Pagano. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous vote of all members present Bill No. 9452 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9452 to have passed and became Ordinance No. 8474.

Council as a Whole introduced Bill No. 9453 Ordinance to amend Title II, Chapter 245 “Parks & Recreation” of the Florissant Code, Section 245.180 “Fees for Use,” to adjust fees for use of various park facilities and said Bill was read for the first time by title only.

Council as a Whole introduced Bill No. 9454 Ordinance to amend Chapter 245 “Parks & Recreation” Article XI “Old Fleurissant Golf Club” of the Florissant Code, Subsection 245.610 “Fees and Charges” to adjust fees for the golf course and said Bill was read for the first time by title only.

Councilman Caputa introduced Bill No. 9455 Ordinance authorizing a transfer of \$10,000 from Acct. 01-5-48-13030 “Medical Insurance” to Acct. 01-5-48-10010 “Salaries” to cover salaries for Public Works through the end of the fiscal year and said Bill was read for the first time.

Councilman Eagan moved that Bill No. 9455 be read for a second time, seconded by Henke. Motion carried and Bill No. 9455 was read for a second time. Councilman Eagan moved that Bill No. 9455 be read for a third time, seconded by Caputa. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous vote of all members present Bill No. 9455 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9455 to have passed and became Ordinance No. 8475.

Councilman Caputa introduced Bill No. 9456 Ordinance amending Section 100.090 “Schedule of Court Costs” within the Florissant Code by adding a State Court Automation Surcharge and said Bill was read for the first time by title only.

Councilman Caputa introduced Bill No. 9457 Ordinance repealing Ord. No. 8182 establishing a new compensation plan for part-time employees of the City of Florissant and containing an effective date clause and said Bill was read for the first time.

Councilman Caputa moved that Bill No. 9457 be read for a second time, seconded by Schildroth. Motion carried and Bill No. 9457 was read for a second time. Councilman Henke moved that Bill No. 9457 be read for a third time, seconded by Pagano. On roll call the Council voted: Henke

yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous vote of all members present Bill No. 9457 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9457 to have passed and became Ordinance No. 8476.

Councilman Caputa introduced Bill No. 9458 Ordinance amending Sec. 125.065 (A) "Job Classification and Grade Level" by adjusting and adding certain job classifications and said Bill was read for the first time.

Councilman Caputa moved that Bill No. 9458 be read for a second time, seconded by Jones. Motion carried and Bill No. 9458 was read for a second time. Councilman Schildroth moved that Bill No. 9458 be read for a third time, seconded by Henke. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous vote of all members present Bill No. 9458 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Robert Smith, 2823 Chapel View, asked what the job classifications were. He asked for the pay scale for all job classifications.

Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9458 to have passed and became Ordinance No. 8477.

Councilman Caputa introduced Bill No. 9459 Ordinance repealing Ord. No. 8183 establishing a new compensation plan for seasonal employees of the City of Florissant and containing an effective date clause and said Bill was read for the first time.

Councilman Caputa moved that Bill No. 9459 be read for a second time, seconded by Eagan. Motion carried and Bill No. 9459 was read for a second time. Councilman Eagan moved that Bill No. 9459 be read for a third time, seconded by Pagano. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes.

Having received the unanimous vote of all members present Bill No. 9459 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9459 to have passed and became Ordinance No. 8478.

Councilman Caputa introduced Bill No. 9460 Ordinance providing compensation for employees at their maximum pay rate for fiscal year 2018-2019 providing an effective date and said Bill was read for the first time.

Councilman Henke moved that Bill No. 9460 be read for a second time, seconded by Eagan. Motion carried and Bill No. 9460 was read for a second time. Councilman Henke moved that Bill No. 9460 be read for a third time, seconded by Pagano. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous vote of all members present Bill No. 9460 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9460 to have passed and became Ordinance No. 8479.

Councilman Caputa moved to cancel the December 24th Council Meeting, seconded by Pagano. Motion carried.

The next item on the Agenda was Council Announcements.

Councilman Jones stated that TEAM Food Pantry always needs help and donations. He encouraged residents to watch their speed on Lindsay Lane since the speed limit has been lowered. There will be a Ward Meeting for Ward 2 coming up in January. Please be patient with all the upcoming street construction in the city.

Councilman Caputa also encouraged residents to contribute to TEAM. Councilman Caputa reminded firearm owners to keep firearms secured in their homes and not leave them in their vehicles.

The next item on the Agenda was Mayor Announcements.

Mayor Schneider encouraged Florissant residents to donate to the food drive competition between Florissant and Hazelwood Police Departments.

The winner of the “Florissant Anti-Litter Campaign” slogan and graphics will be announced at the next Council meeting. In commemorating the location where President Truman made a speech in Florissant, a plaque was dedicated in front of Bunkers. On Dec. 6th Christmas in Old Town will have a visit from Santa and a tree lighting ceremony at City Hall. The same night, the annual Project Lift Off will be held at the Eagan Center. On December 5th, the trees at the Civic Centers will be decorated by local children. The nominations for the Christmas House Decorating Contest deadline is December 10th. The Snowman Building Contest will run through March 15th. Visit With Santa will be held on December 15th at the Eagan Center. Winter Break Camp will be held from Dec. 26th through Jan 4th. Letters from Santa are being accepted at the JFK Community Center.

The Council President announced that the next regular City Council Meeting was scheduled for Monday, December 10, 2018 at 7:30 pm.

Councilwoman Pagano moved to adjourn the meeting, seconded by Caputa. Motion carried. The meeting was adjourned at 10:01 p.m.

Karen Goodwin, City Clerk

The following Bills were signed by the Mayor:

| | |
|---------------|--------------------|
| Bill No. 9441 | Ord. 8467, amended |
| Bill No. 9442 | Ord. 8468 |
| Bill No. 9443 | Ord. 8469 |
| Bill No. 9444 | Ord. 8470 |
| Bill No. 9445 | Ord. 8471 |
| Bill No. 9447 | Ord. 8472 |
| Bill No. 9449 | Ord. 8473 |
| Bill No. 9452 | Ord. 8474 |
| Bill No. 9455 | Ord. 8475 |
| Bill No. 9457 | Ord. 8476 |
| Bill No. 9458 | Ord. 8477 |
| Bill No. 9459 | Ord. 8478 |
| Bill No. 9460 | Ord. 8479 |

Kristi Pennington

On Monday October 15 the Florissant Police Department responded to an assault at a service station near Charbonier and North Highway 67. As the investigation was being conducted there was a social media posting which reflected one individual in a road rage incident was victimized. Kristi then worked 6 hours of overtime and applied her I.T. expertise to aide in the investigation of this assault. Because of her skill the true facts of the case were revealed when she used video surveillance, video processing software, and diligent technical work to produce a video that was then posted online and seen by tens of thousands of people. This video showed the real story of what happened and refuted the original online posting. Because of her excellent work and extra effort the public learned that the Florissant Police Department properly investigated a crime and did not hesitate to fully report the truth. You are hereby officially commended.

P.O. Patrick O'Fallon

For the past seven years Officer O'Fallon has contributed significant personal effort toward the success of the Florissant Fall Festival, namely the Florissant Police & Bike Show. He begins preparation for the car show 6 to 8 months in advance by promoting this event throughout the spring and summer at various car related events. The promotion of the event is only the beginning as Officer O'Fallon also contacts local businesses in the area for support, which has been very successful. Officer O'Fallon also personally completes the task of building 70 handmade trophies which consumes approximately 200 hours. Officer O'Fallon has donated a significant amount of his off duty time organizing this event. Officer O'Fallon has shown the commitment and dedication to make this event into an affair that many of our residents have come to look forward to year after year. For all of Officer O'Fallon's work on this highly successful project he is hereby officially commended.

P.O. Patrick O'Fallon & Sgt. Jarrod Coder

On July 10th Officer O'Fallon was assisting on a call for a residential burglary where it was determined that an iPad had been taken from the address. By using Track my iPhone app Officer O'Fallon was able to track the stolen iPad to 8400 N. Lindbergh where Sgt. Coder was canvassing the local businesses in an attempt to locate the suspect. While canvassing the area Sgt. Coder observed a known felon to be seated in a restaurant at 8473 N. Lindbergh. As Officer O'Fallon and Sgt. Coder maintained surveillance of the restaurant the subject exited the restaurant. Officer O'Fallon and Sgt. Coder then entered the restaurant and tracked the iPad to a suitcase that was under a table where another known felon was now seated. Both suspects were arrested and all the stolen items were recovered. Due to the officers diligent investigation they were able to return the stolen items to the home owner and remove two convicted felons from the streets of Florissant. You are hereby officially commended.

P.O. Dominic Margherio

On October 8th Officer Margherio observed a vehicle traveling at a high rate of speed. Officer Margherio then conducted a traffic stop on Patterson near North Highway 67. As he conducted the stop he did a license inquiry where he learned the license plates were expired and registered to another vehicle. As Officer Margherio was talking with the driver he also noticed the smell of marijuana and subsequently conducted a search of the vehicle. The search resulted in the location of a Glock and a Taurus handgun. Both weapons had been reported stolen in two different jurisdictions. After transporting the driver to the station Officer Margherio was able to obtain a full confession. When Officer Margherio submitted the weapons to the St. Louis County Crime laboratory it was also determined that the Glock was also modified to fire fully automatically – a federal law violation. The case was then referred to the U. S. Attorney's Office for Federal Prosecution. Because of Officer Margherio's excellent handling of a routine traffic stop he removed a dangerous felon and lethal weapons from the streets of Florissant. He is hereby officially commended.

P.O. Tim Swope & P.O. Dewitt Edwards

On July 27th Officer Swope was on patrol when he received a call for a suicidal subject. Officer Swope was advised by dispatch that a female subject had slit her wrists at Sacred Heart Cemetery and was now walking on St. Anthony bleeding heavily from both wrists. When Officer Swope located the female subject she pulled a knife from a sheath and began waving it in the air. Officer Swope continued to follow her at a safe distance as she was screaming for him to shoot her. Officer Edwards arrived to assist you where you both continued to talk to the female in a calm and deliberate manner as she continued to yell for you to shoot her and wave the knife around. After many tense minutes the female subject tossed the knife to the ground. She was subsequently taken into custody and transported to the hospital for treatment. Due to Officer Swope and Officer Edwards actions a tragedy was averted. They are hereby officially commended.

Sgt. Andre Reece & Officer Jonathan Kemp

On September 20th Officer Kemp was patrolling the area of the Red Roof Inn when he observed a vehicle that was later revealed to have been taken in a carjacking earlier in Florissant. As Officer Kemp continued his investigation he was also able to determine the vehicle parked next to the stolen vehicle was also stolen. Sgt. Reece along with several detectives started a canvass of the area for suspects. Sgt. Reece and the detectives identified the room the suspects were occupying and they were able to take them into custody. After arresting the suspects it was determined that they were also in possession of several hand guns, assault rifles and ammunition. Due to Officer Kemp and Sgt. Reece's perseverance several dangerous suspects were removed from the streets of Florissant. They are hereby officially commended.

Det. Dustin Edwards, Det. Nick Osmer, Det. Eric Schlueter & Det. Dan Cushing

As detectives of the Florissant Anti-Crime Unit you have tackled the major problem of Opioid addiction and overdoses. Between January and November 2018 these detectives have investigated 85 drug overdoses and 13 overdose deaths. Having worked long hours and elaborate investigations their efforts have resulted in numerous drug trafficking arrests and the seizure of large quantities of drugs. Additionally of the 13 overdose death investigations they were able to clear 8 of the active investigations. All of those cases were presented to the U. S. Attorney's Office for federal prosecution. These detectives have also spent many hours developing an informational pamphlet and conducted training for residents of Florissant. Because of their hard work, diligent police work and commitment to impact the local, state and national problem of Opioid addiction, they are here by formally commended.

1 INTRODUCED BY COUNCILMAN CAPUTA
2 NOVEMBER 26, 2018

3
4 BILL NO. 9450

ORDINANCE NO.

5
6 **ORDINANCE AMENDING THE ZONING CODE TO DEFINE**
7 **“INSTALLMENT LENDERS”, REDEFINE “CONSUMER LOAN**
8 **COMPANY”, AND “SHORT TERM LOAN ESTABLISHMENT” AND**
9 **ADD “INSTALLMENT LOAN LENDERS” AS A PERMITTED USE.**
10

11 WHEREAS, the City Council previously adopted legislation to regulate consumer loan
12 companies and short term loan establishments; and

13 WHEREAS, the Missouri legislature recently adopted legislation concerning installment
14 loan lenders; and

15 WHEREAS, Section 408.512, R.S.Mo., states that no ordinance can “prevent, restrict or
16 discourage traditional installment loan lenders from operating in any location where any lender
17 who makes loans payable in equal installments over more than 90 days is permitted”; and

18 WHEREAS, the staff recommends that the Zoning Code be amended to add a definition
19 of “installment loan lenders”; redefine “installment loan company” and “short term loan
20 establishment”; and add “installment loan lenders” as a permitted use; and

21 WHEREAS, Section 405.125(K) of the Zoning Code needs to be amended to correct a
22 codification error; and

23 WHEREAS, the Planning and Zoning Commission of the City of Florissant at their
24 meeting of November 5, 2018 has recommended that the Zoning Code be amended to define
25 “installment loan lenders”; redefine “consumer loan company” and “short term loan
26 establishment”; add “installment loan lenders” as a permitted use; and correct a codification error
27 in Section 405.125(K); and

28 WHEREAS, notice of a public hearing on the Zoning Code amendments was duly
29 published and commenced on November 26, 2018; and

30 WHEREAS, the Council, following said public hearing and after due and careful
31 consideration, has concluded that the proposed amendments to the Zoning Code would be in the
32 best interests of the City of Florissant and will not adversely affect the health, safety, morals, and
33 general welfare of the City.

34 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
35 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
36

Section 1: Section 405.035 "Definitions" shall be amended to include the following definition of "installment loan lenders" and redefining "consumer loan company" and "short term loan establishment" as follows:

CONSUMER LOAN COMPANY – A company that is primarily or substantially in the business of making loans secured or unsecured and are authorized under Chapter 367, R.S.Mo., sometimes also referred to as "traditional installment loan lenders," as authorized under Chapter 408, R.S.Mo. A consumer loan company shall not include companies sometimes referred to as "Pay Day Loan Companies" or "Title Loan Companies."

INSTALLMENT LOAN LENDERS – A company that is licensed under Sections 367.100 to 367.200, R.S.Mo., or Section 408.510, R.S.Mo., whose direct consumer loans are limited only to traditional installment loans as defined in Section 408.512, R.S.Mo. An installment loan lender is also referred to as a "Consumer Loan Company" but shall not include companies referred to as "Pay Day Loan Companies" or "Title Loan Companies."

SHORT-TERM LOAN ESTABLISHMENT – A business, other than a pawn broker operating in conformity with the Florissant Code, engaged in providing short term loans to the public as a primary or substantial element of its business and which is not licensed by the appropriate state or federal agency as a bank or savings and loan facility, a consumer loan company or a traditional installment loan lender. These business are sometimes referred to as "Pay Day Loan Companies," "Title Loan Companies" or other similar names.

Section 2: Section 405.115 "B1"; Section 405.120 "B2"; Section 405.125 "B3"; and Section 405.130 "B4" shall be amended to include Installment Loan Lenders as a permitted use in each of those zoning districts.

Section 3: Section 405.125(K) "Special Use Permits" shall be amended by deleting item 44 as currently written and substituting the following:

44. *Short Term Loan Establishments*, provided, however, that two (2) fully operational, state-of-the-art security cameras shall be installed to monitor and clearly record the activities at all times and the recordings shall be kept for a minimum of thirty (30) days; a panic alarm wired to the Florissant Police Department or a reputable security firm that is acceptable to the Florissant Police Department shall be installed; no more than ten percent (10%) of the windows can be obstructed with signs so as to interfere with visibility into the business; and short term loan establishments will not be permitted if the total number of short term loan establishments exceeds one (1) per ten thousand (10,000) population in the City, or, if the location of the short term loan establishment is within two (2) miles of another short term loan establishment.

Section 4: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this ____ day of _____, 2018.

Jeff Caputa
Council President

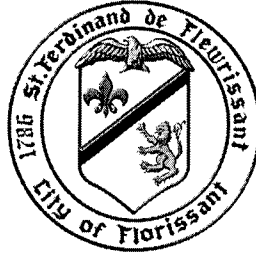
Approved this ____ day of _____, 2018.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

1
2
3
MEMORANDUM



RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN.

DATE:

11-5-18

4
5
6
7
8
CITY OF FLORISSANT- Building Division

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

9 To: Planning and Zoning Commissioners

Date: November 1, 2018

10
11 From: Philip E. Lum, AIA-Building Commissioner c:

Todd Hughes, P.E.,
Director Public Works
Deputy City Clerk
Applicant
File

12
13
14
15
16
17 Subject: Request Recommended Approval to amend the zoning code to update and
18 correct the definitions of short term loan establishments.
19
20

21
22
23
STAFF REPORT
CASE NUMBER PZ-111518-3

24
25
I. PROJECT DESCRIPTION:

26 This is a request for a change in the **Zoning Code** to give better clarity on short term loan
27 establishments and to align the City Code with State Regulations.
28

29
30
II. EXISTING CONDITIONS:

31 It comes to the attention of staff that the Zoning Code defines Short Term Loan
32 Establishments and Banks, but improperly classifies Consumer Loan Establishments.
33

34 As a result of this research and the need to clarify the code and to make City Code
35 definitions consistent with State regulations, staff recommends consideration of the
36 following:
37

38 Previous applications for Consumer Loan businesses have been previously denied, see
39 attached. Under the current Zoning Code definitions below in section 405.035, I must

deem that any Consumer Loan Establishment is a Short Term Loan Establishment, and as such, is regulated by distance and/or population as described in the code.

Consumer Loan Companies under state licensure fall under State statutes section, RsMO 367.100 Consumer Loan Companies, RsMO 408.510 Consumer Installment Lender, and RsMO 408.512 Traditional Installment Lender, however, the City Zoning Code captures Short Term Loan Establishments as **any that are not a bank** licensed under RsMO 362.

See the following zoning definitions from Section 405.035:

BANK

An institution that trades in money; an establishment for the deposit, custody and issuance of money and also for making loans and discounts and facilitating the transmission of remittances from one place to another. Credit unions and savings and loans shall also be classified as a bank, but "check cashing establishments", "short-term loan establishments" and "pawnshops" are not classified as a bank.

CONSUMER LOAN COMPANY

A company that is primarily or substantially in the business of making loans secured or unsecured and are authorized under Chapter 367, RSMo., (sometimes referred to as "Small Loan Companies", "Title Loan Companies" and/or "Pawnshops") or where authorized under Chapter 408, RSMo., (sometimes referred to as "Consumer Installments Loan Companies" or "Payday Loan Companies") and are not licensed by the appropriate State or agency as a banking or savings and loan facility.

SHORT-TERM LOAN ESTABLISHMENT

A business, other than a pawnbroker operating in conformity with the Florissant Code, engaged in providing short-term loans to the public as a primary or substantial element of its business and which is not licensed by the appropriate State or Federal agency as a banking or savings and loan facility."

The City Attorney has researched these issues with a recent applicant. Staff therefore recommends the following:

Suggested Motion:

I move to recommend approval to amend Title IV "Land Use" of the Florissant City Code, Section 405.035 "Definitions" to include the definition of "consumer loan company"; adding a definition for "installment loan lenders"; and to change the definition of "short term loan establishments.", to include Consumer Loan Companies as a permitted use where banks are permitted and to include Short Term Loan Establishments as a Special Use, where banks are permitted.

The proposed amendments to the Zoning Code are as follows:

(A) Section 405.035. "Definitions" should be amended to include the following:

CONSUMER LOAN COMPANY – A company that is primarily or substantially in the business of making loans secured or unsecured and are authorized under Chapter 367, R.S.Mo., sometimes also referred to as "traditional installment loan lenders," as authorized under Chapter 408,

85 R.S.Mo. A consumer loan company shall not include companies
86 sometimes referred to as "Pay Day Loan Companies" or "Title Loan
87 Companies."

88
89 INSTALLMENT LOAN LENDERS – A company that is licensed under
90 Sections 367.100 to 367.200, R.S.Mo., or Section 408.510, R.S.Mo.,
91 whose direct consumer loans are limited only to traditional installment
92 loans as defined in Section 408.512, R.S.Mo. An installment loan lender is
93 also referred to as a "Consumer Loan Company" but shall not include
94 companies referred to as "Pay Day Loan Companies" or "Title Loan
95 Companies."

96
97 SHORT-TERM LOAN ESTABLISHMENT – A business, other than a
98 pawn broker operating in conformity with the Florissant Code, engaged in
99 providing short term loans to the public as a primary or substantial
100 element of its business and which is not licensed by the appropriate state
101 or federal agency as a bank or savings and loan facility, a consumer loan
102 company or a traditional installment loan lender. These business are
103 sometimes referred to as "Pay Day Loan Companies," "Title Loan
104 Companies" or other similar names.

105
106 **(B) Section 405.115 "B1"; Section 405.120 "B2"; Section 405.125 "B3";**
107 **and Section 405.130 "B4"** should be amended to include Installment Loan
108 Lenders as a permitted use in each of those zoning districts.

109
110 **(C) Section 405.125(K) "Special Use Permits"** should be amended by
111 deleting item 44 as currently written and substituting the following:

112
113 44. Short Term Loan Establishments, provided, however, that two (2) fully
114 operational, state-of-the-art security cameras shall be installed to monitor and
115 clearly record the activities at all times and the recordings shall be kept for a
116 minimum of thirty (30) days; a panic alarm wired to the Florissant Police
117 Department or a reputable security firm that is acceptable to the Florissant Police
118 Department shall be installed; no more than ten percent (10%) of the windows can
119 be obstructed with signs so as to interfere with visibility into the business; and
120 short term loan establishments will not be permitted if the total number of short
121 term loan establishments exceeds one (1) per ten thousand (10,000) population in
122 the City, or, if the location of the short term loan establishment is within two (2)
123 miles of another short term loan establishment.

124
125 (End report and suggested motion)

Philip Lum

From: Philip Lum
Sent: Tuesday, September 11, 2018 11:11 AM
To: Dianne Lehmann
Subject: FW: Short Term Loan Establishment 3401
Attachments: doc01962220180827135134.pdf

Copy and paste letter.

Philip E. Lum, AIA
Building Commissioner
955 Rue St. Francois
Florissant, MO 63031
314-839-7642
plum@florissantmo.com

The application for this business at 3401 N Hwy 67 is hereby denied. Reviewing our definitions below in section 405.035, I must deem that this is a short term loan establishment, and as such, is too closely located to several others in the city to locate as proposed. Documents provided state licensure under State statutes section, RsMO 367.100 Consumer Loan Companies, RsMO 408.510 Consumer Installment Lender, and RsMO 408.512 Traditional Installment Lender, however, our definition of Short Term Loan Establishment appears to any that are not a bank licensed under RsMO 362. See the following zoning definitions.

"BANK

An institution that trades in money; an establishment for the deposit, custody and issuance of money and also for making loans and discounts and facilitating the transmission of remittances from one place to another. Credit unions and savings and loans shall also be classified as a bank, but "check cashing establishments", "short-term loan establishments" and "pawnshops" are not classified as a bank.

SHORT-TERM LOAN ESTABLISHMENT

A business, other than a pawnbroker operating in conformity with the Florissant Code, engaged in providing short-term loans to the public as a primary or substantial element of its business and which is not licensed by the appropriate State or Federal agency as a banking or savings and loan facility."

Philip E. Lum, AIA
Building Commissioner
955 Rue St. Francois
Florissant, MO 63031
314-839-7642
plum@florissantmo.com

-----Original Message-----

From: Scans@donotreply.com [<mailto:Scans@donotreply.com>]
Sent: Monday, August 27, 2018 2:52 PM
To: Philip Lum
Subject:

January 11, 2011

C/o Mr. Scott Lee
Karl L. White
11755 Whitesville Road
Fortson, GA 31808

Re: Permitted uses: 1180 N Highway 67
Motormax Financial Services

Dear Mr. Lee:

I have reviewed your application for a Special Use Permit dated December 28, 2010 which describes a business enterprise at the above address, in which you describe the business as "Finance Company." I discussed this with you and you report today that the business is authorized under Chapter 408 RsMo as a Consumer Installments Loan Company.

It is my interpretation that the Zoning Code defines this type of establishment as a Consumer Loan Company and that this business would not be permitted at this location due to proximity within 2 miles from at least one other Consumer Loan Company, citing the example of Title Max located at 2749 N Highway 67 and perhaps others. Zoning also prevents establishment of more than 1 per 10,000 population of such businesses in the City at one time. I am researching this as well.

It is also evident from your website that your company holds itself out as a Consumer Loan Company. With regard to this interpretation, we can not include this petition on the agenda of the Planning & Zoning Commission at this time.

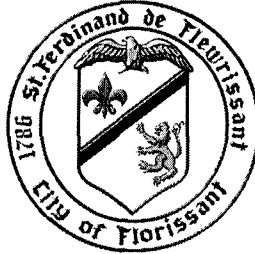
If you believe this Zoning interpretation is in error, I encourage you to file an appeal to the Zoning Board of Adjustment.

Sincerely,

Philip E. Lum, AIA
Building Commissioner

cc: File
Mayor Robert G. Lowery, Sr.
Louis B. Jearls, Jr.- Director of Public Works

MEMORANDUM



CITY OF FLORISSANT

To: City Council

Date: 1/11/07

Thru: Mayor Robert G. Lowery
Lou Jearls, P.E., Dir. of Public Works

cc: Karen Goodwin, City Clerk
John Hessel, City Attorney
File

From: John Morgan, Building Commissioner

Subject: Recommendation for Consumer Loan Companies

The Planning and Zoning Commission has recommended that several changes be made to the zoning code as it relates to Consumer Loan Companies. Attached is a memo from me to the commission with the recommended changes. Below is the actual changes as it pertains to the current wording and the recommended changes. The portions with the strike through lines are the recommended omissions and the underlined wording is the additions. The rest of the referred sections 405.035, 405.125 and 405.130 are to remain unchanged with the exception of re-lettering and re-numbering changes.

SECTION 405.035: DEFINITIONS

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given herein.

~~CONSUMER INSTALLMENT LOAN ESTABLISHMENT: A business licensed by the State of Missouri under Section 408.510, RSMo., and engaged in making secured or unsecured loans of not more than five thousand dollars (\$5,000.00) and payable in not less than one hundred twenty (120) days. "Banks", "check-cashing establishments", "short term loan establishments" and "pawnshops" are not classified as consumer installment loan establishments.~~

CONSUMER LOAN COMPANY: A company that is primarily or substantially in the business of making loans secured or unsecured and are authorized under Chapter 367 R.S.MO. (Sometimes referred to as "Small Loan Companies", "Title Loan Companies", and/or "Pawn Shops") or where authorized under Chapter 408, R.S.MO. (Sometimes referred to as "Consumer Installments Loan Companies" or "Payday Loan Companies")

and are not licensed by the appropriate state or agency as a banking or savings and loan facility.

~~PAWNBROKER: Any person engaged in the business of lending money on the security of pledged goods or engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.~~

~~PAWNSHOP: The location at which, or premises in which, a pawnbroker regularly conducts business.~~

SECTION 405.125: "B-3" EXTENSIVE BUSINESS DISTRICT

B. Use Regulations. A building or lot within the "B-3" Extensive Business District shall be used only for the following purposes; provided that, except as otherwise set forth herein, the uses do not allow adult entertainment on the premises:

~~21. Consumer installment loan establishment.~~

~~73. Pawnshops, provided that the licensing requirements of the City are met.~~

K. Special Use Permits. The City Council may, by Special Permit, after public hearing and notice as provided in Article VIII and subject to such protective restrictions that the Council may deem necessary, authorize the location, extension or structural alteration of any of the following buildings or uses in a "B-3" Extensive Business District:

44. ~~Short-term loan establishments~~ Consumer Loan Company, provided however, that two (2) fully operational, state of the art security cameras shall be installed to monitor and clearly record the activities at all times and the recordings shall be kept for a minimum of thirty (30) days; a panic alarm wired to the Florissant Police Department or a reputable security firm that is acceptable to the Florissant Police Department shall be installed; no more than ten percent (10%) of the windows can be obstructed with signs so as to interfere with visibility into the business; and ~~short-term loan establishments~~ Consumer Loan Company will not be permitted if the total number of short-term loan establishments exceed one (1) per ten thousand (10,000) population in the City, or if the location of the short-term loan establishment is within two (2) miles of another short-term loan establishment.

SECTION 405.130: "B-4" HIGHWAY COMMERCIAL DISTRICT

B. Use Regulations. A building or lot within the "B-4" Highway Commercial District shall be used only for the following purposes:

1. Any use permitted in the "B-1" Local Shopping District, "B-2" Central Business District and "B-3" Extensive Commercial District as follows:

u. ~~Consumer installment loan establishment.~~

bt. ~~Pawnshops, provided that the licensing requirements of the City~~
~~are met.~~

Philip Lum

From: Philip Lum
Sent: Thursday, October 25, 2018 3:33 PM
To: Mayor Schneider
Subject: RE: Zoning Code Amendments

I have reviewed the document and agree with it as a drafted ordinance change. When we met, we decided that we needed the proposed definition changes and Mr. Hessel has drafted acceptable definitions to fill the gaps in our code.

Philip E. Lum, AIA
Building Commissioner
955 Rue St. Francois
Florissant, MO 63031
314-839-7642
plum@florissantmo.com

From: Mayor Schneider
Sent: Thursday, October 25, 2018 2:19 PM
To: Philip Lum
Subject: RE: Zoning Code Amendments

What I meant was to advise me on your review of the document prepared by Mr. Hessel.

From: Philip Lum
Sent: Thursday, October 25, 2018 2:06 PM
To: Mayor Schneider; Todd Hughes
Subject: RE: Zoning Code Amendments

Mr. Hessel and I met shortly after I denied an application for a consumer loan company because, although it was consistent with the Florissant Code to deny it, it was not consistent with recent State of MO legislation. I recommend placing this item on the next P&Z agenda.

Philip E. Lum, AIA
Building Commissioner
955 Rue St. Francois
Florissant, MO 63031
314-839-7642
plum@florissantmo.com

From: Mayor Schneider
Sent: Thursday, October 25, 2018 1:56 PM
To: Philip Lum; Todd Hughes
Subject: FW: Zoning Code Amendments

Todd and Phil,
Please advise.
Mayor Schneider

314.444.7600 (phone)
314.241.6056 (fax)
www.lewisrice.com

LEWIS RICE LLC

Attorneys at Law

600 Washington Avenue
Suite 2500
St. Louis, Missouri
63101

MEMORANDUM

TO: Mayor Schneider
Todd Hughes
Phil Lum

CC: Karen Goodwin

FROM: John Hessel

DATE: October 25, 2018

RE: Zoning Code Amendments – Traditional Installment Loan Lenders/Consumer Loan Company

Many years ago, we amended the Zoning Code to create definitions for “consumer loan companies” and “short-term loan establishments” due to the increasing “Pay Day Loan” businesses, and “Title Loan” businesses. Since that time, the Missouri legislature has adopted legislation clarifying consumer loan companies as being “traditional installment loan lenders” as defined in Section 408.512, R.S.Mo. In so doing, the Missouri legislature also included a provision stating that no ordinance can “prevent, restrict or discourage traditional installment loan lenders from operating in any location where any lender who makes loans payable in equal installments over more than 90 days is permitted;”. In essence, this legislation prevents the City from treating traditional installment loan lenders differently than banks. Accordingly, we need to amend the Zoning Code to distinguish installment loan lenders/consumer loan companies from short term loan establishments, and treat the installment loan lenders in the same manner as banks.

I am recommending that Section 405.035 “Definitions” within the Zoning Code be amended by changing the definition of “consumer loan company”; adding a definition for “installment loan lenders”; and changing the definition of “short term loan establishments.” I am also recommending that the Zoning Code be amended to include installment loan lenders as a permitted use so that they are comparable to “Banks” in accordance with Missouri statutes.

In addition to the items above, it appears that a codification error was made with respect to the listing of “short term loan establishments” as a special use. Accordingly, I am recommending that we amend the classification of “short term loan establishments” as a special use as set forth in Section 405.125 “B3” Zoning District.

LEWIS RICE_{LLC}

We have an installment loan lender who has applied for licensing and is anxious to proceed. Accordingly, I am hopeful that the following Code amendments can be presented to the Planning and Zoning Commission at its first meeting in November and approved at that meeting so it can be presented to the City Council in a timely manner. I will make myself available at the Planning and Zoning Commission if you believe it would be beneficial.

The proposed amendments are as follows:

(A) Section 405.035. "Definitions" should be amended to include the following:

CONSUMER LOAN COMPANY – A company that is primarily or substantially in the business of making loans secured or unsecured and are authorized under Chapter 367, R.S.Mo., sometimes also referred to as "traditional installment loan lenders," as authorized under Chapter 408, R.S.Mo. A consumer loan company shall not include companies sometimes referred to as "Pay Day Loan Companies" or "Title Loan Companies."

INSTALLMENT LOAN LENDERS – A company that is licensed under Sections 367.100 to 367.200, R.S.Mo., or Section 408.510, R.S.Mo., whose direct consumer loans are limited only to traditional installment loans as defined in Section 408.512, R.S.Mo. An installment loan lender is also referred to as a "Consumer Loan Company" but shall not include companies referred to as "Pay Day Loan Companies" or "Title Loan Companies."

SHORT-TERM LOAN ESTABLISHMENT – A business, other than a pawn broker operating in conformity with the Florissant Code, engaged in providing short term loans to the public as a primary or substantial element of its business and which is not licensed by the appropriate state or federal agency as a bank or savings and loan facility, a consumer loan company or a traditional installment loan lender. These business are sometimes referred to as "Pay Day Loan Companies," "Title Loan Companies" or other similar names.

(B) Section 405.115 "B1"; Section 405.120 "B2"; Section 405.125 "B3"; and Section 405.130 "B4" should be amended to include Installment Loan Lenders as a permitted use in each of those zoning districts.

(C) Section 405.125(K) "Special Use Permits" should be amended by deleting item 44 as currently written and substituting the following:

44. Short Term Loan Establishments, provided, however, that two (2) fully operational, state-of-the-art security cameras shall be installed to monitor and clearly record the activities at all times and the recordings shall be kept for a minimum of thirty (30) days; a panic alarm wired to the Florissant Police Department or a reputable security firm that is

LEWIS RICE_{LLC}

acceptable to the Florissant Police Department shall be installed; no more than ten percent (10%) of the windows can be obstructed with signs so as to interfere with visibility into the business; and short term loan establishments will not be permitted if the total number of short term loan establishments exceeds one (1) per ten thousand (10,000) population in the City, or, if the location of the short term loan establishment is within two (2) miles of another short term loan establishment.

CITY OF FLORISSANT



NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Florissant, MO, in the Council Chambers, 955 Rue St. Francois, on Monday, November 26, 2018 at 7:30 P.M. on the following proposition:

To amend the Zoning Code concerning short term loan establishments. Citizens and parties of interest will have the opportunity to be heard at said public hearing. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142. CITY OF FLORISSANT.

Karen Goodwin, MMC, City Clerk.

1 INTRODUCED BY COUNCILMAN SIAM
2 NOVEMBER 26, 2018

3
4 BILL NO. 9451

ORDINANCE NO.

5
6 **ORDINANCE TO REZONE FOR SMART SENIOR LIVING, LLC**
7 **THE PROPERTY LOCATED AT 1475 & 1415 CARLA DRIVE FROM**
8 **R-6 “MULTIPLE FAMILY DWELLING DISTRICT” TO PEU**
9 **“PLANNED ENVIRONMENTAL UNIT” TO ALLOW FOR THE**
10 **CONSTRUCTION OF A NEW SENIOR LIVING FACILITY**
11 **COMPLEX.**
12

13 WHEREAS, Ordinance No. 1625, as amended, establishes within the City of Florissant
14 district classifications for the purpose of regulating their construction and use of land, buildings
15 and property within the said various districts, and said Ordinance provides the nature, kind and
16 character of buildings that may be erected in each of the said districts and the use to which the
17 land and buildings may be put; and

18 WHEREAS, the Planning and Zoning Commission of the City of Florissant has
19 recommended to the City Council at their meeting of November 5, 2018 that Ordinance No.
20 1625 be amended to change the classification of the property known as 1475 & 1415 Carla Drive
21 from a R-6 “Multiple Family Dwelling District” to PEU “Planned Environmental Unit” to allow
22 for the construction of a new senior living facility complex; and

23 WHEREAS, due and lawful notice of a public hearing no. 18-11-034 on said proposed
24 zoning change was duly published, held and concluded on Monday, November 26, 2018 by the
25 Council of the City of Florissant; and

26 WHEREAS, the Council, following said public hearing, and after due and careful
27 deliberation, has concluded that the amendment of Ordinance No. 1625, as amended, by
28 changing the zoning of the property known and number as 1475 & 1415 Carla Drive from R-6
29 “Multiple Family Dwelling District” to PEU “Planned Environmental Unit” is in the best interest
30 of the public health, safety and welfare of the City of Florissant.

31 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
32 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

33
34 Section 1: Ordinance No. 1625, as amended, is hereby further amended by changing the
35 zoning classification of the property known and numbered as 1475 & 1415 Carla Drive from R-6
36 “Multiple Family Dwelling District” to PEU “Planned Environmental Unit”

Section 2. The authority and approval embodied in this Ordinance is granted subject to all ordinances of the City of Florissant and on condition that the development and plan for the PEU “Planned Environmental Unit” be carried out in accordance with the following preliminary plans:

- L-1 and L-2 dated 10/27/18 by Landscape Technologies1, 2 and 3 of 3 dated 10/26/18 by The Clayton Engineering Company, Inc. Preliminary Site Plan (Color) Villas and Cottages, Preliminary Site Plan with Lot Lines and Preliminary Site Plan Villas and Cottages all dated April 2, 2018. PowerPoint reprints with color plans and renderings 8 ½” x 11”, attached and filed with the Planning & Zoning Commission and having received a recommended approval by the Planning & Zoning Commission subject to the following conditions:

1. PERMITTED USES

The uses permitted for this property shall be limited to Multi-Family and Assisted Care as defined in the zoning code of Florissant. Delivery hours shall be limited to 7:00 a.m. to 6: p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday and Sunday.

2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

There shall be 12 total buildings: 7 “Villas” and 5 Assisted Living “Cottages” with associated services, one of the Villas to be a 3 story remodeling of an existing structure on-site to remain. All comprising 88 total living units.

The development shall have parking and building configurations as shown on the Preliminary plans submitted.

3. DEVELOPMENT CRITERIA:

a. Structure Setbacks:

1. Building and structural setbacks shall be as shown on drawing 1 of 3 attached.

b. Internal Drives:

- (1) There shall be existing internal drives as shown off of Carla.

c. Minimum Parking/Loading Space Requirements.

- (1) There shall be a minimum of 69 parking spaces provided on the property as shown on the attached plans.

d. Road Improvements, Access and Sidewalks.

- (1) The property owner shall comply with all requirements for roadway improvements as specified by the Director of Public Works in approving the approval of the existing noted access to Carla Dr.

- 83
84 (2) There shall be a minimum of a four foot sidewalk along the perimeter of the
85 main drive and around the buildings and connecting the buildings. The
86 sidewalk shall meet all of the accessible requirements of national standards
87 and codes.
88

89 e. Lighting Requirements.

90 Lighting of the property shall comply with the following standards and
91 requirements:
92

- 93 (1) All site lighting shall be as shown in accordance with a lighting plan approved
94 by the Building Commissioner.
95
96 (2) The maximum height of site lighting, including base, light fixture and light
97 standard, shall be 25 feet above grade.
98
99 (3) All site lighting and exterior building lighting shall be directed down and
100 inward.
101

102 f. Sign Requirements.

- 103 (1) All signage shall comply with the City of Florissant sign ordinance for
104 commercial districts except that there shall only be one free standing sign.
105
106 (2) The free standing sign shall generally located as shown on the Preliminary site
107 plan and said sign shall be no closer to the front property line than six feet.
108
109 (3) The free standing sign shall be no higher than six (6) feet including the base
110 and no wider than eight (8) feet with a brick base that shall be two (2) feet in
111 height.
112
113 (4) The sign, if illuminated, shall be internally illuminated with no electronic
114 reader.
115
116

117 g. Landscaping and Fencing.

- 118 (1) Landscaping shall be in accordance with the landscaping plan marked L-1
119 attached, except as modified herein.
120
121 (2) Trees along the Carla property line shall be spaced no farther apart than 50
122 feet on center.
123
124 (3) Trees along the West property line shall be spaced no farther apart than 10 feet
125 on center.
126
127 (4) Any modifications to the landscaping plan shall be reviewed and approved by
128 the Planning and Zoning Commission.

129
130 h. Storm Water.

131 Storm Water and drainage facilities shall comply with the following standards and
132 requirements:

- 133
- 134 (1) The Director of Public Works shall review storm water plans form compliance
135 and so that storm water flow will have no adverse affect the neighboring
136 properties.
- 137
- 138 (2) No building permits shall be issued until the storm water plan has been
139 approved by the St. Louis Metropolitan Sewer District.
- 140
- 141 (3) The retention area shall be kept free of trash and debris and also shall be
142 treated as needed for mosquitoes.
- 143

144 i. Miscellaneous Design Criteria.

- 145 (1) All applicable parking, circulation, sidewalks, and all other site design features
146 shall comply with the Florissant City Code.
- 147
- 148 (2) All dumpsters and grease containers shall be contained within a trash
149 enclosure constructed of clay fired brick with solid metal or vinyl gates or
150 metal picket type gates with spacing of the pickets being no more than two
151 inches apart.
- 152
- 153 (3) All storm water and drainage facilities shall be constructed, and all
154 landscaping shall be installed, prior to occupancy of the building, unless
155 remitted by the Director of Public Works due to weather related factors.
- 156
- 157 (4) All mechanical equipment, electrical equipment, and communication
158 equipment shall be screened in accordance with the Florissant Zoning Code.
- 159
- 160 (5) The exterior design of the buildings shall be constructed in accordance with
161 the renderings as approved by the Florissant Planning and Zoning
162 Commission and attached hereto.
- 163
- 164 (6) All other requirements of the Florissant Municipal Code and other ordinances
165 of the city shall be complied with unless otherwise allowed by this ordinance.
- 166

167 **7. FINAL SITE DEVELOPMENT PLAN**

168 A final site development plan shall be submitted to the Building Commissioner to
169 review for compliance to this ordinance and other city ordinances prior to issuance of
170 land disturbance permits or building permits.

171

172 **8. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:**

Any changes to the approved plans attached hereto must be reviewed by the Building Commissioner. The Building Commissioner must make a determination as to the extent of the changes per the following procedure:

1. The property owner or designate representative shall submit in writing a request for an amendment to the approved plans. The building commissioner shall review the plans for consistency with the purpose and content of the proposal as originally or previously advertised for public hearing and shall make an advisory determination.
2. If the Building Commissioner determines that the requested amendment is not consistent in purpose and content with the nature of the purpose as originally proposed or previously advertised for the public hearing, then an amendment to the PEU shall be required and a review and recommendation by the Planning and Zoning Commission shall be required and a new public hearing shall be required before the city council.
3. If the Building Commissioner determines that the proposed revisions are consistent with the purpose and content with the nature of the public hearing, then a determination of non-necessity of a public hearing shall be made.
4. Determination of minor changes: If the building commissioner determines that an amendment to the PEU is not required and that the changes to the plans are minor in nature the Building Commissioner may approve said changes.
5. Determination of major changes: If the Building Commissioner determines that an amendment to the PEU is required and the changes are major in nature, then the owner shall submit an application for review and approval by the Planning and Zoning Commission.

9. PROJECT COMPLETION.

Construction shall start within 120 days of the issuance of building permits for the project and shall be developed in accordance of the approved final development plan within 1 year after start of construction.

Section 3: The application and preliminary plans are returned to the Building Commissioner for consideration of a Final Site Development Plan, pursuant to Title IV of the Florissant Zoning Ordinance.

Section 4: Failure to develop the said Planned Commercial District in accordance with the above-described procedures and restrictions shall be cause for revision of the zoning of said property back to the previous zoning classification, in accordance with Title IV of the Florissant Zoning Ordinance.

Section 5: This ordinance shall become in full force and effect immediately upon its passage and approval.

215 Adopted this ____ day of _____, 2018.

216

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ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

Jeff Caputa
President of the Council
City of Florissant

Thomas P. Schneider
Mayor, City of Florissant



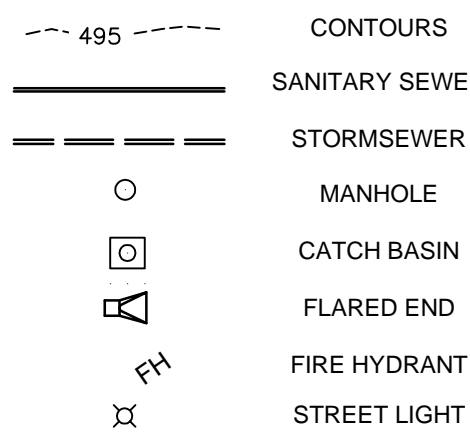
1. TOTAL AREA OF TRACT = 9.51 Acres
2. Parcel #1:
Property Address: 1475 Carla Drive, Florissant, Missouri 63033
Tract is Identified by St. Louis County Locator Number 07J52 1462
Parcel #2:
Property Address: 1415 Carla Drive, Florissant, Missouri 63033
Tract is Identified by St. Louis County Locator Number 07J24 0602
3. Tract is currently zoned: "R-6" Multiple Dwelling District
4. Proposed zoning request: "R-6" Multiple Dwelling District
5. ALLOWABLE YIELD = 9.51 Acs. x 43,560 = 414,255 sf
414,255 sf / 3,500 sf per unit = 118 UNITS
6. PROPOSED YIELD = Assisted Living Units: 5 x 12 beds = 60 UNITS
Independent Living Villas: 23 UNITS
Existing Townhomes: 5 UNITS
TOTAL UNITS PROPOSED 88 UNITS
7. Tract is served by the following utilities:
Electric: AmerenUE
Water: American Water Company
Gas: Laclede Gas Company
Telephone: AT & T
8. Tract is located in the following districts:
Sewer: Metropolitan St. Louis Sewer District
(Coldwater Creek Watershed)
Fire District: Florissant Valley Fire Protection District
School District: Ferguson Reorganized R-2
9. All construction shall be in accordance with City of Florissant and Metropolitan St. Louis Sewer District standards and specifications.
10. All Sewer Construction shall be in accordance with the Standard Details shown in 2006 Metropolitan St. Louis Sewer District "Standard Construction Specifications for Sewers and Drainage Facilities"
11. Entrances shall conform to the standards contained in the City of Florissant Design Criteria and Standard Specifications for Street Construction
12. All existing utility mains and lines shall be located by the utility companies prior to the start of construction.
13. All electric and telephone distribution lines shall be constructed underground.
14. Fire Hydrants shall be provided in accordance with Florissant Valley Fire Protection District Regulations.
15. Existing contours are U.S.G.S. Datum

Parking Requirements:
 Assisted Living: 1 sp/2 sleeping units plus 2 sp/3 empl
 60 beds plus 3 empl per building
 40 SPACES REQUIRED
Independent Living (VILLAS/Townhomes): 1 sp/unit = 28 SPACES
TOTAL REQUIRED PARKING = 68 SPACES

| | | | |
|---------------------------------|---------------|----------|------------------|
| PARKING PROVIDED: | | | |
| Garage Parking | 1 spaces/unit | = | 25 spaces |
| Existing Surface Parking) | | | 29 spaces |
| <u>Proposed Surface Parking</u> | | | <u>15 spaces</u> |
| TOTAL PARKING PROVIDED | | = | 69 spaces |

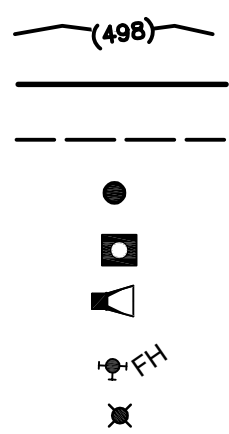
LEGEND

EXISTING



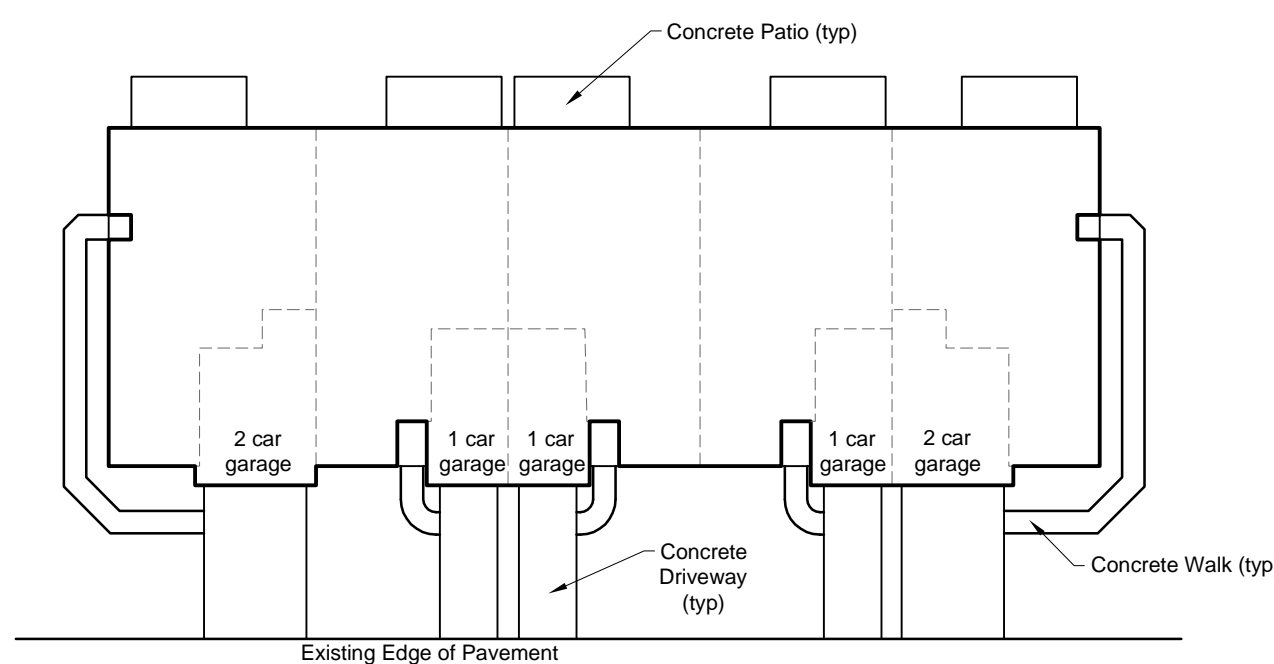
BOTTOM FLOOR

PROPOSED



BOTTOM FLOOR

TYPICAL VILLA BUILDING



BUILDING USE CLASSIFICATION

| | |
|-----------------------|---|
| Buildings 1 thru 5: | Assisted Living Units, 12 beds per Unit / 3 Employees max. shift per Unit |
| Building 6: | Existing Townhomes, 5 Units w/ 2 car garages |
| Building 7: | Villas, 5 units; 4 w/ 1 car garage, 1 w/ 2 car garage |
| Building 8: | Community Center / Recreational Facility / Club House |
| Buildings 9, 11 & 12: | Villas, 5 units/building, 3 w/ 1 car garage, 2 w/ 2 car garage |
| Building 10: | Villas, 3 units, NO garages |

Assisted Living Units. 12 beds per Unit / 3 Employees max. shift per Unit
Existing Townhomes, 5 Units w/ 2 car garages
Villas, 5 units; 4 w/ 1 car garage, 1 w/ 2 car garage
Community Center / Recreational Facility / Club House
Villas, 5 units/building, 3 w/ 1 car garage, 2 w/ 2 car garage
Villas, 3 units, NO garages

PROPERTY DESCRIPTION

A tract of land being part of Block 18 of the St. Ferdinand Commons and part of Surveys 181 and 182 of the St. Ferdinand Commonfields, and Part of Woodridge House Addition Plat 2, in Township 47 North, Range 6 East, St. Louis County, Missouri, and being more particularly described as follows:

[illegible]

Prepared for:

Preliminary, not for construction, recording purposes or implementation.

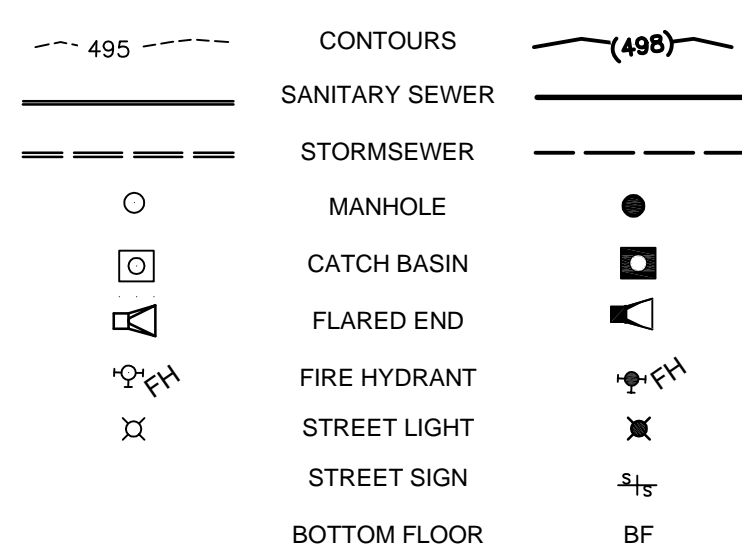
| | |
|----------------|---------------|
| Designed | KRS |
| Drawn | KRS |
| Checked | EAS |
| Date | April 2, 2018 |
| Project Number | 05026.4 |
| Sheet Number | |

1 of 1

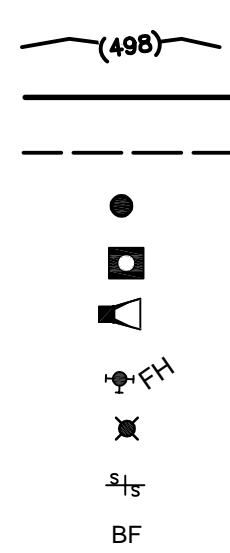
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LEGEND

EXISTING



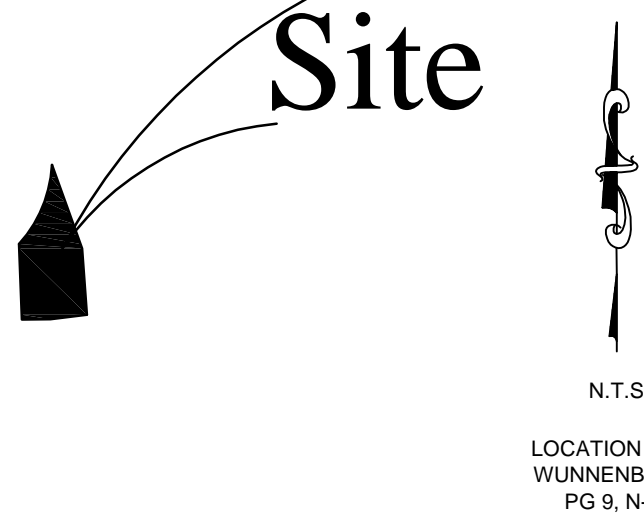
PROPOSED



Underground facilities, structures & utilities have been plotted from available surveys, records & information, and therefore, do not necessarily reflect the actual existence, nonexistence, size, type, number of, or location of these facilities, structures, & utilities.

The Contractor shall be responsible for verifying the actual location of all underground facilities, structures, & utilities, either shown or not shown on these plans. The underground facilities, structures, & utilities shall be located in the field prior to any grading, excavation or construction of improvements. These provisions shall in no way absolve any party from complying with the Underground Facility Safety and Damage Prevention Act, Chapter 319, RSMO.

Packet Page 45 of 346



the clayton engineering company, inc.

Celebrating 90 Years

ENGINEERS • SURVEYORS • PLANNERS
2298 WELSH INDUSTRIAL COURT, ST. LOUIS, MISSOURI 63146
(314) 952-8838 FAX: (314) 952-3838 claytoninc.com

MO Cert. of Authority - Prof. Eng. Surveying #000057 & Prof. Surveying #000014
IL Dept. Finance & Prof. Reg. Prof. Design & Engineering Corp. #154-000079

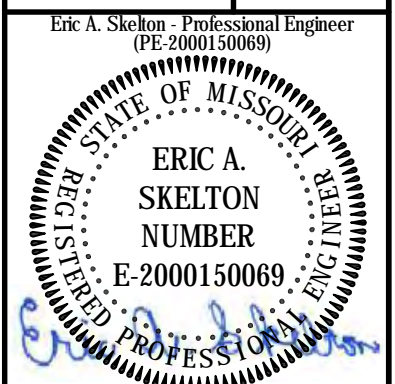
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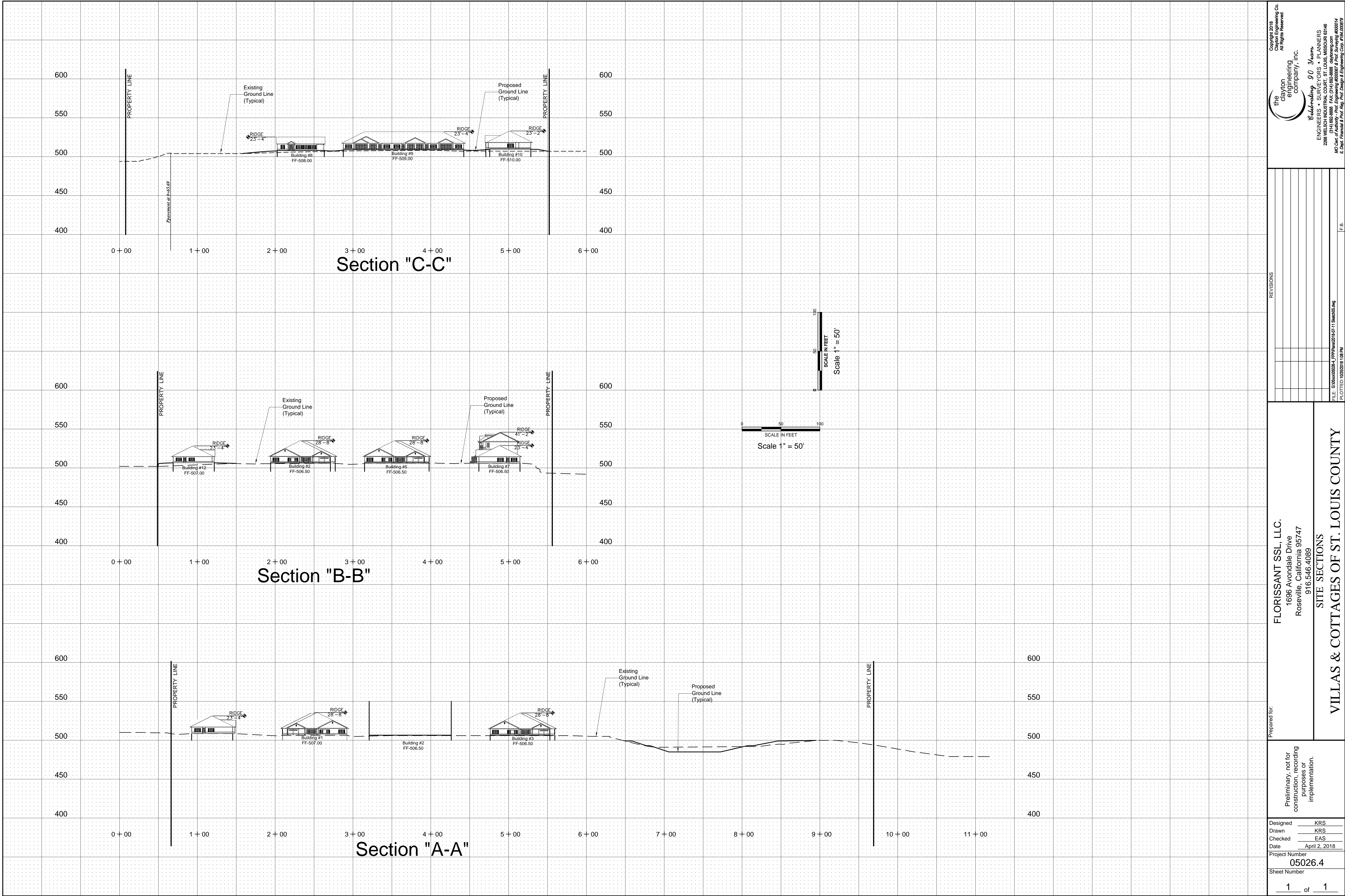
FLORISSANT SSL, LLC.
1696 Avondale Drive
Roseville, California 95747

PRELIMINARY PLAN

VILLAS & COTTAGES OF ST. LOUIS COUNTY



| | |
|----------------------------------|---------------|
| Designed | KRS |
| Drawn | KRS |
| Checked | EAS |
| Date | April 2, 2018 |
| Project Number 05026.4 | |
| Sheet Number | |



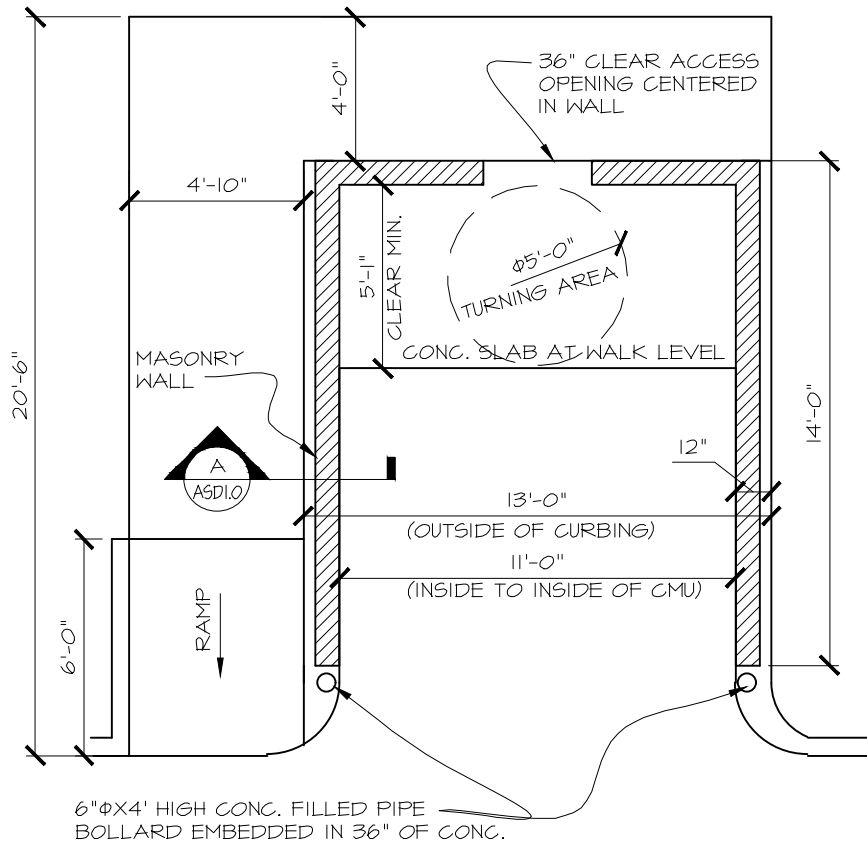
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(314) 982-8888 FAX: (314) 982-8888 claytoneng.com
1400 Oak • Anderson • Engineering and Survey & Planning • St. Louis, MO 63104
11111 E. Franklin • St. Louis, MO 63103 • Engineering • 314-721-0070

REVISIONS

Prepared for:
FLORISSANT SSL, LLC.
1696 Avondale Drive
Roseville, California 95747
916.546.4089
SITE SECTIONS
VILLAS & COTTAGES OF ST. LOUIS COUNTY

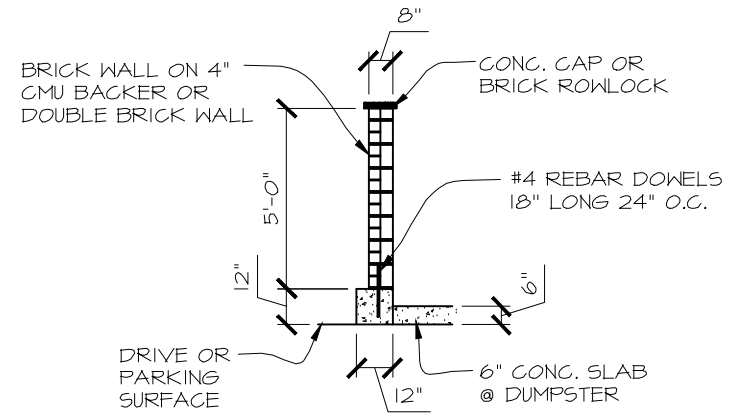
Designed _____ KRS
Drawn _____ KRS
Checked _____ EAS
Date _____ April 2, 2018
Project Number
05026.4
Sheet Number
1 of 1

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1400 Oak • Anderson • Engineering and Survey & Planning • St. Louis, MO 63104
11111 E. Franklin • St. Louis, MO 63103 • Engineering • 314-721-0070



DUMPSTER ENCLOSURE

SCALE: 3/16" = 1'-0"



DUMPSTER ENCLOSURE WALL SECTION

SCALE: 3/16" = 1'-0"



DUMPSTER ENCLOSURE

AUGUST 2018

VILLAS & COTTAGES OF ST. LOUIS COUNTY

Florissant, Missouri

Wallace
ARCHITECTS L.L.C.
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CITY OF FLORISSANT

PUBLIC HEARING NOTICE

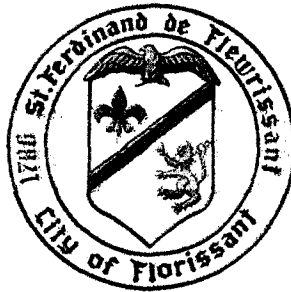
A Public Hearing will be held by the Florissant City Council in the Council Chambers, 955 rue St. Francois, Florissant, MO., on Monday, November 26th, 2018 at 7:30 p.m. on the following proposition, to-wit:

To rezone for Smart Senior Living, LLC the property located at 1475 & 1415 Carla Drive from R-6 "Multiple Family Dwelling District" to PEU "Planned Environmental Unit" to allow for the construction of new senior living facility complex.

Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, City Clerk MMC.

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works
314-839-7648

Application is hereby made to the Building Commissioner of the Department of Public Works Office at the City of Florissant, Missouri, to appear before the Planning & Zoning Commission

Please Print or Type The Following Information

Property Address: 1475 & 1415 Carla Drive
Property Owners Name: Smart Senior Living LLC Phone #: 916-412-4291
Property Owners Address: 1696 Avondale Drive, Roseville, CA 95747
Business Owners Name: Florissant SSL, LLC Phone #: 916-412-4291
Business Owners Address: same as above
DBA (Doing Business As) Villas & Cottages of St. Louis County
Authorized Agents Name: _____ CO. Name: Double Dial
(Authorized Agent to Appear Before The Commission)
Agents Address: 1000 A N. Truman Blvd Phone #: 314-581-5103
Request Re-Zone, through above addresses from R-6 to R-6 PUD
Use to be assisted living / memory care & Independent Senior

State complete request (print or type only).

IF A TRAFFIC STUDY IS REQUIRED FOR CERTAIN DEVELOPMENTS AND USES THE COST OF THE TRAFFIC STUDY SHALL BE PAID BY THE APPLICANT. PLEASE SUBMIT FOLDED PLANS

Applicant's Signature

Gregory A. Lee

Date

10/7/18

Received by: OS

Receipt #

97553

Amount Paid:

300-

Date:

10-8-18

STAFF REMARKS: _____

COMMISSION ACTION TAKEN: _____

DATE APPLICATION REVIEWED: _____

SIGNATURE OF STAFF WHO REVIEWED APPLICATION: _____

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN

[Signature]

DATE: 11-5-18

Please check the box for the appropriate type of operation then fill in applicable section (a), (b) or (c). Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation: Individual: ☐ Partnership: ☐ Corporation/LLC: ☒

(a) If an Individual:

(1) Name and Address _____

(2) Telephone Number _____

(3) Business Address _____

(4) Date started in business _____

(5) Name in which business is operated if different from (1) _____

(6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a Partnership:

(1) Names & addresses of all partners _____

(2) Telephone numbers _____

(3) Business address _____

(4) Name under which business is operated _____

(5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a Corporation or LLC:

(1) Names & addresses of all partners See Attached

(2) Telephone numbers _____

(3) Business address _____

(4) State of corporation & a photocopy of incorporation papers _____

(5) Date of corporation _____

(6) Missouri Corporate Number _____

(7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. _____

(8) Name in which business is operated TBD

(9) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

Please fill in applicable information requested.

Name Fluorescent SSL LLC
Address 1696 Avondale Drive, Roseville, CA 95747
Property Owner Smart Senior Living, LLC
Location of property 1415 ; 1475 Canal Dr,
Dimensions of property 9.51 Acres - various dimensions
Current Use of Property Partially Developed Infrastructure mostly
Proposed Use of Property Multi-Family Assisted Living / Independent Living
Type of Sign Monument Height 6'6"
Type of Construction Frame / Masonry Number Of Stories One (1) - Except existing 3 story
Square Footage of Building ± 84,098 Number of Curb Cuts 0
Number of Parking Spaces 69 Sidewalk Length NA
Landscaping: No. of Trees TBD Diameter _____
No. of Shrubs _____ Size _____
Fence: Type Alum Wrought Iron Length ± 500' Height 6'

PLEASE SUBMIT NINE (9) FOLDED COPIES OF THE FOLLOWING:

1. Plan or drawing showing zoning of adjoining properties.
2. Plan or drawing showing location of property in relation to major streets and all adjoining properties.
3. Drawing showing measurement of tract and overall area of tract.
4. Plan or drawing showing proposed parking layout, landscaping, parking lighting, signage and trash enclosure.

**PROVIDE LEGAL DESCRIPTION OF PROPERTY PERTAINING TO THIS
PETITION**

(Close legal description with acreage to the nearest tenth of an acre).

Provide a legal description of the property. If part of a shopping center list address and state part of what shopping center (i.e.: 351 N. Highway 67 part of Florissant Meadows Shopping Center). If property is a single lot, list full written legal description with bearings and distances.

See Legal Description
On Survey

PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

Provide a drawing of a location map showing the nearest major intersection or include on plans.

On Plans

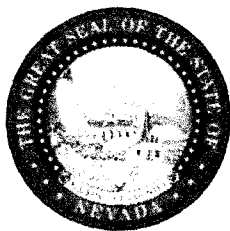
SECRETARY OF STATE



CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, Barbara K. Cegavske, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporation soles, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **FLORISSANT SSL LLC**, as a limited liability company duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since June 14, 2018, and is in good standing in this state.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on September 25, 2018.

Barbara K. Cegavske

Barbara K. Cegavske
Secretary of State

Certified By: Paul Reyes
Certificate Number: C20180925-1885

8. ☐ Pursuant to Section 347.186, the foreign limited liability company may establish a designated series in its operating agreement. The names of the series must include the full name of the limited liability company under which it has been admitted to transact business in this state and are the following:

New Series:

- ☐ The limited liability company gives notice that the series has limited liability.

New Series:

- ☐ The limited liability company gives notice that the series has limited liability.

New Series:

- ☐ The limited liability company gives notice that the series has limited liability.

(Each separate series must also file an Attachment Form LLC 4A.)

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

Klaus Axen

Authorized Signature

KLAUS AXEN

Printed Name

09/26/2018

Date



BARBARA K. CEGAUSKE
Secretary of State
202 North Carson Street
Carson City, Nevada 89701-4201
(775) 684-5708
Website: www.nvsos.gov



050106

Articles of Organization Limited-Liability Company

(PURSUANT TO NRS CHAPTER 86)

Filed in the office of *Barbara K. Cegauske* Document Number
Barbara K. Cegauske 20180269148-41
Secretary of State Filing Date and Time
State of Nevada 06/14/2018 12:30 PM
Entity Number
E0288892018-5

(This document was filed electronically.)

ABOVE SPACE IS FOR OFFICE USE ONLY

USE BLACK INK ONLY - DO NOT HIGHLIGHT

| | | | | |
|---|---|--|--|--|
| 1. Name of Limited-Liability Company: (must contain approved limited-liability company wording; see instructions) | FLORISSANT SSL LLC | | Check box if a Series Limited- Liability Company | Check box if a Restricted Limited- Liability Company |
| 2. Registered Agent for Service of Process: (check only one box) | <input checked="" type="checkbox"/> Commercial Registered Agent: NORTHWEST REGISTERED AGENT, LLC. Name <input type="checkbox"/> Noncommercial Registered Agent (name and address below) OR <input type="checkbox"/> Office or Position with Entity (name and address below) Name of Noncommercial Registered Agent OR Name of Title of Office or Other Position with Entity Street Address City Nevada Zip Code Mailing Address (if different from street address) City Nevada Zip Code | | | |
| 3. Dissolution Date: (optional) | Latest date upon which the company is to dissolve (if existence is not perpetual): | | | |
| 4. Management: (required) | Company shall be managed by: <input checked="" type="checkbox"/> Manager(s) OR <input type="checkbox"/> Member(s) (check only one box) | | | |
| 5. Name and Address of each Manager or Managing Member: (attach additional page if more than 3) | 1) KLAUS AXEN Name 1547 W DESERT HARBOR CIR TUCSON AZ 85704 Street Address City State Zip Code 2) Name Street Address City State Zip Code 3) Name Street Address City State Zip Code | | | |
| 6. Name, Address and Signature of Organizer: (attach additional page if more than 1 organizer) | I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State. KLAUS AXEN Name 1547 W DESERT HARBOR CIR TUCSON AZ 85704 Address City State Zip Code X KLAUS AXEN Organizer Signature | | | |
| 7. Certificate of Acceptance of Appointment of Registered Agent: | I hereby accept appointment as Registered Agent for the above named Entity. X NORTHWEST REGISTERED AGENT, LLC. Authorized Signature of Registered Agent or On Behalf of Registered Agent Entity 6/14/2018 Date | | | |

This form must be accompanied by appropriate fees.

Nevada Secretary of State NRS 86 LLC Articles
Revised: 10-1-15



State of Missouri

John R. Ashcroft, Secretary of State

Corporations Division

PO Box 778 / 600 W. Main St., Rm. 322

Jefferson City, MO 65102

Application for Registration of a Foreign Limited Liability Company

(Submit with filing fee of \$105.00)

1. The name of the foreign limited liability company is Florissant SSL LLC
2. The name under which the foreign limited liability company will conduct business in Missouri is (must contain "limited company, "limited liability company", "LC", "LLC", "L.C.", or "L.L.C.") (must be filled out if different from line (1)):
Florissant SSL LLC
3. The foreign limited liability company was formed under the laws of Nevada on the
(state or jurisdiction)
date of 6/14/2018
(month/day/year)
4. The purpose of the foreign limited liability company or the general character of the business it proposes to transact in this state is:
Senior Housing
5. The name and address of the limited liability company's registered agent in Missouri is (this line must be completed and include a street address):

| | | |
|---|---|-------------------------------|
| <u>Northwest Registered</u> <u>Agent Service, Inc.</u> | <u>117 South Lexington Street Suite 100</u> | <u>Harrisonville MO 64701</u> |
| <small>Name</small> | <small>Address (PO Box may <u>only</u> be used in conjunction with a physical street address)</small> | <small>City/State/Zip</small> |
- The Secretary of State is appointed agent for service of process if the foreign limited liability company fails to maintain a registered agent. **Note:** failure to maintain a registered agent constitutes grounds to cancel the registration of the foreign limited liability company.*
6. The address of the registered office in the jurisdiction organized. If none required, then the principal office address of the foreign limited liability company is:

| | |
|---|-------------------------------|
| <u>401 Ryland St Ste 200-A</u> | <u>Reno NV 89502</u> |
| <small>Address (PO Box may <u>only</u> be used in conjunction with a physical street address)</small> | <small>City/State/Zip</small> |
7. This application must include a current certificate of good standing/existence from the secretary of state or other similar official in the state of domicile. Such document should be dated within 60 calendar days from filing.

(Please see next page)

LLC-4 (08/2013)

Name and address to return filed document:

Name: Klaus Axen

Address: Email: kaxen@innovativeseniorliving.com

City, State, and Zip Code: _____

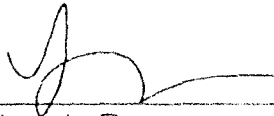
Letter of Authorization

September 26th, 2018

To Whom It May Concern:

Smart Senior Living LLC currently owns the property at 1475 & 1415 Carla Dr Florissant MO.

Smart Senior Living LLC authorizes Florissant SSL LLC to petition for zoning change.



Laurie Rogers
Manager Smart Senior Living

9-26-18

Date



Klaus Axen
Manager Florissant SSL LLC

9/26/18
Date

Letter of Intent

September 26th, 2018

To Whom It May Concern:

Smart Senior Living LLC currently owns the property located at 1475 & 1415 Carla Dr Florissant MO.

Florissant SSL LLC intends to purchase this property subject to re-zoning approval, with price and terms to be finalized.



Laurie Rogers
Manager Smart Senior Living LLC

9-26-18

Date



Klaus Axen
Manager Florissant SSL LLC

9/26/18

Date



Greg Lee <leegreg70@gmail.com>

Re: Follow Up

1 message

Cliff Robinson <crobinson@fvfvpd.com>

Fri, Sep 21, 2018 at 12:18 PM

To: Greg Lee <leegreg70@gmail.com>, Nathan Leoni <nleoni@sbcglobal.net>

Good afternoon Mr. Lee,

I have a few answers regarding the meeting we had on August 29, 2018.

1. With regards to buildings 1 through 5, assuming these buildings are memory care facilities I think they considered I-2 (Institutional) use. If they are considered I-2 use the corridor widths usually are wider than other use such as residential. I believe 5 feet is plenty.
2. Spacing should not be an issue. Buildings 7, 8, 9, 10, 11, 12' as long as the City of Florissant is ok with the spacing I don't see there being an issue with the Fire District.
3. Attached are the dimension for our ladder truck. Code states the fire department access road should be at least 20 feet.
4. Knox Box being at the front gate is ok
5. Fire alarm/flow switches (TBD)
6. Fencing around the memory care facility should NOT be an issue, as long as the gates are wide enough for fire department access and operations, if needed. Building 5 FDC seems to be located inside the fence, can this be moved to the outside of the fencing?
7. We agreed on parking on the street for the residents in memory care facility. No parking signs should be posted so the fire truck and ambulances have room to proceed through the street and I don't think there should be parking on the corners of the street. I believe you want this to be a one way, I don't have an issue with this.
8. After discussing the water supply with you may be able to achieve the FDC within 150 feet of a hydrant without adding another fire hydrant to the complex.

Of course this information is subject to change depending on changes from the architect, owner of the complex, or the City of Florissant.

Sorry for the delay on getting this information to you, hopefully this will help in determine your strategy going forward. If you have any other questions please call me.

Respectfully,

Cliff Robinson

Fire Marshal

Florissant Valley Fire Protection District
661 St. Ferdinand ST

Florissant, MO 63031
314-837-8790
crobinson@fvfpd.com

From: Greg Lee <leegreg70@gmail.com>
Sent: Tuesday, September 11, 2018 11:41:27 AM
To: Cliff Robinson; Nathan Leoni
Subject: Follow Up

Fire Marshall Robinson,

Just a quick follow up to our meeting on 8/29 and my subsequent notes sent 8/31/18.

We both had questions and answers we wished to research. I thought I'd follow up on our part and perhaps see if you've made any progress on a couple of yours.


1. You had questioned corridor width. Per Architect, regulations allows 4', ours will be 5'.
2. There was a question on spacing. Previously approved complex, which currently is zoned as such, allowed for 10' spacing. On our plan, one location (buildings 6 & 7 -- 6 is existing structure) are at 10'. Balance is at 12' - 15' or more. I sent you previous spacing for comparison.
3. Discussion on width needed at front gates. Need 20' for turning radius for FVFPD equipment. We had indicated a willingness to widen entrances if deemed necessary. Marshall Robinson to provide turning radius for design professionals.
4. We agreed to one Knox box with 1-4 keys inside depending on Owners wishes as regards Master Keys.
5. Flow Switch alarms. Fire Marshall Robinson to look into allowing interconnected providing system still allows indication of which building triggered alarm.
6. Fencing - affects FDC locations, gates, etc. See attached (first plan uses building as part of fence / security. 2nd is immaterial).

We are looking for affirmation or guidance as regards fence plan & interconnected alarms.

As before, we appreciate your willingness to work with us at this stage so as to make the plan review and construction process easy for all parties going forward. We look forward to your response.

Sincerely,

Gregory A. Lee (Greg)
Double Diamond Construction, LLC
314-581-5103

 Truck turning radius.pdf
1287K



Construction and Development
1000 A Truman Blvd.
Crystal City, MO 63019

Via: Hand Delivered October 15, 2018

October 15, 2018

Mr. Philip Lum, Building Commissioner
Mr. Robert Russell, Director of Economic Development
955 St. Francois
Florissant, MO 63031

Re: Memorandum dated October 10, 2018
1415 / 1475 Carla Drive, Florissant, MO. 63031
Case # PZ-101518

Dear Mr. Lum & Mr. Russell.

As a follow up to the above referenced Memorandum to the Planning & Zoning Commission reviewing our site, I wish to submit the following to augment previous submittals or to clarify parts of same:

- Comment re PEU versus PUD. My apologies. My cover letter indicated PEU but I note the application listed PUD. Habit and missed mistake. Revised application attached for your files.
- Comment re no elevations – Rendering of Bldg 9, 11, 12 was slide 15 (now slide 17)(copy attached). . Building 7 is a mirror of building 9.
- Staff Recommendations
 - Landscape detail and count
 - We have solicited and received a proposal from Landscape Architect. His intent is to draft an acceptable plan in ~ 2 weeks. Will submit 9 copies to staff and bring set to next P & Z meeting.
 - Setbacks shown and indicated.
 - See attached from Clayton Engineering
 - Do lot lines indicate separate Ownership?
 - Due to unknowns of Certificate of Need process, leaving flexibility going forward. Intent is to have Ownership / Control vested in LLC's listed.



- Height of each building – (see attached supplementary slide)(also copies of each elevation indicating height of each structure.)
 - Villas with Garages (Bldgs 7, 9, 11, & 12) - 23'4"
 - Villas w/o Garages (Building 10) - 23'2"
 - 12-Plex memory Care / Assisted Living (Bldgs. 1-5) - 28'8"
 - Existing Townhome Structure (Bldg 6) – 41'2"
 - Comm. Building (Bldg 8) – 17'3"
 - Maintenance Building – 14'4"
- Sewer concept plan – Ken Schaeffler, Clayton Engineering, to review.

We appreciate your comments and trust the above answers the majority of your questions. I may be reached at 314-581-5103 or via e-mail, leegreg70@gmail.com should you have any questions.

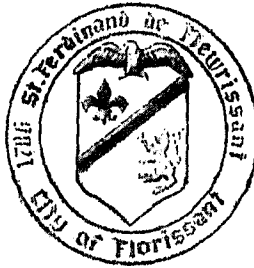
Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory A. Lee'.

Gregory A. Lee (Greg)
Double Diamond Construction and Development, LLC
314-581-5103

Cc: Paul & Laurie Rogers
Nathan Leoni, Double Diamond Construction
Ken Schaeffler, Clayton Engineering
Randy Porter, Wallace Architects
Villas & Cottages of St. Louis County file

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant -- Public Works
314-839-7648

Application is hereby made to the Building Commissioner of the Department of Public Works Office at the City of Florissant, Missouri, to appear before the Planning & Zoning Commission

Please Print or Type The Following Information

Property Address: 1475 & 1415 Carla Drive
Property Owners Name: Smart Senior Living LLC Phone #: 916-412-4291
Property Owners Address: 1696 Avondale Drive, Roseville, CA 95747
Business Owners Name: Florissant SSL, LLC Phone #: 916-412-4291
Business Owners Address: same as above
DBA (Doing Business As) Villas & Cottages of St. Louis County

Authorized Agents Name: _____ C.O. Name: Double Dial
(Authorized Agent to Appear Before The Commission)

Agents Address: 1000 A N. Truman Blvd Phone #: 314-581-5103

Request Re-Zone, through above addresses from R-6 to R-6 PUD, PEV

Use to be assisted living / memory care & Independent Senior

State complete request (print or type only).

IF A TRAFFIC STUDY IS REQUIRED FOR CERTAIN DEVELOPMENTS AND USES THE COST OF THE TRAFFIC STUDY SHALL BE PAID BY THE APPLICANT. PLEASE SUBMIT FOLDED PLANS

Applicant's Signature

Gregory A. Lee

Date

10/7/18

Received by: _____ Receipt #: _____ Amount Paid: _____ Date: _____

OFFICE USE ONLY

STAFF REMARKS: _____

COMMISSION ACTION TAKEN: _____

DATE APPLICATION REVIEWED: _____

SIGNATURE OF STAFF WHO REVIEWED APPLICATION



BUILDINGS 9, 11 & 12 ELEVATION

AUGUST 2018

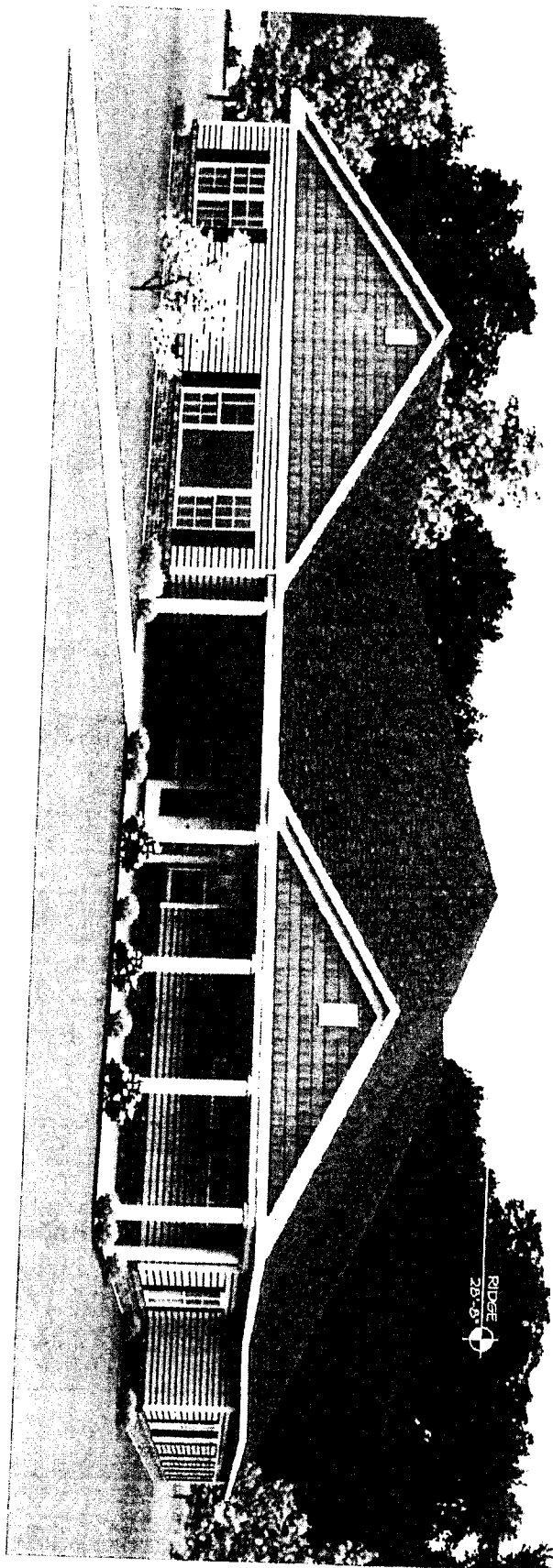
VILLAGE OF GOLF COURSE & EQUESTRIAN FACILITY

Wallace
ARCHITECTS LLP
10000 10th Avenue

Villas & Cottages of St. Louis County Florissant, MO

Height of All Structures

- Villas with Garages (Bldgs 7, 9, 11, & 12) - 23'4"
- Villas w/o Garages (Building 10) - 23'2"
- 12-P-lex memory Care / Assisted Living (Bldgs. 1-5) - 28'8"
- Existing Townhome Structure (Bldg 6) – 41'2"
- Comm. Building (Bldg 8) – 17'3"
- Maintenance Building – 14'4"

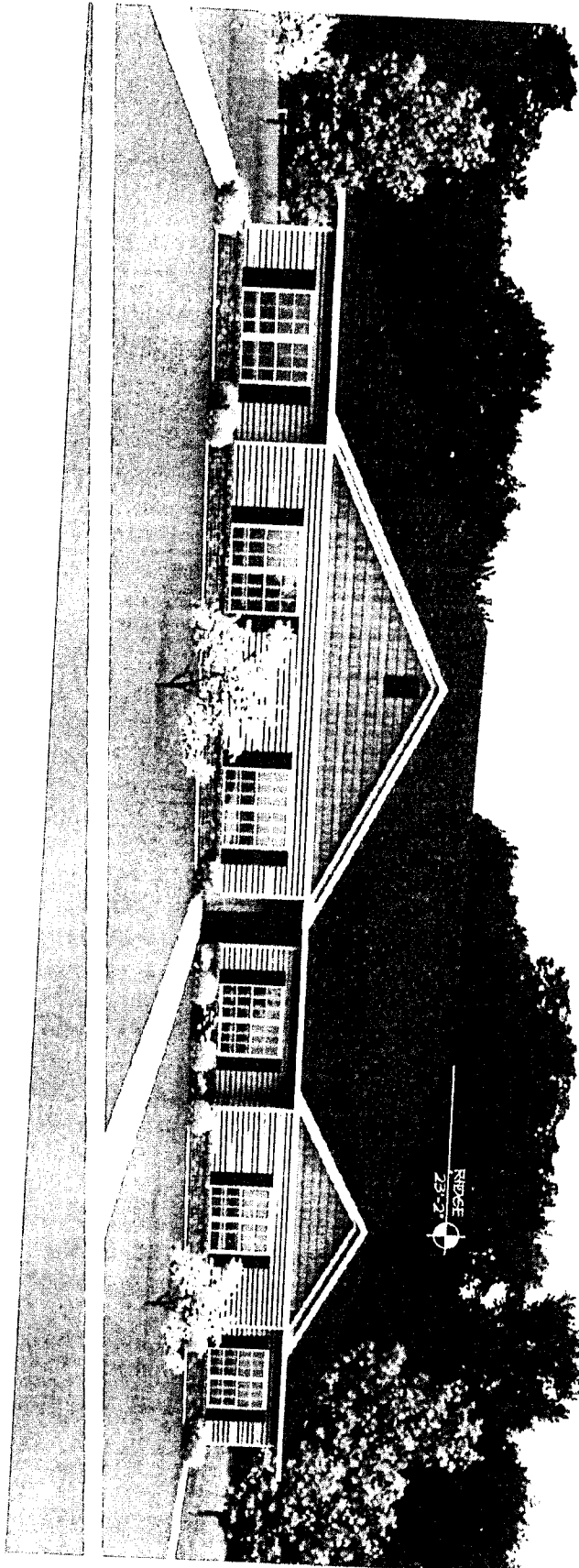


12-PLEX BUILDING ELEVATION

AUGUST 2018

WALLACE & GORTON ARCHITECTS, PLLC

Wallace
ARCHITECTS, PLLC
COMMERCIAL & RESIDENTIAL

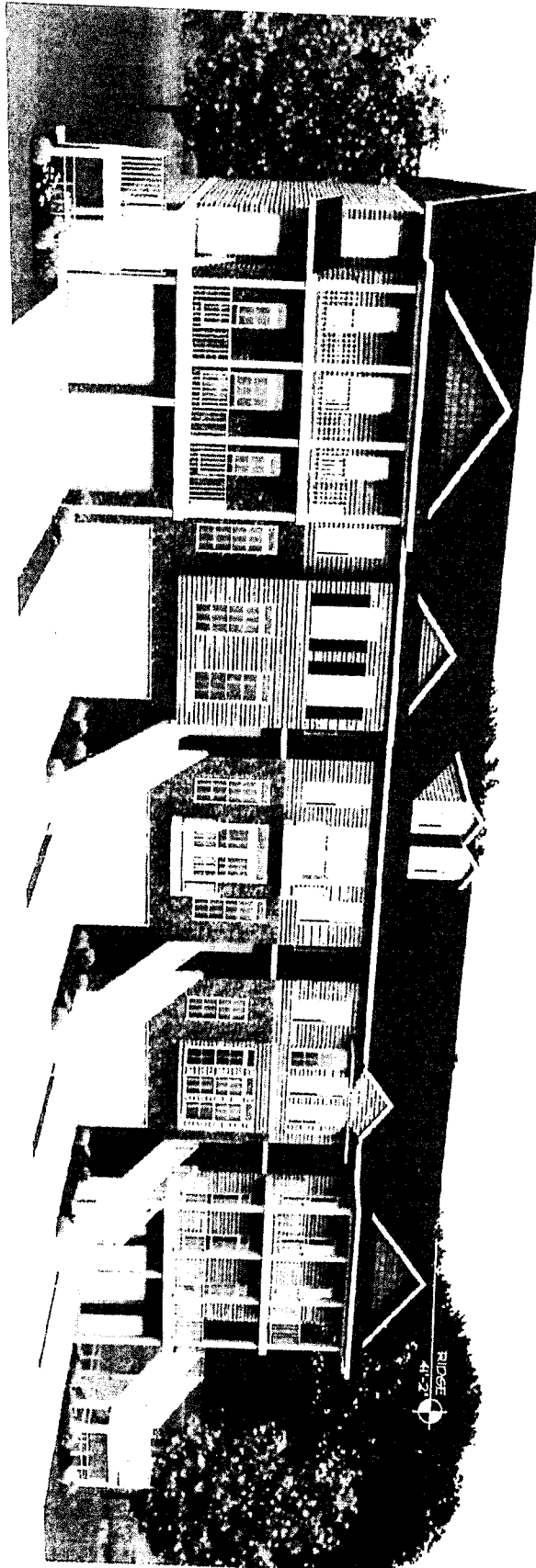


BUILDING 10 ELEVATION

AUGUST 2018

VILLAGE OF COVINGTON, MISSISSIPPI

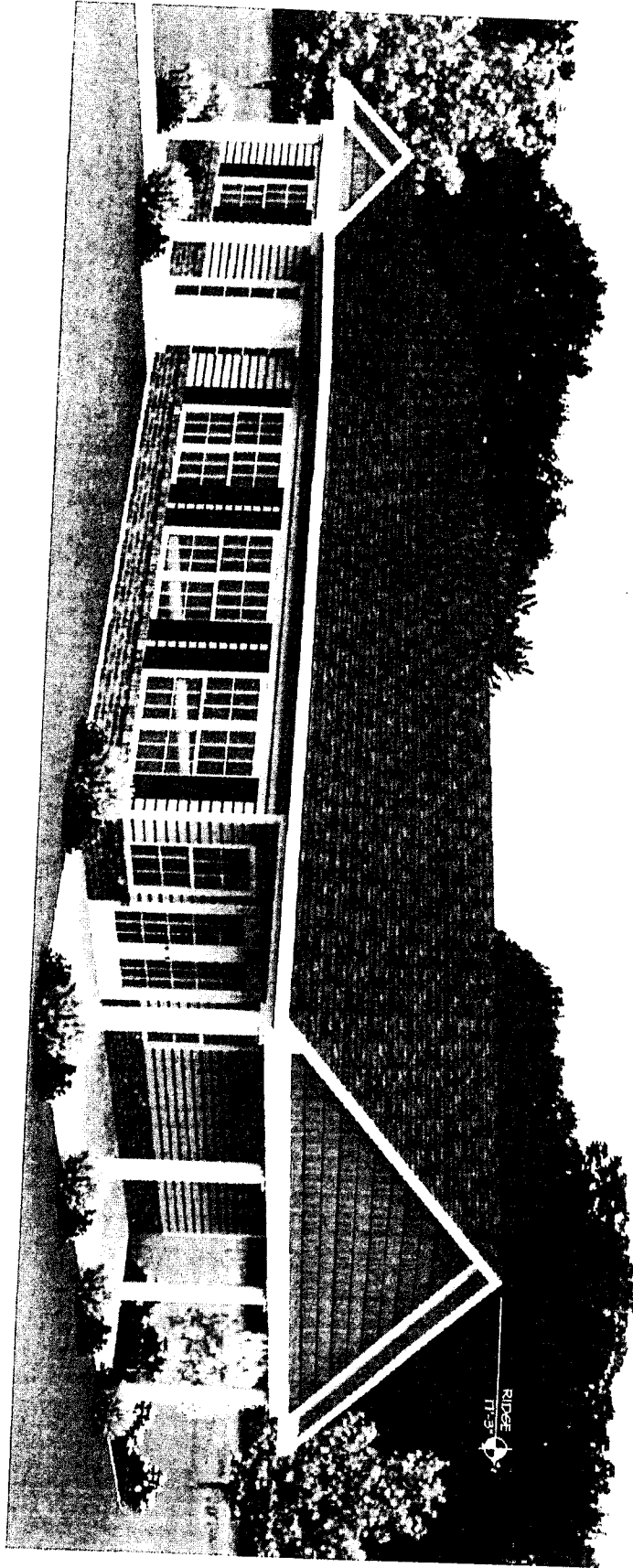
Wallace
ARCHITECTS, L.L.C.



TOWNHOUSE ELEVATION

AUGUST 2018

Wallace
ARCHITECTS, L.L.C.

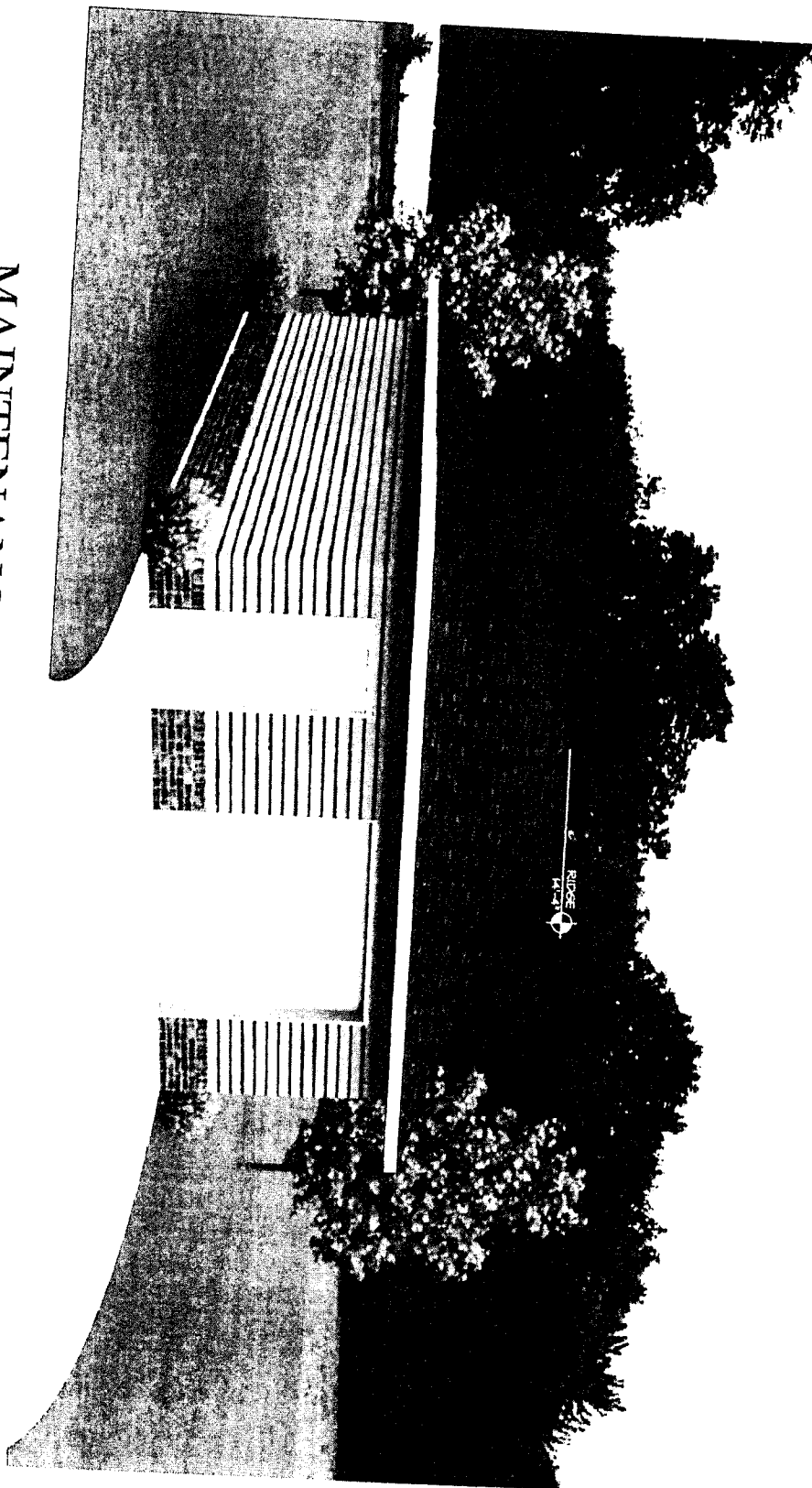


COMMUNITY BUILDING

AUGUST 2018

WALLACE & GORTCHES ARCHITECTS, INC.

Wallace
ARCHITECTS, P.C.



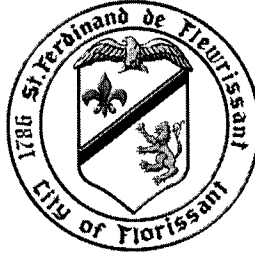
MAINTENANCE BUILDING RENDERING

AUGUST 2018

VILLAS & COTTAGES OF THE COASTAL COMMUNITY

Wallace
ARCHITECTS LLC

1
2
3
MEMORANDUM



4
5
6
7
8
CITY OF FLORISSANT- Building Division

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

9 To: Planning and Zoning Commissioners Date: October 10, 2018
10
11 From: Philip E. Lum, AIA-Building Commissioner c: Todd Hughes, P.E.,
12 Director Public Works
13 Deputy City Clerk
14 Applicant
15 File
16

17 Subject: **Smart Senior Living LLC 1475 and 1415 Carla-** Request
18 Recommended Approval of a Rezoning from an 'R-6' Multiple Family
19 Dwelling District to a PEU, Planned Environmental Unit.
20

21
22
23
STAFF REPORT
CASE NUMBER PZ-101518-3

24
25
I. PROJECT DESCRIPTION:

26 This is a request for Recommended Approval of a Rezoning from an 'R-6' Multiple
27 Family Dwelling District to a PEU, Planned Environmental Unit.
28

29
30
II. EXISTING SITE CONDITIONS:

31 The existing property at 1475 and 1415 Carla has been a vacant property. The petitioner
32 requested the re-zoning to allow the use of the property to fit a new development.
33

34 There is a large existing structure on 1475 Carla. The subject property is approximately
35 9.51 acres. There are no buildings or drives on 1415 Carla.
36

37 There is a paved area on the west side of 1415 Carla. The property at 1475 Carla is
38 partially developed, including streets, sewers and some parking along the north ring road.
39
40

41
42
43 **III. SURROUNDING PROPERTIES:**
44

45 The properties to the West are Zoned R-4 Single Family Dwelling District. The
46 properties to the East are zoned R-6 Multiple Family Dwelling District as is the property
47 to the South.
48

49 **IV. STAFF ANALYSIS:**
50

51 The previous development properties have been consolidated into the two lots of 1475
52 and 1415 Carla.
53

54 I believe this is an application for a PEU. The City does not have a procedure for a PUD
55 R-6 as stated on the application and an RDD is only for R-1 through R-5, therefore it is a
56 PEU. A PEU or Planned Environmental Unit, is ***"to provide a permissible, voluntary
57 and alternate zoning procedure in the "R" dwelling districts in order to permit
58 flexibility in building types, relationships between buildings and provisions of
59 supporting community facilities in the development..."***

60 Reviewing the City's ordinance regarding establishing a PEU or Planned Environmental
61 Unit, a review of section 405.180 is in order:
62

63 *Section 405.180 Procedure For Approval of A "PEU". [Ord. No. 7249 §1, 2-13-2006]*
64

65 *A. The procedure for establishment of a "PEU" Planned Environment Unit or approval of site plan in an*
66 *existing "PEU" Planned Environment Unit in order to establish a Planned Environmental Unit through a*
67 *change of zoning or to obtain approval of a site development plan in order to utilize land in an established*
68 *Planned Environment Unit shall be as follows:*
69

70 *1. Application. The owner or owners of record or owners under contract of a lot or tract of land*
71 *or their authorized representatives shall petition the City Council on forms prescribed for this*
72 *purpose by the Planning and Zoning Commission. These forms are to be submitted to the Building*
73 *Commissioner or designated representative and accompanied by the following:*
74

- 75 *a. Applicable filing fee;*
76 *b. Legal description of the property;*
77 *c. Outboundary plat of the property;*
78 *d. Preliminary development plan depicting, but not limited to, the following:*
79

80 *(1) Proposed uses. In single-lot developments, approximate location of buildings*
81 *and other structures as well as parking areas shall be indicated. In multiple-lot*
82 *developments, conceptual location and configuration of buildings, approximate*
83 *locations of common ground areas, major utility easements and stormwater*
84 *retention or detention areas shall be indicated.*

85 *(2) Existing and proposed contours at vertical intervals of not more than five (5)*
86 *feet referred to sea level datum. Floor plan areas shall be indicated.*

87 *(3) Approximate location of all isolated trees having a diameter at breast height*
88 *of six (6) inches or more, all tree masses and proposed landscaping.*

89 *(4) Two (2) section profiles through the site showing preliminary building form,*
90 *existing natural grade and proposed final grade.*

91 *(5) Proposed ingress and egress to the site, including adjacent streets and*
92 *approximate alignments of internal roadway systems.*

(6) Preliminary plan for sanitation and drainage facilities.

2. Hearing/public hearing.

a. A hearing on the petition shall be held by the Planning and Zoning Commission following the filing of completed application with the Building Commissioner or designated representative and the acceptance of such application thereby as a complete application. The Planning and Zoning Commission shall thereafter make a recommendation to the City Council with respect to the application petition.

b. The applicable provisions with respect to all petitions under this Section and proceedings with respect thereto, including public hearings and any ordinances resulting therefrom, but no public hearing shall be commenced until the petitioner has provided payment for the notice of publication of such public hearing. If such payment is not provided by the petitioner within sixty (60) days of submission of a bill thereto, the petition shall be deemed abandoned and the request for public hearing withdrawn.

c. Upon the issuance of a recommendation by the Planning and Zoning Commission or if no recommendation has been made by the Planning and Zoning Commission within sixty (60) days of acceptance of the completed application by the Building Commissioner or designated representative, the petitioner may request the City Council to set a public hearing on such petition by filing a written request therefore with the City Clerk together with any required deposit to cover the anticipated costs of advertising such public hearing. In the event that the petitioner has requested the setting of public hearing in the absence of a recommendation from the Planning and Zoning Commission, the Planning and Zoning Commission shall be deemed to have made a recommendation of approval.

d. No ordinance approving any petition shall be enacted unless and until a public hearing on such petition has been held by the City Council, at which hearing the following issues, which said issues shall not be considered all inclusive, shall be addressed:

- (1) Permitted uses, including maximum floor area;
- (2) Performance standards;
- (3) Height limitations;
- (4) Minimum yard requirements;
- (5) Off-street parking and loading requirements;
- (6) Sign regulations;
- (7) Minimum requirements for site development plans;
- (8) Time limitations for commencement and completion of construction.

3. Matters to be considered.

a. The Planning and Zoning Commission shall, in the instance of every application submitted under these regulations, especially consider landscape and other relationships which may exist between the proposed development and the character of the surrounding neighborhood and shall prescribe and require such physical treatment or other limitations as will, in its opinion, enhance said neighborhood character.

b. Height limitations for structures may be modified by the Commission with respect to any structure proposed in an application for a Planned Environment Unit Permit if the normal requirements for open areas on the premises are modified as follows:

Any residential structure exceeding three (3) stories in height or thirty-five (35) feet shall sit back from all Planned Environment Unit boundary lines at least one (1) additional foot for each foot height above thirty-five (35) feet above the average finished ground elevation at the perimeter of such structure.

c. The required side yard setback of the District in which a property is located may be reduced. All other setbacks must be adhered to.

d. Off-street parking requirements applicable in any district shall in no event be diminished by the Commission, but the Planning and Zoning Commission may require that open parking areas be

depressed below the grade of the remainder of the property or screened by walls, fences or plant material or by both methods in order to preserve or complement the general character of any existing developments on adjacent properties.

4. Site development plans.

a. After passage by the City Council of an ordinance authorizing the establishment of a Planned Environment Unit and requiring submission of a site development concept plan, such plans shall be submitted in accord with the following provisions: No building permits or authorization for improvement or development for any use requested under provisions of this Section shall be issued prior to approval of such plans.

b. Plans shall be submitted to the Planning and Zoning Commission for review and approval. These plans shall contain the minimum requirements established in the conditions of the specific ordinance governing the Planned Environment Unit and, further, shall comply with provisions of the subdivision ordinance and other applicable City ordinances.

c. In the case of single-lot/multiple-building developments or multiple-lot developments where a site development concept plan is required, site development section plans shall be submitted to the Building Commissioner or designated representative for review and approval per individual building, lot, phase or plat representing a portion of the site development concept plan. All plans approved hereunder shall be retained on file by the Building Commissioner.

The City's Comprehensive Plan should be updated in this area since the proposed future use of the property was to be Open Space or common ground prior to the previous re-zoning and partial development. The properties to the South are proposed to be Multiple Family per the Comprehensive Plan. 1415 Appears on the Comprehensive Plan as Single Family, however, it would be quite difficult to create more buildable lots of this property, subdivision the property whose narrowest depth is only about 40 feet.

The application is accompanied by professionally completed plans: Preliminary Site Plan (Colored) Villas and Cottages, Preliminary Site Plan with Lot Lines and Preliminary Site Plan Villas and Cottages all dated April 2, 2018. PowerPoint reprints with color plans and renderings 8 1/2" x 11", attached.

The following are staff comments on the plans, as compared to the provisions of code section 405.180 above:

Preliminary Site Plan (Colored)

- This site plan indicates 12 Buildings with Building #6 is existing.
- Decorative landscape is shown, without landscape schedule or counts.
- Required versus proposed setbacks not shown.
- Building heights and character not shown.
- Any changes in sewer concept are not mentioned and assumed there are none if the development is no more impervious than the previous, it can be assumed that the retention area may be adequate to support this development.

Preliminary Site Plan with Lot Lines and Preliminary Site Plan Villas and Cottages

- Lot lines are indicated in color. It is unclear about who will own what with regard to the lot lines.

- The interior ring road is a private road as shown. Otherwise the setback for the units along this ring road appears to be close to the private road.

PowerPoint Comments

- The proposed zoning does not change per the proposal, therefore the Height, Area And Bulk Regulations. The height, area and bulk requirements for permitted uses in 'R-6' are as follows:
 - 1. Minimum lot area. Three thousand five hundred (3,500) square feet.
 - 2. Maximum story. Three (3) stories.
 - 3. Maximum height. Forty-five (45) feet.
 - 4. Minimum depth (front yard). Thirty (30) feet.
 - 5. Minimum depth (rear yard). Twenty-five (25) feet (fifteen (15) feet, corner lot).
 - 6. Minimum depth (side yard). Ten (10) feet.
 - 7. Minimum lot frontage width. Sixty (60) feet.
- There are renderings of several of the buildings, residential in character with appropriate accoutrements.
- Cottages indicated are housing with assisted living.
- Villas are for more independent living.
- Building 10 remains residential in character
- Townhouse is shown, but no renderings of 7, 9, 11 or 12.

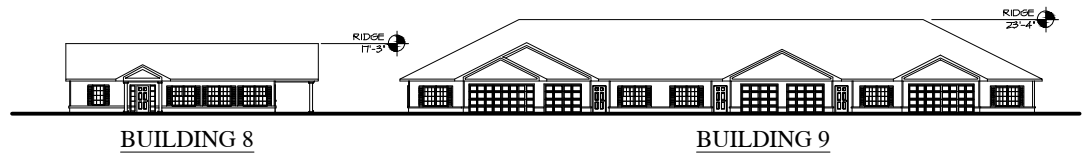
VI. STAFF RECOMENDATIONS:

Recommend some discussion with the petitioner to clarify these items:

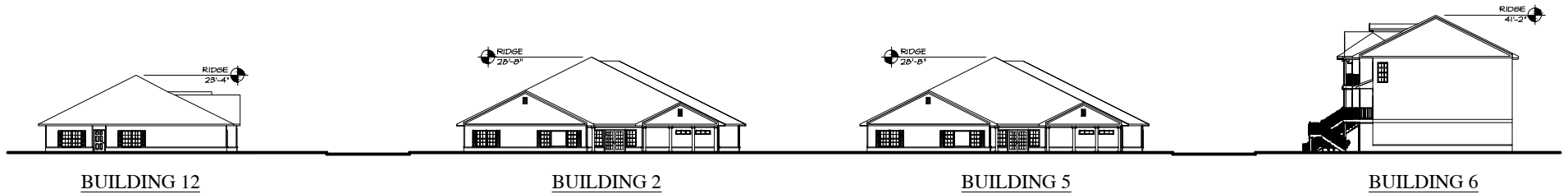
- landscape schedule or counts
- setbacks shown and indicated
- do lot lines indicate separate ownership?
- Heights of all buildings.
- Concept sewer plan

Recommend continuance with above supplemental information.

(end of report and suggested continuance)



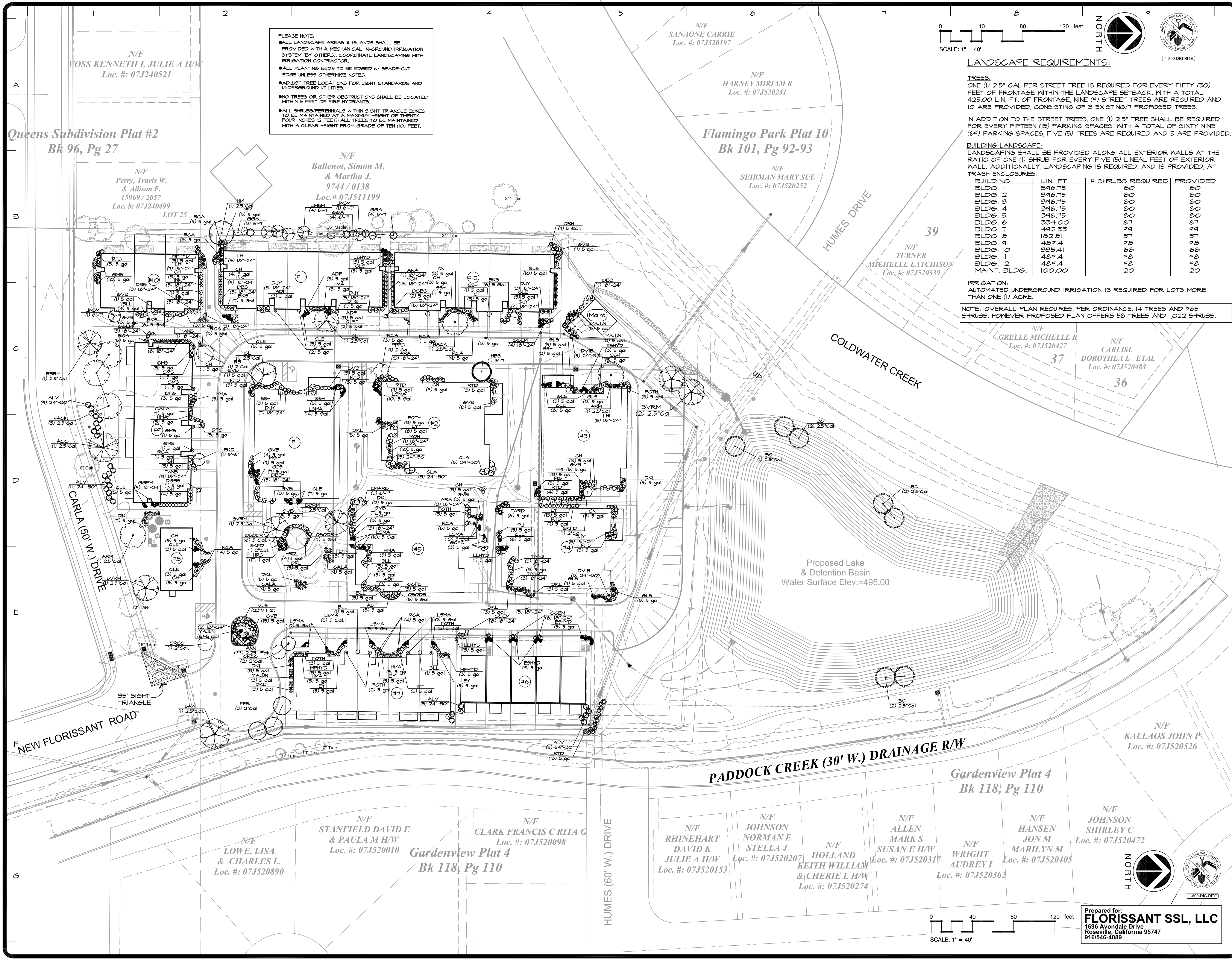
ELEVATION #1
SCALE: NTS



ELEVATION #2
SCALE: NTS

SITE SECTION

AUGUST 2018



| REVISIONS | BY |
|-----------|----|
| | |
| | |
| | |
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| | |

Landscaping TECHNOLOGIES

61 Jacobs Creek Drive
St. Louis, MO 63112
(636) 428-1200
Fax: (636) 428-1201
E: info@landscapingtechnologies.com
W: www.landscapingtechnologies.com

REGISTERED MISSOURI LANDSCAPE ARCHITECT #000014
DATE: 10/27/18

MASTER PLANTING PLAN FOR THE PROPOSED
Villas & Cottages of St. Louis County
FLORISSANT, MISSOURI

DRAWN: R. MARDIS
CHECKED: RANMEL
DATE: 10-27-18
SCALE: 1"=40'-0"
JOB NO.: 2018-160
SHEET

L-1

OF TWO SHEETS

Prepared for:
FLORISSANT SSL, LLC
1696 Avondale Drive
Roseville, California 95747
916/546-4089

INTRODUCED BY COUNCIL AS A WHOLE
NOVEMBER 26, 2018

BILL NO. 9453

ORDINANCE NO.

AN ORDINANCE TO AMEND TITLE II, CHAPTER 245 “PARKS & RECREATION” OF THE FLORISSANT CITY CODE, SECTION 245.180 “FEES FOR USE”, TO ADJUST FEES FOR USE OF VARIOUS PARK FACILITIES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1: Title II, Chapter 245 “Parks and Recreation, Article 1, Section 245.180, “Fees for use”, is hereby amended to read as follows:

| 1. JJE/JFK FACILITY FEES | RESIDENT | NON-RESIDENT |
|---------------------------------------|-----------------------------------|---------------------|
| Gymnasium | | |
| 3 & under | Free | Free |
| Youth (4-17) | Free | \$5 |
| Adult | Free | \$8 |
| Senior | Free | \$5 |
| Fitness Center and Indoor Pool | | |
| 3 & under | Free | Free |
| Youth (4-17) | \$2 | \$5 |
| Adult | \$4 | \$8 |
| Senior | \$2 | \$5 |
| Facility Memberships | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$60 | \$225 |
| Adult | \$80 | \$275 |
| Senior | \$60 | \$225 |
| Family * | \$125 | \$350 |
| Family + Outdoor Pool Membership | Add 50% of Outdoor Membership Fee | |

| | | |
|---|---------------------|---------------------|
| * Family Membership includes 4 persons | Add \$20 per person | Add \$30 per person |
| 2. Ice Rink | | |
| Daily Fees | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$2 | \$4 |
| Adult | \$3 | \$5 |
| Senior | \$2 | \$4 |
| Memberships | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$20 | \$35 |
| Adult | \$30 | \$50 |
| Senior | \$20 | \$35 |
| Family | \$40 | \$70 |
| 3. Outdoor Pools | | |
| Daily Fees | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$3 | \$8 |
| Adult | \$4 | \$10 |
| Senior | \$3 | \$8 |
| Memberships | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$60 | \$140 |
| Adult | \$85 | \$200 |
| Senior | \$60 | \$140 |
| Family * | \$120 | \$275 |
| * Family Membership includes 4 persons | Add \$20 per person | Add \$30 per person |
| 4. Outdoor Pool Rental (Minimum 2 hour rental) | | |
| Per hour | \$350 | \$400 |
| Damage Deposit | \$150 | \$150 |

| | | |
|--|-------|------------------|
| 5. JJE Indoor Pool Rental (per hour) | \$100 | \$150 |
| Damage Deposit | \$100 | \$100 |
| 6. JJE Ice Rink Rental (per hour) | \$175 | Same as resident |
| Damage Deposit | \$150 | Same as resident |
| Damage Deposit | \$150 | Same as resident |
| 7. JJE (1/2) Arts & Crafts Room or JFK Arts & Crafts Room (5 hour rental) | \$175 | Same as resident |
| Damage Deposit | \$100 | Same as resident |
| Additional Hourly Rate | \$35 | Same as resident |
| 8. JJE (Entire) Arts & Crafts Room (5 hour rental) | \$300 | Same as resident |
| Damage Deposit | \$100 | Same as resident |
| Additional Hourly Rate | \$60 | Same as resident |
| 9. JJE Rooms 1 & 2 or JFK Small Room (5 hour rental) | \$75 | Same as resident |
| Damage Deposit | \$100 | Same as resident |
| Additional Hourly Rate | \$15 | Same as resident |
| 10. JJE Gymnasium (7 hour rental) | | |
| 1 - 499 people | \$600 | Same as resident |
| 500 - 1,000 people | \$700 | Same as resident |
| Damage Deposit | \$300 | Same as resident |
| Additional Hourly Rate | \$80 | Same as resident |
| 11. JFK Gymnasium (7 hour rental) | \$600 | Same as resident |
| Damage Deposit | \$300 | Same as resident |
| Additional Hourly Rate | \$80 | Same as resident |
| 12. Athletic Field Rental | | |
| Without lights (per hour) | \$60 | \$90 |
| With lights (per hour) | \$100 | \$150 |

| | | |
|---|----------|------------------|
| Not-for-profit: Per person gate fee | \$0.10 | \$0.10 |
| For profit: Per person gate fee | \$0.20 | \$0.20 |
| 13. Theatre | | |
| a. Rehearsals - 4 hour minimum | | |
| 1. Technical | \$112.50 | \$168.75 |
| 2. Non-technical (no lights or sound) | \$87.50 | \$137.50 |
| 3. Dance School - 8 hour minimum | \$262.50 | \$400 |
| b. Performances - 4 hour minimum * | | |
| 1. Regular | \$131.25 | \$206.25 |
| 2. Lectures | \$112.50 | \$168.75 |
| 3. Dance Schools - 8 hour minimum | \$262.50 | \$400 |
| * Plus twenty percent (20%) of the box office receipts above six hundred dollars (\$600.00) per performance | | |
| c. Deposit | \$200 | \$200 |
| d. Top ticket price for City | \$15 | \$15 |
| 14. Nature Lodge | | |
| a. Top Floor (4 hour rental) | | |
| 1. Weekday | \$225 | Same as resident |
| 2. Weekend (Friday - Sunday) | \$225 | Same as resident |
| b. Bottom Floor (4 hour rental) | | |
| 1. Weekday | \$175 | Same as resident |
| 2. Weekend (Friday - Sunday) | \$175 | Same as resident |
| c. Entire Facility (5 hour rental) | | |
| 1. Weekday | \$350 | Same as resident |
| 2. Weekend (Friday - Sunday) | \$350 | Same as resident |
| Deposit | \$200 | Same as resident |
| Additional Hourly Rate | \$50 | Same as resident |
| 15. Showmobile (per day rental) | | |
| Non-holiday | \$650 | Same as resident |
| Holiday | \$700 | Same as resident |
| 16. Craft Show or Special Event | | |
| Rate per table, per day | \$20 | \$30 |
| 17. Tennis Court | | |
| Daytime (without lights) | Free | \$2 |
| With Lights | Free | \$4 |
| 18. Basketball Courts (Outside) | Free | \$2 |
| 19. Picnic Permits (Pavilion or Gazebo Rental) | | |

| | | |
|--|--------|--------|
| Monday - Thursday | \$35 | N/A |
| Friday - Sunday or Holiday | \$50 | N/A |
| Damage Deposit | N/A | N/A |
| 20. Classes (maximum hourly charge for session classes) | \$15 | \$20 |
| 21. Summer Playground (six week program) | | |
| One child | \$175 | \$350 |
| Each succeeding child | \$125 | \$275 |
| 22. Skate Rental | \$2.00 | \$2.00 |
| 23. Skate Sharpening | \$5 | \$5 |
| 24. Photo ID Replacement Card | \$5 | \$5 |
| 25. A maximum discount of twenty-five percent (25%) off of resident rates for admission fees for the golf course, pools, skating rink and recreational classes shall be awarded to any member of a Board or Commission, Police Reserve or Police Volunteer of the City of Florissant. | | |
| 26. These fees may not be reduced or waived except as follows: | | |
| a. To facilitate a meeting or event for the City of Florissant or another government agency. | | |
| b. Any 501c3 not-for-profit organization located in the City of Florissant may rent a facility for fifty percent (50%) of the normal rental rate up to two (2) times per year. | | |

Section 2: Except as herein amended Section 245.180 shall remain in full force and effect.

Section 3: This ordinance shall become in full force and effect immediately upon its passage and approval..

Adopted this _____ day of _____, 2018.

Jeff Caputa
President of the Council

Approved this _____ day of _____, 2018.

Thomas P. Schneider
Mayor

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: September 4, 2018

Mayor's Approval:

Agenda Date Requested: | 26-Nov-18

Description of request: Repeal of section 245.180 Fees for Use and replace with the updated attached section 245.180 Fees for Use.

Department: Parks and Recreation

Recommending Board or Commission:

Type of request:

| Ordinances | X | Other | X |
|----------------------|---|-----------------------|---|
| Appropriation | | Liquor License | |
| Transfer | | Hotel License | |
| Zoning Amendment | | Special Presentations | |
| Amendment | | Resolution | |
| Special Use Transfer | | Proclamation | |
| Special Use | | Subdivision | |
| Budget Amendment | X | | |

Public Hearing needed: Yes / No

NO

3 readings? : Yes / No

No

Back up materials
attached:

| | |
|------------|--|
| Minutes | |
| Maps | |
| Memo | |
| Draft Ord. | |

Back up materials
needed:

| | |
|------------|--|
| Minutes | |
| Maps | |
| Memo | |
| Draft Ord. | |

Note: Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____

Memo

To: Mayor Thomas P. Schneider
From: Cheryl Thompson, Director of Parks & Recreation
Date: November 14, 2018
Re: Update on Section 245.180 Fees for Use Changes

11-16-18
[Signature]
11/14/18

The parks and recreation department staff are recommending various changes to the existing section 245.180 Fees For Use. The following explains the changes that are being proposed.

#5. JJE Indoor Pool Rental rates change the hourly fee for residents from \$75 to \$100 and the non-resident fee from \$135 to \$150.

#6. JJE Ice Rink Rental rates for residents \$175 and make the non-resident rate the same. In doing this with our current number of rentals this could potential bring in another \$8,000 per season.

In this document you will find that for various rentals we are asking to do away with the non-resident rental rates due to the following reasons that happen almost daily. A non-resident will come in to rent the facilities or rent the ice rink. When they come in and find out that their fee is much more than a resident they will tell us that they will find a family member, such as an uncle, aunt or cousin to rent the facility for them. When this happens we lose various controls over the rental.

Our rules state that the person renting the facility needs to be present during the time of rental. More often than not, that person does not show up during the rental. This causes the rules they were given, pertaining to the rental, to be violated.

Another downfall of having someone else rent the facility for them is then they want us to have another person than themselves discuss the details for the rental, which again violates our rules of only discussing these things with the person who is renting. We have done that because many of the rentals have 2 or 3 additional people wanting to tell us how to set the room up or various other details they want. This will results in much friction when the renters show up to set up. They then want to demand that the details of the rental be changed once they get here, causing staff to be called off their other

assignments and rush to get things set up as they now want it. Therefore, having one person who is responsible for all details pertaining to the rental, allows for the confusion to be avoided.

After reviewing our records on previous rentals 97% of our rentals are listed as resident rentals. But almost daily we experience the problems listed above, so we can tell that many of our rentals listed as resident rentals are in fact non-resident rentals.

Thus, taking the non-resident rates and combining them into resident rates, will allow for non-residents to go ahead and make their own reservation. Summing this up, it is a rule which currently is very difficult for staff to manage, in changing the fee to just one fee. It will allow us to provide a smoother easier customer service experience for renters and staff alike.

The following changes apply to room rentals:

#7 Rental rate of \$175 – Damage deposit \$100 – additional hourly rate \$35.

#8 Rental rate of \$300 – Damage deposit of \$100 – additional hourly rate \$60

#9 Rental rate of \$75 – Damage deposit of \$100 – additional hourly rate \$15

- Please note the hourly time for #12 is going from 3 to 5 hours.

#10 & 11. Rental rate of \$600 for 1-499 people, \$700 for 500 – 1,000, Damage deposit \$300 – additional hourly rate - \$80. Rates for both JJE & JFK

#14 Nature Lodge rental rate of \$225 for Top Floor, Bottom Floor - \$175, Entire Facility \$350 – Damage deposit of \$200 – additional hourly rate \$50

Other changes to this fee schedule would be:

#15 – Rental rate of \$650 for all

#19 – No deposits for picnic pavilions

#20 – Class maximum hourly charge for residents - \$15 – non-residents - \$20

#22 – Skate rental - \$2 for all.

| 1. JJE/JFK FACILITY FEES | RESIDENT | NON-RESIDENT |
|---|-----------------------------------|---------------------|
| Gymnasium | | |
| 3 & under | Free | Free |
| Youth (4-17) | Free | \$5 |
| Adult | Free | \$8 |
| Senior | Free | \$5 |
| Fitness Center and Indoor Pool | | |
| 3 & under | Free | Free |
| Youth (4-17) | \$2 | \$5 |
| Adult | \$4 | \$8 |
| Senior | \$2 | \$5 |
| Facility Memberships | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$60 | \$225 |
| Adult | \$80 | \$275 |
| Senior | \$60 | \$225 |
| Family * | \$125 | \$350 |
| Family + Outdoor Pool Membership | Add 50% of Outdoor Membership Fee | |
| * Family Membership includes 4 persons | Add \$20 per person | Add \$30 per person |
| 2. Ice Rink | | |
| Daily Fees | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$2 | \$4 |
| Adult | \$3 | \$5 |
| Senior | \$2 | \$4 |
| Memberships | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$20 | \$35 |
| Adult | \$30 | \$50 |
| Senior | \$20 | \$35 |
| Family | \$40 | \$70 |
| 3. Outdoor Pools | | |
| Daily Fees | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$3 | \$8 |
| Adult | \$4 | \$10 |
| Senior | \$3 | \$8 |
| Memberships | | |
| 3 & Under | Free | Free |
| Youth (4-17) | \$60 | \$140 |
| Adult | \$85 | \$200 |
| Senior | \$60 | \$140 |
| Family * | \$120 | \$275 |
| * Family Membership includes 4 persons | Add \$20 per person | Add \$30 per person |
| 4. Outdoor Pool Rental (Minimum 2 hour rental) | | |
| Per hour | \$350 | \$400 |
| Damage Deposit | \$150 | \$150 |

| | | |
|--|----------|------------------|
| 5. JJE Indoor Pool Rental (per hour) | \$100 | \$150 |
| Damage Deposit | \$100 | \$100 |
| 6. JJE Ice Rink Rental (per hour) | \$175 | Same as resident |
| Damage Deposit | \$150 | Same as resident |
| Damage Deposit | \$150 | Same as resident |
| 7. JJE (1/2) Arts & Crafts Room or JFK Arts & Crafts Room (5 hour rental) | \$175 | Same as resident |
| Damage Deposit | \$100 | Same as resident |
| Additional Hourly Rate | \$35 | Same as resident |
| 8. JJE (Entire) Arts & Crafts Room (5 hour rental) | \$300 | Same as resident |
| Damage Deposit | \$100 | Same as resident |
| Additional Hourly Rate | \$60 | Same as resident |
| 9. JJE Rooms 1 & 2 or JFK Small Room (5 hour rental) | \$75 | Same as resident |
| Damage Deposit | \$100 | Same as resident |
| Additional Hourly Rate | \$15 | Same as resident |
| 10. JJE Gymnasium (7 hour rental) | | |
| 1 - 499 people | \$600 | Same as resident |
| 500 - 1,000 people | \$700 | Same as resident |
| Damage Deposit | \$300 | Same as resident |
| Additional Hourly Rate | \$80 | Same as resident |
| 11. JFK Gymnasium (7 hour rental) | \$600 | Same as resident |
| Damage Deposit | \$300 | Same as resident |
| Additional Hourly Rate | \$80 | Same as resident |
| 12. Athletic Field Rental | | |
| Without lights (per hour) | \$60 | \$90 |
| With lights (per hour) | \$100 | \$150 |
| Not-for-profit: Per person gate fee | \$0.10 | \$0.10 |
| For profit: Per person gate fee | \$0.20 | \$0.20 |
| 13. Theatre | | |
| a. Rehearsals - 4 hour minimum | | |
| 1. Technical | \$112.50 | \$168.75 |
| 2. Non-technical (no lights or sound) | \$87.50 | \$137.50 |
| 3. Dance School - 8 hour minimum | \$262.50 | \$400 |
| b. Performances - 4 hour minimum * | | |
| 1. Regular | \$131.25 | \$206.25 |
| 2. Lectures | \$112.50 | \$168.75 |
| 3. Dance Schools - 8 hour minimum | \$262.50 | \$400 |
| * Plus twenty percent (20%) of the box office receipts above six hundred dollars (\$600.00) per performance | | |
| c. Deposit | \$200 | \$200 |
| d. Top ticket price for City | \$15 | \$15 |
| 14. Nature Lodge | | |
| a. Top Floor (4 hour rental) | | |
| 1. Weekday | \$225 | Same as resident |
| 2. Weekend (Friday - Sunday) | \$225 | Same as resident |

| | | |
|--|--------|------------------|
| b. Bottom Floor (4 hour rental) | | |
| 1. Weekday | \$175 | Same as resident |
| 2. Weekend (Friday - Sunday) | \$175 | Same as resident |
| c. Entire Facility (5 hour rental) | | |
| 1. Weekday | \$350 | Same as resident |
| 2. Weekend (Friday - Sunday) | \$350 | Same as resident |
| Deposit | \$200 | Same as resident |
| Additional Hourly Rate | \$50 | Same as resident |
| 15. Showmobile (per day rental) | | |
| Non-holiday | \$650 | Same as resident |
| Holiday | \$700 | Same as resident |
| 16. Craft Show or Special Event | | |
| Rate per table, per day | \$20 | \$30 |
| 17. Tennis Court | | |
| Daytime (without lights) | Free | \$2 |
| With Lights | Free | \$4 |
| 18. Basketball Courts (Outside) | Free | \$2 |
| 19. Picnic Permits (Pavilion or Gazebo Rental) | | |
| Monday - Thursday | \$35 | N/A |
| Friday - Sunday or Holiday | \$50 | N/A |
| Damage Deposit | N/A | N/A |
| 20. Classes (maximum hourly charge for session classes) | \$15 | \$20 |
| 21. Summer Playground (six week program) | | |
| One child | \$175 | \$350 |
| Each succeeding child | \$125 | \$275 |
| 22. Skate Rental | \$2.00 | \$2.00 |
| 23. Skate Sharpening | \$5 | \$5 |
| 24. Photo ID Replacement Card | \$5 | \$5 |
| 25. A maximum discount of twenty-five percent (25%) off of resident rates for admission fees for the golf course, pools, skating rink and recreational classes shall be awarded to any member of a Board or Commission, Police Reserve or Police Volunteer of the City of Florissant. | | |
| 26. These fees may not be reduced or waived except as follows: | | |
| a. To facilitate a meeting or event for the City of Florissant or another government agency. | | |
| b. Any 501c3 not-for-profit organization located in the City of Florissant may rent a facility for fifty percent (50%) of the normal rental rate up to two (2) times per year. | | |

Updated 11/18

INTRODUCED BY COUNCIL AS A WHOLE
NOVEMBER 26, 2018

BILL NO. 9454

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 245 “PARKS AND RECREATION” ARTICLE XI “OLD FLEURISSANT GOLF CLUB” OF THE FLORISSANT CITY CODE, SUBSECTION 245.610 “FEES AND CHARGES” TO ADJUST FEES FOR THE GOLF COURSE FACILITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1: Chapter 245 “Parks and Recreation, Article XI, “Old Fleurissant Golf Club” , subsection 245.610 “Fees and Charges is hereby deleted in its entirety and replaced with the following:

Sec. 245.160 Fees and Charges

Green Fees

| | | |
|--|-------------------------------|---------|
| Weekday – 18 holes | March 16 – November 14 | \$20.00 |
| Weekday – 9 holes | March 16 – November 14 | \$13.00 |
| Weekdays - 18 holes | November 15 – March 15 | \$13.00 |
| Weekdays – 9 holes | November 15 – March 15 | \$9.00 |
| Weekends (as tee times are available) – 18 holes | March 16 – November 14 | \$30.00 |
| Weekends (as tee times are available) – 9 holes | March 16 – November 14 | \$17.00 |
| Weekends (as tee times are available) – 18 holes | November 15 – March 15 | \$20.00 |
| Weekends (as tee times are available) – 9 holes | November 15 – March 15 | \$11.00 |

Holidays: Weekend rates shall apply to the following holidays even though such holiday may be a weekday: Presidents’ Day (Monday), Good Friday, Memorial Day (Monday), 4th of July, Labor Day (Monday), and Friday after Thanksgiving (Thursday and Friday). (The golf course is closed on Thanksgiving Day, Christmas and New Year’s Day.)

Twilight/League Fees

Weekday/evenings only includes cart \$18.00

Twilight Fees

Weekends – (after 2 P.M. – 18 hole limit- includes cart) \$30.00

Seniors (Ages 60 and Older) and Ladies
March 16 – November 15

Monday through Thursday (all day) and Friday until 12:00 noon – \$26.00
18 holes includes cart (resident discount will apply)

Monday through Thursday (all day) and Friday until 12:00 noon \$17.00
- 9 holes includes cart (resident discount will apply)

November 15 – March 15

No senior or ladies rates but residents will receive the resident discounts.

Juniors (ages 21 and younger with proper school or service ID)
All day Monday through Friday and weekends after 11:00 A.M.

March 16 – November 15 – March 15

18 holes \$14.00

9 holes \$7.00

(Any junior twelve (12) years of age and younger must be accompanied by an adult. Before 11:00 A.M. on weekends, juniors ages fourteen (14) and younger must be accompanied by an adult.)

Golf Carts (Year Round)

18 holes \$15.00

9 holes \$9.00

(Must be sixteen 16 years of age or older to rent a golf cart and may be required to show identification).

Pull Carts

18 holes \$3.00

9 holes \$2.00

Golf Club Rental

18 holes \$10.00

9 holes \$5.00

Reserved Season Tee Time

Per foursome \$200.00

High School Golf Team

Per golfer – 9 holes (supervised practices and matches as scheduled) \$6.00

Tournament Fees (includes cart fees)

| | |
|---------------------------------|---------|
| Weekdays - Less than 40 players | \$32.00 |
| Weekdays - 40 - 119 players | \$30.00 |
| Weekdays - 120 or more players | \$26.00 |
| Weekends – Less than 40 players | \$42.00 |
| Weekends – 40 – 119 players | \$40.00 |
| Weekends – 120 or more players | \$36.00 |

Discounts

Florissant residents shall receive a twenty percent (20%) discount on all greens and cart fees, clubs and pull cart rentals. Does not include merchandise.

A twenty percent (20%) discount shall be given to military, firefighters, Police Officers, clergy and Florissant City employees on green and cart fees.

In an effort to remain current with competition and changing circumstances, the Mayor is authorized to establish a temporary promotional fee in lieu of the fees set forth above. The fees and charges by example may include, but are not limited to, two-for-all day rates, three pay – fourth free rate, golf free cart day, etc.

BANQUET ROOM RENTAL

Full room: In season (March 16 – November 14), 6:00 P.M. to 11:00 P.M.

Full room: Off season (November 15 – March 15) Anytime

Half room: In season – anytime

Half room: Off season – anytime

| | RESIDENT | NON-RESIDENT |
|--------------------------------------|----------|--------------|
| Full room (up to 5 hours) | \$250.00 | \$300.00 |
| Full room (additional hourly rental) | \$50.00 | \$60.00 |
| Half room (up to 5 hours) | \$150.00 | \$200.00 |
| Half room (additional hourly rental) | \$30.00 | \$40.00 |

Room rental fee waived for rentals of fifty (50) or more persons using Old Fleurissant Golf Course food and beverage.

Room rentals of less than fifty (50) persons will pay room rental fee plus a-la-carte charges for food and beverages.

All beer and liquor must be purchased from Old Fleurissant Golf Club.

Self-catered rental will be charged room rental fees plus five dollars (\$5.00) per person.

Section 2: Except as herein amended Section 245.180 shall remain in full force and effect.

Section 3: This ordinance shall become in full force and effect immediately upon its passage and approval..

Adopted this _____ day of _____, 2018.

Jeff Caputa
President of the Council

Approved this _____ day of _____, 2018.

Thomas P. Schneider
Mayor

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: November 14, 2018

Mayor's Approval:

Agenda Date Requested: | 26-Nov-18

Description of request: Repeal of section 245.610 Fees and Charges and replace with the updated attached section 245.610 Fees for Use.

Department: Parks and Recreation

Recommending Board or Commission:

Type of request:

| Ordinances | X | Other | X |
|----------------------|---|-----------------------|---|
| Appropriation | | Liquor License | |
| Transfer | | Hotel License | |
| Zoning Amendment | | Special Presentations | |
| Amendment | | Resolution | |
| Special Use Transfer | | Proclamation | |
| Special Use | | Subdivision | |
| Budget Amendment | X | | |

Public Hearing needed: Yes / No

NO

3 readings? : Yes / No

No

| Back up materials attached: | Back up materials needed: |
|-----------------------------|---------------------------|
| Minutes | Minutes |
| Maps | Maps |
| Memo | Memo |
| Draft Ord. | Draft Ord. |

Note: Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____

Memo

To: Mayor Thomas P. Schneider
From: Cheryl Thompson, Director of Parks & Recreation
Date: November 14, 2018
Re: Update on Section 245.610 Fees and Charges – Golf Course

11-16-18
[Signature]
Cheryl Thompson
11/14/18

The parks and recreation department staff are recommending various changes to the existing section 245.610 Fees and Charges for the Golf Course. The fees reflect the increased requested by the city council.

If further explanation is required please let me know. Thank you for your consideration of these changes.

Article XI: Old Fleurissant Golf Club

Sec. 245.160 Fees and Charges

Green Fees

| | | |
|--|------------------------|---------|
| Weekday – 18 holes | March 16 – November 14 | \$20.00 |
| Weekday – 9 holes | March 16 – November 14 | \$13.00 |
| Weekdays - 18 holes | November 15 – March 15 | \$13.00 |
| Weekdays – 9 holes | November 15 – March 15 | \$9.00 |
| Weekends (as tee times are available) – 18 holes | March 16 – November 14 | \$30.00 |
| Weekends (as tee times are available) – 9 holes | March 16 – November 14 | \$17.00 |
| Weekends (as tee times are available) – 18 holes | November 15 – March 15 | \$20.00 |
| Weekends (as tee times are available) – 9 holes | November 15 – March 15 | \$11.00 |

Holidays: Weekend rates shall apply to the following holidays even though such holiday may be a weekday: Presidents' Day (Monday), Good Friday, Memorial Day (Monday), 4th of July, Labor Day (Monday), and Friday after Thanksgiving (Thursday and Friday). (The golf course is closed on Thanksgiving Day, Christmas and New Year's Day.)

Twilight/League Fees

Weekday/evenings only includes cart \$18.00

Twilight Fees

Weekends – (after 2 P.M. – 18 hole limit- includes cart) \$30.00

**Seniors (Ages 60 and Older) and Ladies
March 16 – November 15**

Monday through Thursday (all day) and Friday until 12:00 noon – 18 holes includes cart \$26.00 (resident discount will apply)
Monday through Thursday (all day) and Friday until 12:00 noon – 9 holes includes cart \$17.00 (resident discount will apply)

November 15 – March 15

No senior or ladies rates but residents will receive the resident discounts.

Juniors (ages 21 and younger with proper school or service ID)

All day Monday through Friday and weekends after 11:00 A.M.

March 16 – November 15 – March 15

18 holes \$14.00
9 holes \$7.00

(Any junior twelve (12) years of age and younger must be accompanied by an adult. Before 11:00 A.M. on weekends, juniors ages fourteen (14) and younger must be accompanied by an adult.)

Golf Carts (Year Round)

18 holes \$15.00
9 holes \$9.00

(Must be sixteen 16 years of age or older to rent a golf cart and may be required to show identification).

Pull Carts

18 holes \$3.00
9 holes \$2.00

Golf Club Rental

| | |
|----------|---------|
| 18 holes | \$10.00 |
| 9 holes | \$5.00 |

Reserved Season Tee Time

| | |
|--------------|----------|
| Per foursome | \$200.00 |
|--------------|----------|

High School Golf Team

| | |
|--|--------|
| Per golfer – 9 holes (supervised practices and matches as scheduled) | \$6.00 |
|--|--------|

Tournament Fees (includes cart fees)

| | |
|---------------------------------|---------|
| Weekdays - Less than 40 players | \$32.00 |
| Weekdays - 40 - 119 players | \$30.00 |
| Weekdays - 120 or more players | \$26.00 |
| Weekends – Less than 40 players | \$42.00 |
| Weekends – 40 – 119 players | \$40.00 |
| Weekends – 120 or more players | \$36.00 |

Discounts

Florissant residents shall receive a twenty percent (20%) discount on all greens and cart fees, clubs and pull cart rentals. Does not include merchandise. A twenty percent (20%) discount shall be given to military, firefighters, Police Officers, clergy and Florissant City employees on green and cart fees. In an effort to remain current with competition and changing circumstances, the Mayor is authorized to establish a temporary promotional fee in lieu of the fees set forth above. The fees and charges by example may include, but are not limited to, two-for-all day rates, three pay – fourth free rate, golf free cart day, etc.

BANQUET ROOM RENTAL

Full room: In season (March 16 – November 14), 6:00 P.M. to 11:00 P.M.

Full room: Off season (November 15 – March 15) Anytime

Half room: In season – anytime

Half room: Off season – anytime

| | RESIDENT | NON-RESIDENT |
|--------------------------------------|----------|--------------|
| Full room (up to 5 hours) | \$250.00 | \$300.00 |
| Full room (additional hourly rental) | \$50.00 | \$60.00 |
| Half room (up to 5 hours) | \$150.00 | \$200.00 |
| Half room (additional hourly rental) | \$30.00 | \$40.00 |

Room rental fee waived for rentals of fifty (50) or more persons using Old Fleurissant Golf Course food and beverage.

Room rentals of less than fifty (50) persons will pay room rental fee plus a-la-carte charges for food and beverages.

All beer and liquor must be purchased from Old Fleurissant Golf Club.

Self-catered rental will be charged room rental fees plus five dollars (\$5.00) per person.

Revised 11/18

1 INTRODUCED BY COUNCIL AS A WHOLE
2 NOVEMBER 26, 2018

3
4 BILL NO. 9456

ORDINANCE

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6
7 **AN ORDINANCE AMENDING SECTION 100.090, "SCHEDULE OF**
8 **COURT COSTS" WITHIN THE FLORISSANT CODE OF ORDINANCES,**
9 **BY ADDING A STATE COURT AUTOMATION SURCHARGE.**
10

11 WHEREAS, the City of Florissant must implement the Show Me Courts evolving record
12 and case management system being developed by the Office of the State Courts Administrator,
13 and

14 WHEREAS, use of this system is mandatory with Florissant scheduled to go online in
15 2019, and

16 WHEREAS, to pay for this system a state court automation surcharge of seven dollars
17 (\$7.00) will need to be authorized, and

18 WHEREAS, the City is authorized to assess the State Court Automation Surcharge in
19 accordance with Sections 488.012.3(5) and 488.027.2 R.S.Mo and Missouri Court Rule 21, and

20 WHEREAS, the costs assessed will be transmitted monthly to the Missouri Director of
21 Revenue to the credit of the Missouri Statewide Automation Fund.
22

23 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
24 KIRKWOOD, MISSOURI, AS FOLLOWS:
25

26 SECTION 1. The Florissant Code of Ordinances, Section 100.090, "Schedule of Court
27 Costs" is hereby amended by adding a new subsection (8), "State Court Automation Surcharge"
28 to read as follows:
29

30 (8) In addition to other costs authorized in this Section, there shall be assessed a state
31 automation surcharge of seven dollars (\$7.00) in all cases in which court costs are taxed. Said
32 surcharge shall be collected by the Municipal Court and transmitted monthly to the Missouri
33 Director of Revenue to the credit of the Missouri Statewide Automation Fund. (R.S.Mo.
34 § 488.012.3(5) and R.S.Mo. § 488.027.2)
35

36 SECTION 2. This Ordinance shall be in full force and effect after its passage and
37 approval, as provided by law.
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39 Adopted this ____ day of _____, 2018.
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43 _____
44 Jeff Caputa
45 President of the Council
46 City of Florissant

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Approved this _____ day of _____, 2018.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

TRANSFER OF SPECIAL PERMIT

AUTHORIZED BY ORDINANCE NUMBER (S) 6008, 7407, 7820

FROM Settemeiers
TO Brennan's Bar + Grill
FOR operation of a restaurant & bar
ADDRESS 1740 Thunderbird
Ward 6 Zoning Date Filed 12-6-18 Accepted By [Signature]

TRANSFER OF SPECIAL USE PERMIT PETITION

TO THE CITY COUNCIL OF THE CITY OF FLORISSANT:

1. Comes now Julie A. Meresick and states to the City Council that he (she) (they) has (have) the following legal interest in the property located at 1740 Thunderbird in the City of Florissant, Missouri. Legal interest: ☒ Lease or () Simple Title
(Attach signed copy of lease or deed)
2. The petitioner(s) further state that he (she) (they) has (have) not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly to any official, employee, or appointee of the City of Florissant, with respect to this petition.
3. The applicant will operate the business in the same manner and under the same conditions as set out in the original ordinance granting the special permit or any amendments thereto, except for any proposed change in sign face of an authorized sign.

PETITIONER SIGNATURE

[Signature]
Julie A. Meresick
Individual's Name

FOR:

Brennan's Bar + Grill
Company, Corporation, Partnership

12/6/18
cc to [unclear]
[unclear] [unclear]

4. I (we) hereby certify that (indicate one only):

☒ I (we) have a legal interest in the above described property.

☐ I am (we are) the duly appointed agent (s) of the petitioner, and that all information given is true and a statement of fact.

SIGNATURE

Julee A. Meresick

ADDRESS

11605 GALLOP LN

Telephone No.

314 952 1028

Email address

Jmeresick@yahoo.com

I (we) the petitioner(s) do hereby appoint

(our) duly authorized agent to represent me (us) in regard to this petition.

as my

Julee Meresick

PETITIONER SIGNATURE

Note: Petitioner or his/her authorized agent will be the only person(s) permitted to make the presentation to the City Council.

5. Acknowledgement and consent of owner to Transfer Special Permit Petition

[Signature]

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

CERTIFICATE OF ORGANIZATION

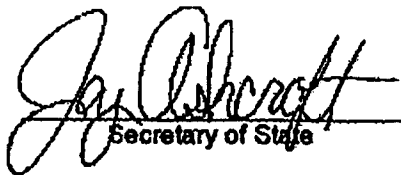
WHEREAS,

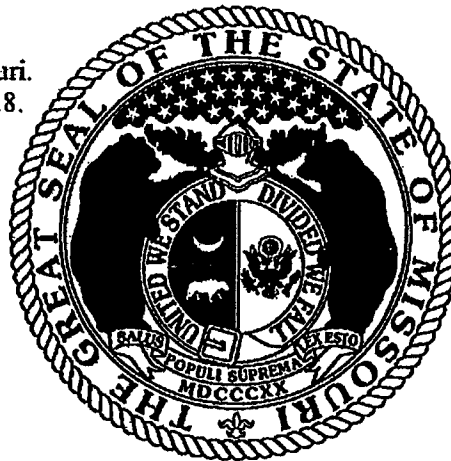
Brennan's Bar & Grill LLC
LC001620736

filed its Articles of Organization with this office on the 5th day of December, 2018, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 5th day of December, 2018, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.
Done at the City of Jefferson, this 5th day of December, 2018.


Secretary of State





State of Missouri

John R. Ashcroft, Secretary of State
Corporations Division
PO Box 778 / 600 W. Main St., Rm. 322
Jefferson City, MO 65102

LC001620736
Date Filed: 12/5/2018
John R. Ashcroft
Missouri Secretary of State

Articles of Organization

(Submit with filing fee of \$105.00)

1. The name of the limited liability company is

Brennan's Bar & Grill LLC

(Must include "Limited Liability Company," "Limited Company," "LC," "L.C.," "LLC," or "LLC")

2. The purpose(s) for which the limited liability company is organized:

The transaction of any lawful business for which a limited liability company may be organized under the Missouri Limited Liability Company Act, Chapter 347 RSMo

3. The name and address of the limited liability company's registered agent in Missouri is:

Julie A Meresicky

1605 Gallop Lane

Florissant MO 63033

Name

Street Address: May not use PO Box unless street address also provided

City/State/Zip

4. The management of the limited liability company is vested in: ☐ managers ☒ members (check one)

5. The events, if any, on which the limited liability company is to dissolve or the number of years the limited liability company is to continue, which may be any number or perpetual: Perpetual

(The answer to this question could cause possible tax consequences, you may wish to consult with your attorney or accountant)

6. The name(s) and street address(es) of each organizer (PO box may only be used in addition to a physical street address):

(Organizer(s) are not required to be member(s), manager(s) or owner(s))

Name

Address

City/State/Zip

Meresicky, Julie A

1605 Gallop Lane

Florissant MO 63033

7. ☐ Series LLC (OPTIONAL) Pursuant to Section 347.186, the limited liability company may establish a designated series in its operating agreement. The names of the series must include the full name of the limited liability company and are the following:

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

(Each separate series must also file an Attachment Form LLC 1A.)

Name and address to return filed document:

Name: Michael B Hurley

Address: Email: michael@hurleyandhurley.com

City, State, and Zip Code: _____

LLC-1 (08/2013)



CITY OF FLORISSANT

Honorable Thomas P. Schneider, Mayor

TRANSFER OF SPECIAL USE PERMIT

The undersigned hereby acknowledges receipt of a copy of Ordinance
6008 amended by 7407 +
Number 7820 which authorized a Special Permit:

TO: Gettemeier's

FOR: operation of restaurant & bar

and agree to the terms and conditions listed in said ordinance and to any additional term and conditions that the City Council shall deem appropriate.

Julie + Ralph Mercedes

PRINT - NAME OF APPLICANT

Ralph Mercedes Julie Mercedes

SIGNATURE OF APPLICANT

CITY HALL
955 Rue St. Francois
Florissant, MO 63031
314 / 921-5700
Fax: 314 / 921-7111
TDD: 314 / 839-5142

POLICE DEPARTMENT
1700 North Highway 67
Florissant, MO 63033
314 / 831-7000
Fax: 314 / 830-6045

PARKS DEPARTMENT
#1 James J. Eagan Drive
Florissant, MO 63033
314 / 921-4466
Fax: 314 / 839-7672

HEALTH DEPARTMENT
#1 St. Ferdinand Drive
Florissant, MO 63031
314 / 839-7654
Fax: 314 / 839-7656

MUNICIPAL COURT
1055 Rue St. Francois
Florissant, MO 63031
314 / 921-3322
Fax: 314 / 839-7663

www.florissantmo.com

INTRODUCED BY COUNCILMAN GARRETT
September 8, 1997

BILL NO 6878

ORDINANCE NO 6008

AN ORDINANCE GRANTING A SPECIAL PERMIT TO
GETTEMEIER COMPANY, INC D/B/A GETTEMEIERS
FOR THE OPERATION OF A RESTAURANT ON THE
PROPERTY HEREINAFTER DESCRIBED AND KNOWN
AS 1740 THUNDERBIRD, FLORISSANT, MISSOURI.

WHEREAS, the Florissant Zoning Ordinance authorizes the Council of the City of Florissant by Special Permit after public hearing thereon, to permit the location and operation of a restaurant, and

WHEREAS, an application has been filed by Gettemeier Company Inc d/b/a Gettemeier's for the location and operation of a sit-down restaurant on the property hereinafter described and known as 1740 Thunderbird and

WHEREAS the Planning and Zoning Commission of the City of Florissant has recommended that the said Special Permit be granted under certain conditions, and

WHEREAS due notice of a public hearing on said application to be held on the 25th day of August, 1997 at 8 00 P M by the Council of the City of Florissant was duly published, held and concluded and

WHEREAS, the Council following said public hearing, and after due and careful consideration, has concluded that the granting of the Special Permit as hereinafter provided would be in the best interest of the City of Florissant

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT ST LOUIS COUNTY MISSOURI AS FOLLOWS

Section 1. A Special Permit is hereby granted to Gettemeier Company, Inc d/b/a Gettemeier's to locate and operate a sit down restaurant on the property known as 1740 Thunderbird Florissant Missouri

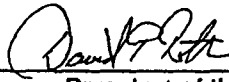
Section 2. Said Special Permit herein authorized shall remain in full force and effect subject to all of the ordinances of the City of Florissant and all St Louis County and Florissant Health codes shall be followed

Section 3 In the event the permittee desires to operate a full kitchen facility as determined by the Director of Public Works then it will be necessary for said permittee to apply for an amendment to the Special Permit herein authorized

Section 4. That when the named permittee discontinues the operation of said business, the Special Permit herein authorized shall no longer be in force and effect

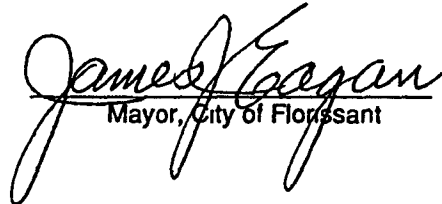
Section 5 This ordinance shall become in force and effect immediately upon its passage and approval

Adopted this 8th day of September, 1997



President of the Council
City of Florissant

Approved this 9 day of September, 1997



Mayor, City of Florissant

ATTEST



City Clerk

1 INTRODUCED BY COUNCILMAN SULLIVAN
2 MAY 14, 2007

3
4 BILL NO. 8320

ORDINANCE NO. 7407

5
6 **AN ORDINANCE AMENDING SPECIAL USE PERMIT NO. 6008**
7 **GRANTED TO THE GETTEMEIER COMPANY D/B/A GETTEMEIER'S**
8 **TO ALLOW FOR THE EXPANSION OF THE BUSINESS WITH A FULL**
9 **SERVICE RESTAURANT FOR THE PROPERTY LOCATED AT 1740**
10 **THUNDERBIRD.**

11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the location and
14 operation of a restaurant; and

15 WHEREAS, the Florissant City Council has heretofore granted a Special Use Permit to
16 the Gettemeier Company for the location and operation of a restaurant on the property described
17 in Ordinance No. 6008; and

18 WHEREAS, an application has been filed by the Gettemeier Company for an
19 amendment to the said Special Use Permit heretofore granted under Ordinance No. 6008 to
20 authorize the addition of certain conditions; and

21 WHEREAS, the Planning and Zoning Commission of the City of Florissant at their
22 meeting of April 16, 2007 has recommended that the said Special Use Permit be amended; and

23 WHEREAS, due notice of a public hearing on said application to be held on the 14th day
24 of May, 2007 at 8:00 P.M. by the Council of the City of Florissant was duly published, held and
25 concluded; and

26 WHEREAS, the Council, following said public hearing, and after due and careful
27 consideration, has concluded that the granting of an amendment to the Special Use Permits
28 authorized by Ordinance No. 6008, as hereinafter provided would be in the best interest of the
29 City of Florissant.

30 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
31 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

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33 Section 1: The Special Use Permit heretofore granted to the Gettemeier Company d/b/a
34 Gettemeier's under Ordinance No. 6008 is hereby amended to allow for the expansion of the
35 business with a full service restaurant per the plans attached hereto and with the following
36 stipulations:

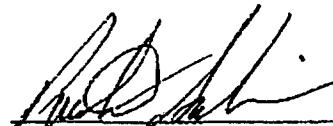
37 1. All new mechanical equipment is to be screened per the code.

- 38 2. Any new ventilation equipment mounted through the roof.
39 3. All dumpsters are to be enclosed to comply with City ordinance.
40 4. One year review of the parking accommodations to determine if the expansion
41 creates complications in the parking area.
42

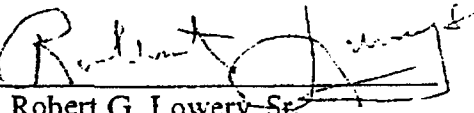
43 Section 2: Said Special Permit shall be conditioned on and shall remain in full force and
44 effect so long as the conditions set out in Ordinance . 6008, as now amended, are adhered to.

45 Section 3: This ordinance shall become in force and effect immediately upon its passage
46 and approval.

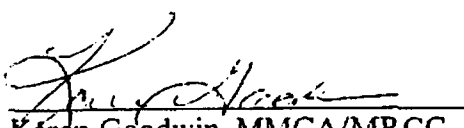
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48 Adopted this 27 day of May, 2007.
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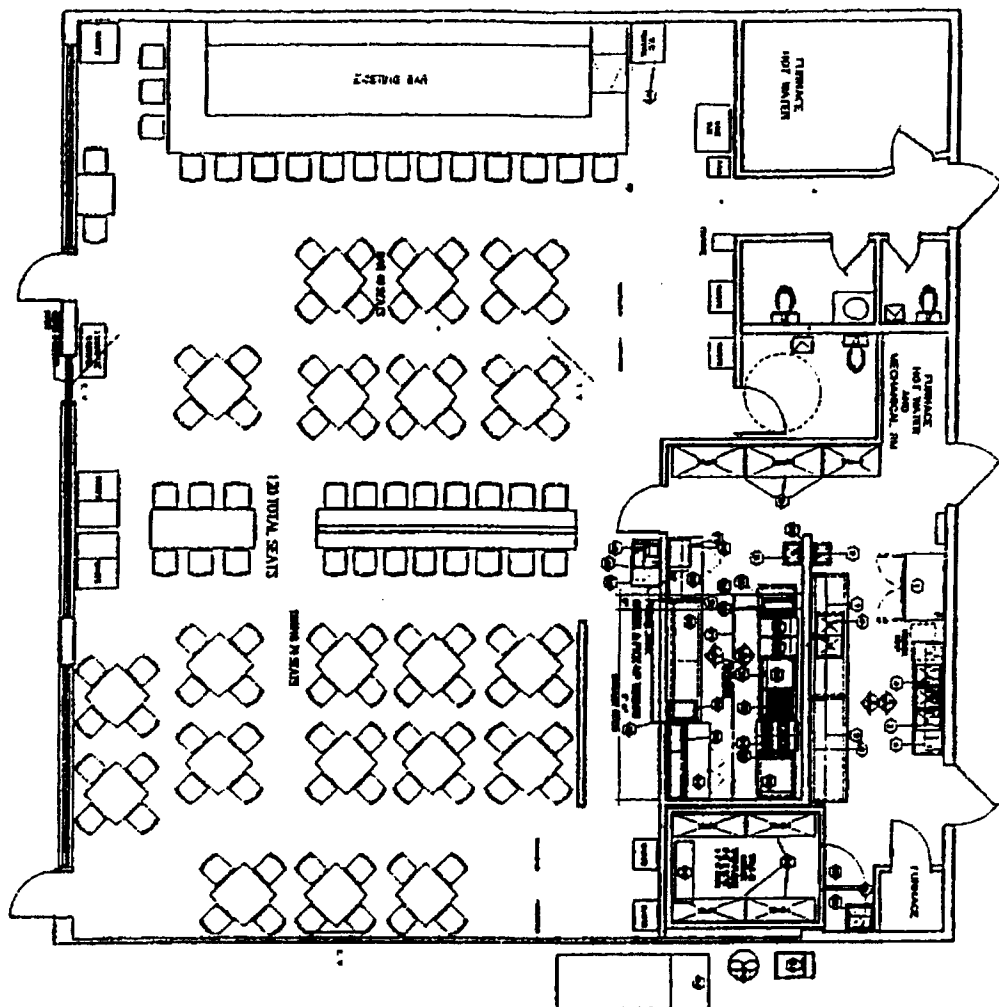
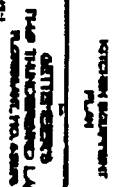
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51 
52 Dan Sullivan
53 President of the Council
54 City of Florissant
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57 Approved this 18 day of June, 2007.
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61 Robert G. Lowery, Sr.
62 Mayor, City of Florissant
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64 ATTEST:

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67 Karen Goodwin, MMCA/MRCC
68 City Clerk
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[illegible]

| EQUIPMENT SCHEDULE | |
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1 INTRODUCED BY COUNCILMAN STINNETT
2 AUGUST 8, 2011

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4 BILL NO. 8759

ORDINANCE NO. 7820

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6 **ORDINANCE AUTHORIZING AN AMENDMENT TO SPECIAL USE**
7 **PERMIT NO. 6008 AS AMENDED BY ORDINANCE NO. 7407 TO**
8 **GETTEMEIER'S BAR AND GRILL TO ALLOW FOR OUTSIDE**
9 **DINING FOR THE PROPERTY LOCATED AT 1740 THUNDERBIRD**
10 **AVE.**
11
12

13 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
14 Florissant, by Special Use Permit, after public hearing thereon, to permit the location and
15 operation of a restaurant; and

16 WHEREAS, the Florissant City Council has heretofore granted a Special Use Permit to
17 the Gettemeier Company for the location and operation of a restaurant on the property described
18 in Ordinance No. 6008 and subsequently amended by Ordinance No. 7407 for expansion; and

19 WHEREAS, an application has been filed by the Gettemeier Company for an
20 amendment to the said Special Use Permit heretofore granted under Ordinance No. 6008 to
21 authorize the addition of certain conditions; and

22 WHEREAS, the Planning and Zoning Commission of the City of Florissant at their
23 meeting of July 18, 2011 has recommended that the said Special Use Permit be amended; and

24 WHEREAS, due notice of a public hearing on said application to be held on the 8th day
25 of August, 2011 at 8:00 P.M. by the Council of the City of Florissant was duly published, held
26 and concluded; and

27 WHEREAS, the Council, following said public hearing, and after due and careful
28 consideration, has concluded that the granting of an amendment to the Special Use Permits
29 authorized by Ordinance No. 6008 and amended by Ordinance No. 7407, as hereinafter provided
30 would be in the best interest of the City of Florissant.

31 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
32 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
33

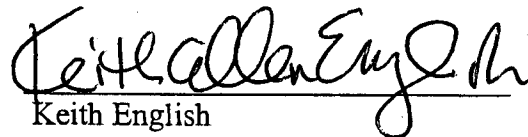
34 Section 1: The Special Use Permit heretofore granted to the Gettemeier Company d/b/a
35 Gettemeier's under Ordinance No. 6008 and amended by Ordinance No. 7407 is hereby
36 amended to allow for an outside dining area per the plans attached hereto and with the following
37 stipulations:

1. Parking arrangements are to be resolved with the building commissioner with an 18 month trial period.
2. Accessible seating provided in the ratio and manner prescribed by the ADA in both existing indoor and outdoor dining areas.
3. The gates are to be alarmed.

Section 2: Said Special Permit shall be conditioned on and shall remain in full force and effect so long as the conditions set out in Ordinance . 6008 as amended by Ordinance No. 7407 , as now further amended, are adhered to.

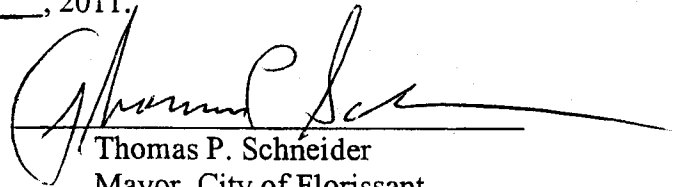
Section 3: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this 8 day of AUG, 2011.



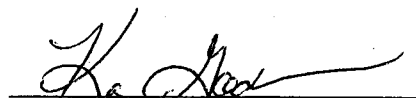
Keith English
President of the Council
City of Florissant

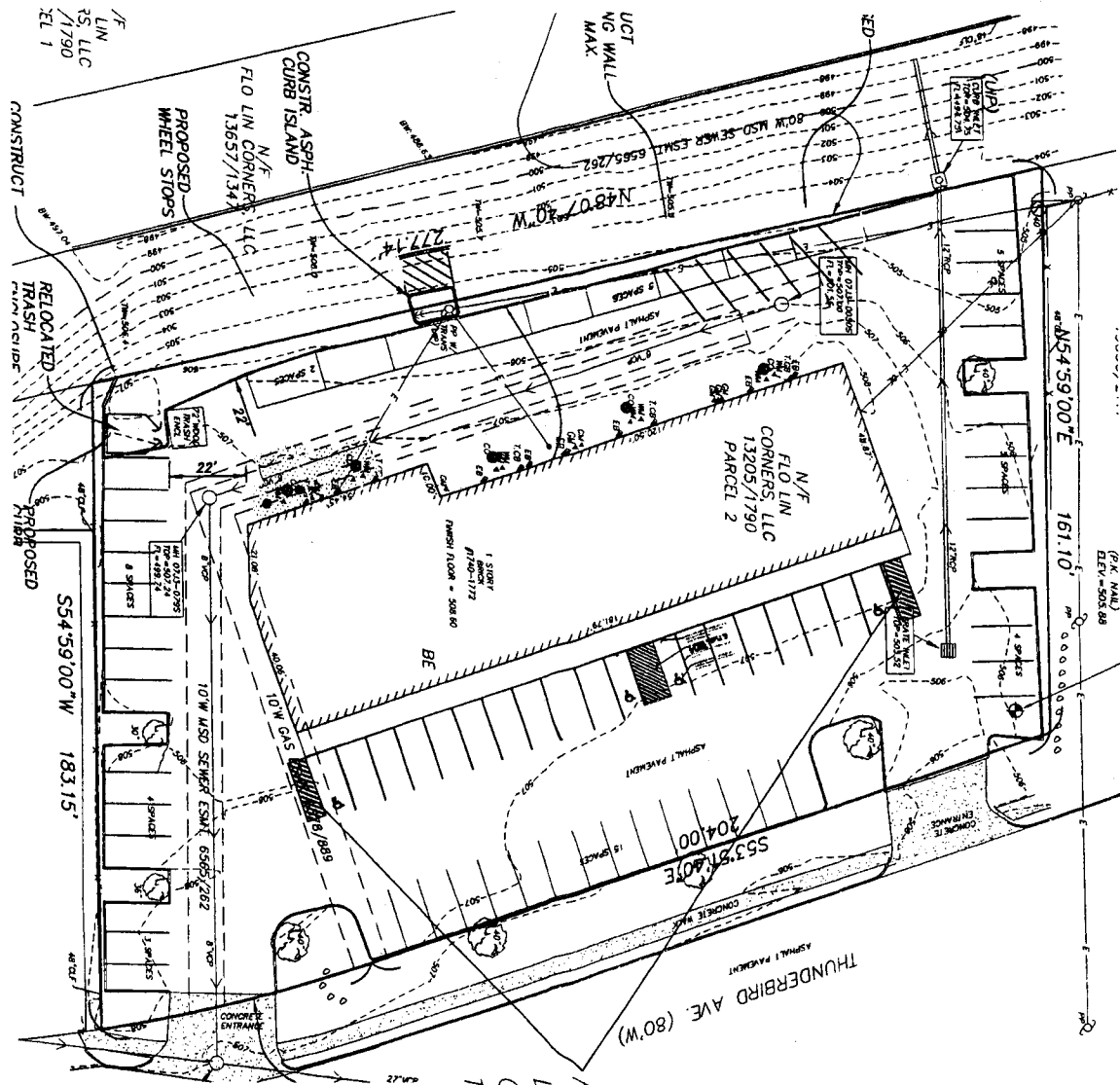
Approved this 11 day of AUG, 2011.



Thomas P. Schneider
Mayor, City of Florissant

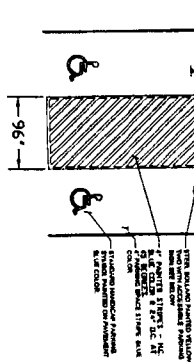
ATTEST:


Karen Goodwin, MMC/MRCC
City Clerk



ADD STRIPING FOR VAN
LOADING SPACE TO END
OF PARKING ROW FOR A
TOTAL OF 19 SPACES

ACCESSIBLE PARKING DETAILS



| PARKING COUNTS | |
|--------------------------------------|---|
| 49 EXISTING PARKING SPACES TO REMAIN | 18 SPACES - FRONT OF BUILDING INCLUDING 4 ACCESSIBLE SPACES TO BE MODIFIED AS SHOWN |
| TOTAL OF 18 SPACES | 3 SPACES REMOVED IN REAR AND REPLACED WITH 3 SPACES TOTAL SPACES 62 |
| ALL SPACES TO BE MIN. 30.5' | Perpendicular spaces - 9' x 20' (180.5') |
| | Parallel spaces - 9' x 24' (216.5') |
| | Hybrid spaces 9' x 20' (180.5') |
| PARKING LOT TO REMAIN 15.5' x 15.5' | |

Parking

Gettemeiers Bar & Grill

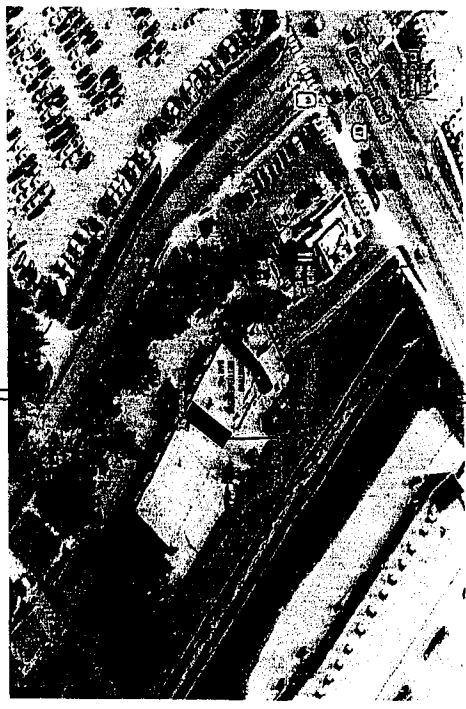
ARCHITECTS
INTERIORS
LAND PLANNING
SCAPE DESIGN

Design Work

1740 Thunderbird

7800 Big Bend Blvd. St. Louis, Mo. 63119
314-312-0200 Fax: 314-905-0805

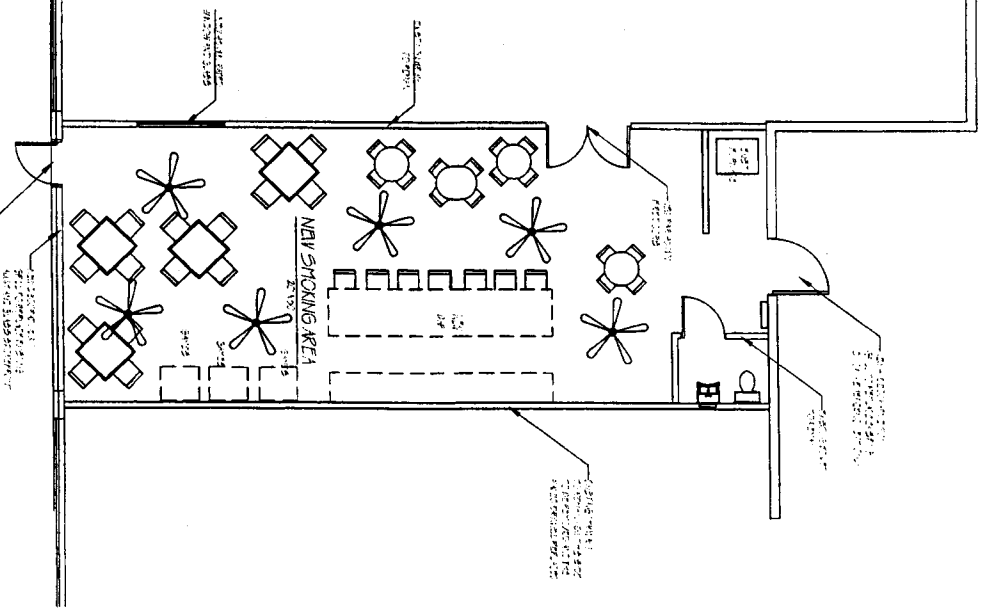
SITE PLAN



EXISTING BAR/RESTAURANT
TO REMAIN IS

TOTAL ADDITIONAL SEATING - 32

FLOOR PLAN



A-101

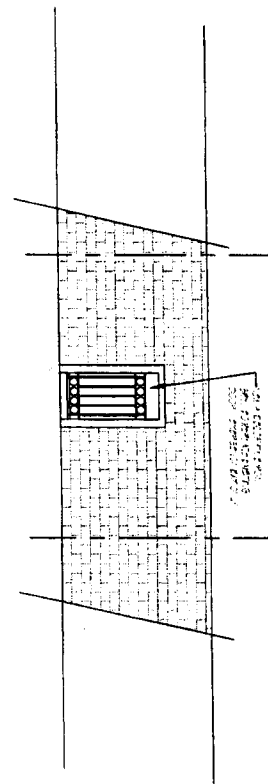
Gettemeiers Bar & Grill

Architect
David J. Smith
Land Planning
Fiskal Design

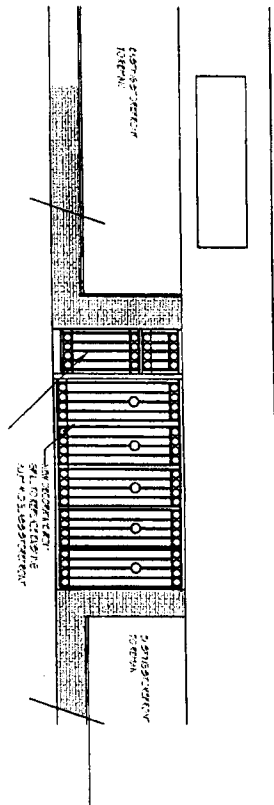
Design Work

1740 Thunderbird
Florissant, Mo.

7008 Big Bend Blvd. St. Louis, Mo. 63119
314-313-8285 Fax: 314-883-0888



REAR ELEVATION



FRONT ELEVATION

Design Work

Architects
Interior
Land Planning
Rural Design

7800 Big Bend Blvd. St. Louis, Mo. 63119
314-313-0285 Fax: 314-885-0800

Gettemeiers Bar & Grill

1740 Thunderbird
Florissant, Mo.



A-102

CITY OF FLORISSANT

955 rue St. Francois
Phone: 314-921-5700

APPLICATION FOR LIQUOR LICENSE

TYPE OF LICENSE REQUESTED:

- (☒) Full Liquor by the Drink (☐) Full Package Liquor (☐) Consumption of Liquor
(☐) Malt Liquor & Wine by the Drink (☐) Malt Liquor & Wine Package (☐) Tasting
(☐) Full Liquor by Drink (Non-Profit)

To the City Clerk, City of Florissant, St. Louis County Missouri:

The undersigned hereby makes application for a liquor license issued under Chapter 600 of the Florissant City Code

TYPE OF OPERATION:

- (☐) Individual (☐) Partnership (☐) Corporation - Attach list of (☒) Limited Liability Corp
(Attach list of Partners) officers, addresses, phone no.

Name of Business Brennan's Bar & Grill

Business Address 1740 Thunderbird Phone 314 837 5100

Names of Applicant, Corporation, or LLC Julie A Meresick

Address of Owner 1605 Gallop Ln Florissant Phone 314 925 1028
Street City State MO Zip 63033

Name of Managing Officer Julie A Meresick

Home Address 1605 Gallop Ln Florissant MO Years at address 19
Street City/State Zip 63033 Home Phone _____

Managing Officer Date & Place of Birth 03/18/61 St Louis Cell Phone 314 952 1028
MO

Managing Officer Driver's License No. _____

(Provide a copy of driver's license)

Social Security Number* _____

Social Security Number will be used
for purposes of identification in running record check.

Managing Officer Personal Property Taxes 20 18 Paid? (☒) Yes (☐) No (Attach most recent copy)

Managing Officer Register Voter of Missouri? (☒) Yes (☐) No (Attach a Voter Registration Certificate)

Have you ever been arrested?: NO What Charge? _____
Where? _____ Disposition? _____

Citizen of U.S.A.? (☒) Yes (☐) No Naturalized? (☐) Yes Date _____ (☐) No

If Naturalized, Give Number: _____ Dist. _____

(Provide naturalization documentation)

Do you have an interest in any liquor license which is now in force? NO

If so, give details _____

Have you previously held a liquor license of any type? NO

12-6-18
At To CC
Hersel Mayne

Have you ever had a liquor license suspended or revoked? NO
If so, give details _____

Have you ever been convicted of any violation of any federal or state law? NO
If so, give details _____

Have you ever been convicted of any municipal or county ordinance violation? NO
If so, give details _____

Have you ever been convicted of any violation of a federal law, state statute or local ordinance relating to intoxicating liquor? NO
If so, give details _____

Has the location previously been occupied as a liquor establishment, liquor store or tavern? yes
If so, state name Bettmeiers

Is the location within 200 feet of property used for church, school or public playground? NO

If Individual Applicant, sign below:

If Partnership, corporation or LLC complete the following:

Brennan's Bar & Grill

Trade Name

Julie A Meresick
Signature of Managing Officer

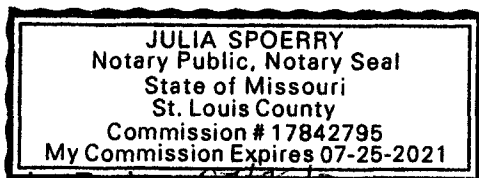
STATE OF MISSOURI) SS
COUNTY OF ST. LOUIS)

Julie Meresick, of lawful age, being first duly sworn upon _____ oath
(Individual or Managing Officer)

deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeking the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation of said business and agrees that he will abide by all lawful ordinances, regulations and rules adopted by the City relating to the conduct of said business, that he is in all respect qualified in law to receive such license, and that the answers and statements set out in the above application are true.

Julie A Meresick
Signature of Individual or Managing Officer

Subscribed and sworn to before me this 6th day of December, 2018.



Julia Spoerry
Notary Public

My Commission Expires 07/25/2021
Packet Page 118 of 346

NOTE: APPLICATION MUST BE SWORN TO BEFORE A NOTARY PUBLIC

TO THE CITY CLERK, CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI

APPLICATION FOR SUNDAY LIQUOR LICENSE

Authorizing the sale of retail liquor by the drink or package in Florissant on Sunday from 9:00 a.m. to Midnight

TYPE OF OPERATION: Individual _____ Partnership _____ Corporation _____ LLC X

NAME OF BUSINESS: Brennan's BAR & Grill

LOCATION: 1340 Thunderbird Ave Telephone: _____

NAME OF APPLICANT (partnership or corporation, give exact trade, LLC or corporate name):

Brennan's BAR & Grill

TRADE NAME IF DIFFERENT: _____

The undersigned (Individual) (Partnership) (Corporation) (LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a By the drink/Package Liquor License authorizing the sale of retail liquor on Sundays from 9:00 a.m. to Midnight for the period beginning _____, and expiring June 30, 20____, on the above described premises and agrees that if the license herein applied for is granted, and the licensee shall violate any provisions of the State Liquor Control Act or of the Florissant City Code and particularly any provision of Chapter 600 of the Florissant City Code pertaining to alcoholic beverages or permit any other person to do so upon the licensed premises, the City Council, by a majority vote, may suspend or revoke such license.

1) I/WE presently hold License No. _____ authorizing the sale of retail liquor by the drink/package in Florissant for premises described in this application.

STATE OF MISSOURI)
COUNTY OF St. Louis)

I/WE Julie Merezick of lawful age, being first duly sworn upon (my) (our) oath(s), name of managing officer (or owner or partner)

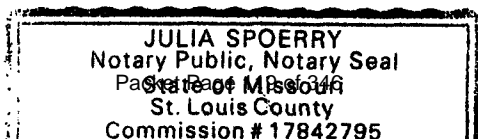
depose and say that (I) (we) have read this application and that (I) (we) fully understand the same; that (I) (we) know the contents thereof and the statements contained therein and that the same are true of (my) (our) own knowledge.

Julie Merezick
Signature of managing officer (or owner or partner)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th DAY OF December 2018

MY COMMISSION EXPIRES 07/25/2021

Julia Spoerry
Notary Public



SUPPLEMENT TO APPLICATION FOR LIQUOR LICENSE

CORPORATION & LIMITED LIABILITY COMPANY:

Copy of Certificate of Incorporation/ Registration &
Articles of Organization papers must be attached

To the Florissant City Council,
Florissant, St. Louis County, Missouri _____ DATE _____

TO BE COMPLETED BY ALL PARTNERS, OR IF CORPORATION OR LIMITED LIABILITY CORPORATION BY ALL OFFICERS OR MEMBERS:

1. FULL NAME Julie A Mercedesky
SOC. SEC. NO. _____ PLACE OF BIRTH St Louis MO
DATE OF BIRTH _____ SEX F
PHONE NUMBER 314 952 1028
ADDRESS 11205 GAITHER LN - 63033
LAST PREVIOUS ADDRESS 143 McAlpine 63136
NO. OF YRS. 11
2. FULL NAME _____
SOC. SEC. NO. _____ PLACE OF BIRTH _____
DATE OF BIRTH _____ SEX _____
PHONE NUMBER _____
ADDRESS _____
LAST PREVIOUS ADDRESS _____
NO. OF YRS. _____
3. FULL NAME _____
SOC. SEC. NO. _____ PLACE OF BIRTH _____
DATE OF BIRTH _____ SEX _____
PHONE NUMBER _____
ADDRESS _____
LAST PREVIOUS ADDRESS _____
NO. OF YRS. _____
4. FULL NAME _____
SOC. SEC. NO. _____ PLACE OF BIRTH _____
DATE OF BIRTH _____ SEX _____
PHONE NUMBER _____
ADDRESS _____
LAST PREVIOUS ADDRESS _____
NO. OF YRS. _____

PLEASE FILL OUT THIS FORM AND RETURN WITH YOUR LICENSE APPLICATION

In order for the Police Department to provide you with the best possible service, it is necessary for them to have certain information concerning your business:

EMERGENCY INFORMATION

OWNER OF PROPERTY Wampert Property PHONE _____
ADDRESS _____ CITY _____ STATE _____ ZIP _____

NAME OF BUSINESS Brennan's Bar & Grill PHONE _____
ADDRESS 1740 Thunderbird CITY _____ STATE _____ ZIP _____

BUSINESS HOURS _____

OWNER/MANAGER Julie & Ralph Maresick PHONE _____

HOME ADDRESS 11025 Gallop CITY Floral STATE MD ZIP 20733

PLEASE LIST PERSONS TO BE CONTACTED AFTER BUSINESS HOURS IN CASE OF AN EMERGENCY OR IF THERE IS A DOOR OR WINDOW FOUND INSECURE.

CONTACT #1
NAME Ralph Maresick ADDRESS 11025 Gallop Ln
CITY & STATE _____ ZIP _____ PHONE 314 952 1045
HAS KEY: YES ☒ NO ()

CONTACT #2
NAME Julie Maresick ADDRESS 11025 Gallop Ln
CITY & STATE _____ ZIP _____ PHONE 314 952 1028
HAS KEY: YES ☒ NO ()

ARE THERE LIGHTS LEFT ON AFTER BUSINESS HOURS: YES () NO ()

IS ANYONE AUTHORIZED TO BE ON THE PREMISES AFTER BUSINESS HOURS: YES () NO ()

IF YES, WHO: _____

ARE ANY VEHICLES PARKED AT YOUR BUSINESS AFTER HOURS: YES () NO ()

DESCRIBE: _____
(YEAR) (MAKE/MODEL) (COLOR) (LICENSE NO.)

DO YOU HAVE A SAFE OF ANY KIND? YES () NO ()

IF YES, WHERE IS IT LOCATED: _____

CAN IT BE SEEN FROM THE OUTSIDE? YES () NO ()

IS YOUR BUSINESS PROTECTED WITH AN ALARM SYSTEM? YES () NO ()

IF AT ANY TIME THERE IS A CHANGE IN THE ABOVE INFORMATION, PLEASE NOTIFY THE POLICE DEPARTMENT IMMEDIATELY, ESPECIALLY IN THE CASE OF THOSE PERSONS TO NOTIFY IN CASE OF AN EMERGENCY. THANK YOU.

TRUDI MCCOLLUM FOUSHEE
Secretary

MATTHEW W. POTTER
Commissioner

ERIC FEY
Director of Elections

Saint Louis
COUNTY
ELECTION BOARD

SHARON BUCHANAN-MCCLURE
Chair

PEGGY BARNHART
Commissioner

RICK STREAM
Director of Elections

CERTIFICATE OF REGISTRATION

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)



This is to certify that JULIE A MERESICKY is a resident and registered voter in
Precinct 23 of FLORISSANT Township of the County of St. Louis and the
State of Missouri having registered on 7/23/82

I do hereby certify the following to be true and correct information obtained from the voter registration
file and verified by the applicant.

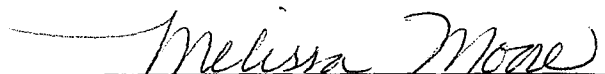
Current Address: 1605 GALLOP LANE

City/State/Zip: FLORISSANT, MISSOURI 63033

Date of Birth: 3/18/61

U. S. Citizen: YES

IN WITNESS WHEREOF, I hereunto set my hand and the seal of said Board of Election
Commissioners located in St. Louis County, Missouri, this 6 day of December,
2018.



Signature of Election Board Official

(Seal)

BOARD OF ELECTION COMMISSIONERS

725 Northwest Plaza Drive • Saint Ann, MO 63074 • PH 314/615-1800 •

FAX 314/615-1999 RelayMO 711 or 800-735-2966 • web [http://](http://www.stlouisco.com/yourgovernment/elections)

www.stlouisco.com/yourgovernment/elections

PETITION

WHEREAS, Sec. 600.060 of the Florissant City Code provides that "No license for the sale of intoxicating liquors of any kind at retail by the drink for consumption on the premises where sold shall be issued unless a petition approving such issuance shall be filed with the application for license and which petition shall be signed by two-thirds of the assessed taxpaying citizens owning property and also two-thirds of the persons occupying, owning or conducting any business on the main or ground floor of buildings within a distance of two hundred (200) feet of the applicant's place of business in all directions."

NOW, THEREFORE, we the undersigned, do hereby approve the issuance of a license to

Brennan's Bar & Grill

NAME OF BUSINESS

to sell intoxicating liquors of all kinds by the drink and for the consumption on the premises located at:

1745 Thunderbird

BUSINESS ADDRESS

NAME

ADDRESS

PHONE

KAREN M. ADRIDGE 1764 Thunderbird 314-736-5433

Sylvia Stenson 1764 Thunderbird 314-972-8801

Samuel Brooks 1760 THUNDERBIRD (314) 304-6271

I hereby certify that the foregoing petition contains the signatures of two-thirds of the assessed taxpaying citizens owning property and also two-thirds of the persons occupying, owning or conducting any business on the main or ground floor of buildings within a distance of two hundred (200) feet of the applicant's place of business in all directions.

Julie Mersy
Signature of Applicant
(Individual or Managing Officer)

Subscribed and sworn to before me this 6th day of December, 2018.

JULIA SPOERRY
Notary Public, Notary Seal
State of Missouri
St. Louis County
Commission # 17842795
My Commission Expires 07-25-2021

Julia Sperry
Notary Public

My Commission Expires: 07/25/2021

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

CERTIFICATE OF ORGANIZATION

WHEREAS,

Brennan's Bar & Grill LLC
LC001620736

filed its Articles of Organization with this office on the 5th day of December, 2018, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 5th day of December, 2018, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.
Done at the City of Jefferson, this 5th day of December, 2018.


Secretary of State



1 INTRODUCED BY CAPUTA
2 DECEMBER 10, 2018

3
4 BILL NO. 9461

ORDINANCE NO.

5
6 **AN ORDINANCE OF THE CITY OF FLORISSANT, MISSOURI,**
7 **AUTHORIZING AND DIRECTING THE SUBMISSION OF A BALLOT**
8 **PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY OF**
9 **FLORISSANT, MISSOURI, TO CONSIDER IMPOSING A LOCAL USE TAX**
10 **AT THE SAME RATE AS THE LOCAL SALES TAX OF THE CITY OF**
11 **FLORISSANT, MISSOURI, FOR PURCHASES FROM OUT-OF-STATE**
12 **VENDORS THAT EXCEED TWO THOUSAND DOLLARS**

13
14 **WHEREAS**, the City of Florissant, Missouri ("City") has imposed local sales taxes, as defined
15 in Section 32.085 RSMo, at the rate of 1.25 percent (%); and

16
17 **WHEREAS**, the City is authorized, under Section 144.757 RSMo, to impose a local use tax at
18 a rate equal to the rate of the local sales taxes in effect in the City; and

19
20 **WHEREAS**, the City Council of the City ("Council") deems it to be in the best interest of the
21 City and its citizens to impose a local use tax; and

22
23 **WHEREAS**, the proposed local use tax cannot become effective until approved by qualified
24 voters of the City at a municipal, county or state general, primary or special election; and

25
26 **WHEREAS**, the Council deems it to be in the best interest of the City and its citizens to call a
27 special election on Tuesday April 2nd, 2019 for the purpose of seeking voter approval of imposition of
28 the proposed local use tax.

29
30 **WHEREAS**, the City of Florissant, Missouri, believes a local use tax will help level the
31 economic playing field between local retail merchants and out-of-state vendors, and that the revenue
32 from such a tax will support the provision of critical municipal services and, therefore seeks to have
33 the ballot proposition hereinafter referenced presented to qualified voters of the City at an election to
34 be held on April 2nd, 2019.

35
36 **NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
37 **FLORISSANT, MISSOURI AS FOLLOWS:**

38
39 **Section 1.**

40
41 Pursuant to the requirements of Article X, Section 22 of the Missouri Constitution and in
42 accordance with Section 144.757, RSMo., the following proposition shall be submitted to the qualified
43 voters of the City of Florissant at the election to be held on the 2nd day of April, 2019, to wit:

44
45 **PROPOSITION 1**

46
47 **"Shall the City of FLORISSANT be authorized to impose a local use tax at the same rate as the**
48 **local sales tax by a vote of the governing body, provided that if any local sales tax is repealed,**

49 reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced
50 or raised by the same action? A use tax return shall not be required to be filed by persons whose
51 purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar
52 year”.

53
54 Yes ☐ No ☐

55
56 **INSTRUCTIONS TO VOTERS:** If you are in favor of the Proposition, fill in the circle
57 opposite the word “Yes”. If you are opposed to the Proposition, fill in the circle opposite the
58 word “No”.

59
60 **Section 2.**

61
62 The City Clerk shall prepare and cause to be forwarded to the Board of Election
63 Commissioners of St. Louis County, Missouri, a Notice of Election in compliance with this ordinance
64 and take such other steps as may be required so that an election may be lawfully conducted.

65
66 **Section 3.**

67
68 The Board of Election Commissioners of St. Louis County shall conduct such election
69 according to the law and certify the results thereof. Said Board of Election Commissioners shall
70 designate such polling places as shall be required for said election and shall appoint such necessary
71 election officials as may be required for the conduct thereof. Said Board of Election Commissioners
72 shall also publish such notice of said election as shall be required by law and shall do and perform
73 such other necessary acts as may be required to conduct such election in accord with the statutes of the
74 State of Missouri and the ordinances of the City of Florissant, Missouri.

75
76 **Section 4.**

77
78 This Ordinance shall be in full force and effect both from and after its passage by the City
79 Council.

80
81 Adopted this ____ day of _____, 2018.

82
83
84 _____
85 Jeff Caputa
86 President of the Council
87 City of Florissant

88 Approved this ____ day of _____, 2018.

89
90 _____
91 Thomas P. Schneider
92 Mayor, City of Florissant

93 ATTEST:

94
95 _____
96 Karen Goodwin, MPPA/MMC/MRCC
97 City Clerk

CITY USE TAX FACT SHEET

Note: The MML also has prepared a model use tax election ordinance.)

Municipalities May Enact A Use Tax

Sections 144.757.144.761 RSMo. authorizes any incorporation city, town or village to impose a local use tax.

What is the Local Use Tax?

The local use tax is applied, in lieu of the local sales tax, on transactions that individuals and businesses conduct with out-of-state vendors, including catalog and direct market sales.

Is This a Fair Tax?

Yes, the main purpose of the local use tax is to create a level playing field for your local retail businesses that must collect the city sales taxes. Currently, your local retailers are at a competitive disadvantage with out-of-state vendors who do not have to collect local sales taxes. The local use tax will fix this "loophole."

City Adopting a Use Tax Must Submit Ordinance to Voters

The governing body of any city may adopt a local use tax ordinance. However, the proposal must be submitted to the voters of the city at either a city, county or state general, primary or special election and receive a majority of the votes cast on the proposal.

What Use Tax Rate is Authorized

The city may impose a use tax only at the same rate as its city sales tax rate. If the city's sales tax rate is repealed, reduced or increased, by voter approval, then the city's use tax rate is similarly repealed, reduced or increased.

What if the City's Voters Turn Down the Use Tax?

If the voters of the city do not authorize a local sales tax, the legislative body of the city may submit the sales tax proposal again at the later election. There is no limitation as to how many times the local sales tax proposal may be submitted to the electorate.

When Does a City Use tax Ordinance Take Effect?

If the city voters approve the use tax on August 6, 1996, then the tax becomes effective October 1, 1996, as long as the Director of Revenue receives notice of adoption of the local use tax on or before August 16.

If the city voters approve the use tax after December 31, 1996, then the tax becomes effective on the first day of the calendar quarter which begins at least forty-five days after the Director of Revenue receives notice of adoption of the local use tax.

How is the Tax Collected?

If the out-of-state vendor has a facility in Missouri, the vendor will collect the local use tax, along with the state use tax, and remit both to the Missouri Department of Revenue (DOR). If the out-of-state vendor does not have a facility in Missouri, the purchaser must file a use tax return

*cc to Carol
12/5/18
Aguda*

with DOR but only if the individual or business has more than \$2,000 in such purchases during the calendar year.

The State Director of Revenue Collects the tax for the City

Under the law, the State Director of Revenue collects both the state and city use taxes. City taxes, less charges for collection, are sent back to the city imposing the tax. A city receives only the amount of tax imposed by it and collected from it. Thus, while the state is not sharing any of its revenues with a city imposing a local use tax, the state is providing its collection machinery, and no additional collection machinery or additional personnel will be required by the city in order for the city to receive a city use tax.

What Does the State Charge for the Collection of the City Use Tax and How is the City tax Accounted For?

The Director of revenue is required to deposit all city use taxes collected in a special City Use Tax Trust Fund, less one percent for the cost of collection. The one percent deducted, less the cost of premiums on surety bonds, is deposited in the State General Revenue Fund. The Director of Revenue of the state is to keep an accurate record of the amount of money collected from each city.

When is Local City Use Tax Money Distributed to the City?

The law provides that not later than the tenth day of each month the State Treasurer will distribute all moneys deposited in the City Use Tax Trust Fund during the preceding month to the city treasurer or to any other officer as may be designated by city ordinance of any city imposing the use tax.

What Purchases are Exempt From the Use Tax?

If an item is exempt from the state and local sales tax, it is also exempt from the state and local use tax, including raw materials and component parts used in manufacturing, machinery used in manufacturing, farm equipment, etc.

How Much will My City Receive From a Local use Tax?

It is very difficult to estimate the revenue from a local use tax because it is based on the purchases made by individuals and businesses in your city from out-of-state vendors. There is no information available on such sales in prior years.

DOR FACT SHEET

Use Tax

Use tax is imposed on the use, storage or consumption of tangible personal property shipped into Missouri from out of state. The state use tax rate is also imposed at a rate of 4.225%. In addition, cities and counties may impose local use tax. The amount of use tax paid on the transaction will depend on the combined local use tax rate in effect at the Missouri location to which the tangible personal property is shipped. Either the out-of-state seller will collect and remit the use tax directly to Missouri or the purchaser is responsible for remitting the tax to the department if the out-of-state seller does not collect use tax on the transaction. Local use taxes are distributed in the same manner as sales tax. Missouri cannot require out of state companies that do not have nexus or "direct connection" with the state to collect and remit use tax.

Any vendor and its affiliates selling tangible personal property to Missouri customers should collect and pay sales or use tax in order to be eligible to receive Missouri state contracts, regardless of whether that vendor or affiliate has nexus with Missouri.

Effective August 28, 2003, Section 34.040.6 states, "The commissioner of administration and other agencies to which the state purchasing law applies shall not contract for goods or services with a vendor if the vendor or an affiliate of the vendor makes sales at retail of tangible personal property or for the purpose of storage, use, or consumption in this state but fails to collect and properly pay the tax as provided in chapter 114, RSMo. For purposes of this section, "affiliate of the vendor" shall mean any person or entity that is controlled by or is under common control with the vendor, whether through stock ownership or otherwise."

1 INTRODUCED BY COUNCILMAN JONES
2 NOVEMBER 26, 2018

3
4 BILL NO. 9462

ORDINANCE NO.

5
6 **ORDINANCE AUTHORIZING AN APPROPRIATION OF \$6,000 TO**
7 **ACCOUNT NO. 05-56-26000 “UTILITIES-KOCH) FOR THE PURPOSE**
8 **OF DISCONNECTING THE UTILITIES AT THE KOCH AQUATIC**
9 **CENTER TO CONTINUE DEMOLITION.**

10
11 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST. LOUIS
12 COUNTY, MISSOURI, AS FOLLOWS:

13
14 Section 1: There is hereby authorized an appropriation of \$6,000 to Account No. 05-56-
15 26000 “Utilities-Koch) for the purpose of disconnecting the utilities at the Koch Aquatic Center
16 to continue demolition.

17 Section 2: This ordinance shall become in force and effect immediately
18 upon its passage and approval.

19
20 Adopted this _____ day of _____, 2018.

21
22
23 _____
24 Jeff Caputa
25 President of the Council
26 City of Florissant

27
28 Approved this _____ day of _____, 2018.

29
30
31 _____
32 Thomas P. Schneider
33 Mayor, City of Florissant

34
35 ATTEST:

36
37 _____
38 Karen Goodwin, MPPA/MMC/MRCC
39 City Clerk
40

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: December 3, 2018

Mayor's Approval: 

Agenda Date Requested: 1

10-Dec-18

Description of request: Appropriation of \$6,000 for Koch Park Aquatic Center for the disconnect of utilities at Koch Park Aquatic Center so that demolition may proceed.

Monies will be appropriated to account 05-56-26000.

REQUEST 3 READINGS

Department: Parks and Recreation

Recommending Board or Commission:

Type of request:

| Ordinances | X | Other | X |
|----------------------|---|-----------------------|---|
| Appropriation | | Liquor License | |
| Transfer | | Hotel License | |
| Zoning Amendment | | Special Presentations | |
| Amendment | | Resolution | |
| Special Use Transfer | | Proclamation | |
| Special Use | | Subdivision | |
| Budget Amendment | X | | |

Public Hearing needed: Yes / No

NO

3 readings? : Yes / No

No

Back up materials attached:

| | |
|------------|--|
| Minutes | |
| Maps | |
| Memo | |
| Draft Ord. | |

Back up materials needed:

| | |
|------------|--|
| Minutes | |
| Maps | |
| Memo | |
| Draft Ord. | |

Note: Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____



CITY OF FLORISSANT
PARKS & RECREATION DEPARTMENT
Interoffice Memorandum

Date: December 3, 2018

To: The Florissant City Council

Copy: Kimberlee Johnson
Director of Finance

Thru: Mayor Thomas P. Schneider

Karen Goodwin

From: Cheryl A. Thompson, Director of Parks and Recreation

City Clerk

Subject: Appropriation of Funds for Utilities Disconnect at Koch Park Aquatic Center

I am respectfully requesting the appropriation of \$6,000 for the disconnection of utilities at Koch Park Aquatic Center so that demolition may proceed without any interference of utility lines. This would be appropriated to the utilities account for Koch 05-56-26000.

Please advise if additional information is required. Thank you for your consideration.

3 READINGS REQUESTED

1 INTRODUCED BY COUNCILMAN CAPUTA
2 DECEMBER 10, 2018

3
4 BILL NO. 9463

ORDINANCE NO.

5
6 **AN ORDINANCE PROVIDING FOR THE REPEAL OF CHAPTERS 500,**
7 **505 AND 510 OF THE CODE OF ORDINANCES OF THE CITY OF**
8 **FLORISSANT, MISSOURI, AS AMENDED, RELATING TO THE**
9 **BUILDING CODE AND ENACTING IN LIEU THEREOF A NEW**
10 **CHAPTER 500, A NEW CHAPTER 505, AND A NEW CHAPTER 510 ON**
11 **THE SAME SUBJECT WITH CERTAIN MODIFICATIONS AS**
12 **HEREINAFTER SET FORTH.**

13 WHEREAS, certain documents, three (3) copies of which have been placed on file in the
14 office of the City Clerk ninety (90) days prior to this adoption, and said copies being marked and
15 designated as the Building Construction Code, and Existing Structures Code, of the City of
16 Florissant are hereby adopted for the control, maintenance, and construction of structures as
17 herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms
18 of the Building Construction Code, and Existing Structure Code, of the City of Florissant are
19 hereby referred to, adopted and made a part hereof, as if fully set out in these Chapters, with the
20 additions, insertions, deletions and changes prescribed in this Chapter.

21 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**
22 **OF FLORISSANT, MISSOURI,**

23 Section 1: Chapters 500, 505 and 510 of the Code of Ordinances of the City of Florissant,
24 Missouri (the "City") are hereby repealed and a new Chapter 500 Building Regulations, 505
25 Building Construction Code, and a new Chapter 510 Existing Structures Code, of the Municipal
26 Code of the City are hereby enacted in lieu thereof, all to read as follows:

27 **CHAPTER 500 – BUILDING REGULATIONS**

28 **ARTICLE I. Section 500.010. Building Permit and Other Fees.**

29 A. Fees. The permittee of any permit for the erection, alteration, enlargement, repair or
30 removal of any structures or buildings shall pay the City a fee for such permit as set
31 forth in paragraphs (1) and (2) below except as determined by Section **500.020** of
32 this Article.

- 33 1. *Commercial, industrial and multi-family residential construction permit fees.*
34 The fee for a building permit and inspection of commercial, industrial and
35 multi-family construction shall be determined by applying the table of fee
36 rates as set forth below to the total cost of construction as determined by
37 Section **500.020** of this Article. Permit processing, plan review and charges
38 for inspections are included in the fee rate. However, the minimum permit
39 fee shall be the first-tier entry of ninety-six dollars (\$95.00) where no plan
40 review is required. A building permit and inspection fee for commercial,

41 industrial, or multiple-family residential construction, with a total
 42 estimated cost of construction in excess of fifty million dollars
 43 (\$50,000,000.00) shall be computed at the rate of three dollars and sixty
 44 cents (\$3.60) per thousand dollars of the total estimated cost of
 45 construction.

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$1,000 | \$95 |
| \$2,000 | \$124 |
| \$3,000 | \$143 |
| \$4,000 | \$163 |
| \$5,000 | \$197 |
| \$6,000 | \$223 |
| \$7,000 | \$233 |
| \$8,000 | \$256 |
| \$9,000 | \$267 |
| \$10,000 | \$270 |
| \$11,000 | \$270 |
| \$12,000 | \$270 |
| \$13,000 | \$270 |
| \$14,000 | \$270 |
| \$15,000 | \$270 |
| \$16,000 | \$271 |
| \$17,000 | \$271 |
| \$18,000 | \$280 |
| \$19,000 | \$294 |
| \$20,000 | \$294 |
| \$21,000 | \$294 |
| \$22,000 | \$294 |
| \$23,000 | \$294 |
| \$24,000 | \$305 |
| \$25,000 | \$305 |
| \$26,000 | \$317 |
| \$27,000 | \$317 |
| \$28,000 | \$329 |
| \$29,000 | \$329 |
| \$30,000 | \$329 |
| \$31,000 | \$340 |
| \$32,000 | \$340 |
| \$33,000 | \$340 |
| \$34,000 | \$352 |
| \$35,000 | \$352 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$36,000 | \$363 |
| \$37,000 | \$364 |
| \$38,000 | \$376 |
| \$39,000 | \$378 |
| \$40,000 | \$389 |
| \$42,000 | \$400 |
| \$44,000 | \$412 |
| \$46,000 | \$422 |
| \$48,000 | \$437 |
| \$50,000 | \$447 |
| \$52,000 | \$460 |
| \$54,000 | \$482 |
| \$56,000 | \$483 |
| \$58,000 | \$494 |
| \$60,000 | \$508 |
| \$62,000 | \$519 |
| \$64,000 | \$531 |
| \$66,000 | \$542 |
| \$68,000 | \$555 |
| \$70,000 | \$567 |
| \$72,000 | \$579 |
| \$74,000 | \$590 |
| \$76,000 | \$603 |
| \$78,000 | \$614 |
| \$80,000 | \$626 |
| \$82,000 | \$638 |
| \$84,000 | \$650 |
| \$86,000 | \$662 |
| \$88,000 | \$674 |
| \$90,000 | \$697 |
| \$92,000 | \$709 |
| \$94,000 | \$722 |
| \$96,000 | \$733 |
| \$98,000 | \$746 |
| \$100,000 | \$756 |
| \$105,000 | \$781 |
| \$110,000 | \$816 |
| \$115,000 | \$839 |
| \$120,000 | \$876 |
| \$125,000 | \$899 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$130,000 | \$937 |
| \$135,000 | \$960 |
| \$140,000 | \$995 |
| \$145,000 | \$1,019 |
| \$150,000 | \$1,054 |
| \$155,000 | \$1,078 |
| \$160,000 | \$1,103 |
| \$165,000 | \$1,158 |
| \$170,000 | \$1,161 |
| \$175,000 | \$1,198 |
| \$180,000 | \$1,222 |
| \$185,000 | \$1,245 |
| \$190,000 | \$1,281 |
| \$195,000 | \$1,304 |
| \$200,000 | \$1,328 |
| \$210,000 | \$1,388 |
| \$220,000 | \$1,447 |
| \$230,000 | \$1,502 |
| \$240,000 | \$1,555 |
| \$250,000 | \$1,614 |
| \$260,000 | \$1,661 |
| \$270,000 | \$1,722 |
| \$280,000 | \$1,769 |
| \$290,000 | \$1,829 |
| \$300,000 | \$1,874 |
| \$310,000 | \$1,897 |
| \$320,000 | \$1,985 |
| \$330,000 | \$2,029 |
| \$340,000 | \$2,088 |
| \$350,000 | \$2,137 |
| \$360,000 | \$2,196 |
| \$370,000 | \$2,245 |
| \$380,000 | \$2,291 |
| \$390,000 | \$2,351 |
| \$400,000 | \$2,399 |
| \$420,000 | \$2,495 |
| \$440,000 | \$2,602 |
| \$460,000 | \$2,697 |
| \$480,000 | \$2,804 |
| \$500,000 | \$2,899 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$520,000 | \$2,995 |
| \$540,000 | \$3,103 |
| \$560,000 | \$3,196 |
| \$580,000 | \$3,293 |
| \$600,000 | \$3,386 |
| \$620,000 | \$3,482 |
| \$640,000 | \$3,578 |
| \$660,000 | \$3,673 |
| \$680,000 | \$3,768 |
| \$700,000 | \$3,864 |
| \$720,000 | \$3,959 |
| \$740,000 | \$4,054 |
| \$760,000 | \$4,149 |
| \$780,000 | \$4,244 |
| \$800,000 | \$4,341 |
| \$820,000 | \$4,435 |
| \$840,000 | \$4,517 |
| \$860,000 | \$4,613 |
| \$880,000 | \$4,707 |
| \$900,000 | \$4,803 |
| \$920,000 | \$4,887 |
| \$940,000 | \$4,981 |
| \$960,000 | \$5,076 |
| \$980,000 | \$5,161 |
| \$1,000,000 | \$5,255 |
| \$1,100,000 | \$5,683 |
| \$1,200,000 | \$6,120 |
| \$1,300,000 | \$6,559 |
| \$1,400,000 | \$6,986 |
| \$1,500,000 | \$7,412 |
| \$1,600,000 | \$7,838 |
| \$1,700,000 | \$8,254 |
| \$1,800,000 | \$8,669 |
| \$1,900,000 | \$9,084 |
| \$2,000,000 | \$9,497 |
| \$2,100,000 | \$9,899 |
| \$2,200,000 | \$10,303 |
| \$2,300,000 | \$10,707 |
| \$2,400,000 | \$11,109 |
| \$2,500,000 | \$11,512 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$2,600,000 | \$11,904 |
| \$2,700,000 | \$12,292 |
| \$2,800,000 | \$12,683 |
| \$2,900,000 | \$13,076 |
| \$3,000,000 | \$13,467 |
| \$3,100,000 | \$13,859 |
| \$3,200,000 | \$14,237 |
| \$3,300,000 | \$14,617 |
| \$3,400,000 | \$15,009 |
| \$3,500,000 | \$15,387 |
| \$3,600,000 | \$15,758 |
| \$3,700,000 | \$16,132 |
| \$3,800,000 | \$16,512 |
| \$3,900,000 | \$16,881 |
| \$4,000,000 | \$17,259 |
| \$4,200,000 | \$17,993 |
| \$4,400,000 | \$18,738 |
| \$4,600,000 | \$19,463 |
| \$4,800,000 | \$20,198 |
| \$5,000,000 | \$20,919 |
| \$5,200,000 | \$21,644 |
| \$5,400,000 | \$22,353 |
| \$5,600,000 | \$23,065 |
| \$5,800,000 | \$23,775 |
| \$6,000,000 | \$24,473 |
| \$6,200,000 | \$25,184 |
| \$6,400,000 | \$25,885 |
| \$6,600,000 | \$26,559 |
| \$6,800,000 | \$27,270 |
| \$7,000,000 | \$27,957 |
| \$7,200,000 | \$28,644 |
| \$7,400,000 | \$29,331 |
| \$7,600,000 | \$30,012 |
| \$7,800,000 | \$30,694 |
| \$8,000,000 | \$31,370 |
| \$8,200,000 | \$32,046 |
| \$8,400,000 | \$32,720 |
| \$8,600,000 | \$33,396 |
| \$8,800,000 | \$34,060 |
| \$9,000,000 | \$34,722 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$9,200,000 | \$35,387 |
| \$9,400,000 | \$36,051 |
| \$9,600,000 | \$36,713 |
| \$9,800,000 | \$37,377 |
| \$10,000,000 | \$38,029 |
| \$10,500,000 | \$39,663 |
| \$11,000,000 | \$41,287 |
| \$11,500,000 | \$42,898 |
| \$12,000,000 | \$44,510 |
| \$12,500,000 | \$46,097 |
| \$13,000,000 | \$47,686 |
| \$13,500,000 | \$49,260 |
| \$14,000,000 | \$50,836 |
| \$14,500,000 | \$52,400 |
| \$15,000,000 | \$53,952 |
| \$15,500,000 | \$55,794 |
| \$16,000,000 | \$57,593 |
| \$16,500,000 | \$59,390 |
| \$17,000,000 | \$61,190 |
| \$17,500,000 | \$62,987 |
| \$18,000,000 | \$64,786 |
| \$18,500,000 | \$66,585 |
| \$19,000,000 | \$68,383 |
| \$19,500,000 | \$70,181 |
| \$20,000,000 | \$71,859 |
| \$20,500,000 | \$73,656 |
| \$21,000,000 | \$75,450 |
| \$21,500,000 | \$77,249 |
| \$22,000,000 | \$79,040 |
| \$22,500,000 | \$80,838 |
| \$23,000,000 | \$82,631 |
| \$23,500,000 | \$84,429 |
| \$24,000,000 | \$86,222 |
| \$24,500,000 | \$88,020 |
| \$25,000,000 | \$89,802 |
| \$25,500,000 | \$91,611 |
| \$26,000,000 | \$93,404 |
| \$26,500,000 | \$95,202 |
| \$27,000,000 | \$96,994 |
| \$27,500,000 | \$98,792 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$28,000,000 | \$100,585 |
| \$28,500,000 | \$102,383 |
| \$29,000,000 | \$104,176 |
| \$29,500,000 | \$105,974 |
| \$30,000,000 | \$107,584 |
| \$30,500,000 | \$109,376 |
| \$31,000,000 | \$111,170 |
| \$31,500,000 | \$112,962 |
| \$32,000,000 | \$114,755 |
| \$32,500,000 | \$116,547 |
| \$33,000,000 | \$118,338 |
| \$33,500,000 | \$120,131 |
| \$34,000,000 | \$121,923 |
| \$34,500,000 | \$123,715 |
| \$35,000,000 | \$125,508 |
| \$35,500,000 | \$127,301 |
| \$36,000,000 | \$129,093 |
| \$36,500,000 | \$130,886 |
| \$37,000,000 | \$132,678 |
| \$37,500,000 | \$134,469 |
| \$38,000,000 | \$136,262 |
| \$38,500,000 | \$138,054 |
| \$39,000,000 | \$139,846 |
| \$39,500,000 | \$141,640 |
| \$40,000,000 | \$143,189 |
| \$40,500,000 | \$144,981 |
| \$41,000,000 | \$146,767 |
| \$41,500,000 | \$148,559 |
| \$42,000,000 | \$150,345 |
| \$42,500,000 | \$152,138 |
| \$43,000,000 | \$153,925 |
| \$43,500,000 | \$155,717 |
| \$44,000,000 | \$157,503 |
| \$44,500,000 | \$159,296 |
| \$45,000,000 | \$161,082 |
| \$45,500,000 | \$162,875 |
| \$46,000,000 | \$164,660 |
| \$46,500,000 | \$166,453 |
| \$47,000,000 | \$168,239 |
| \$47,500,000 | \$170,032 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$48,000,000 | \$171,819 |
| \$48,500,000 | \$173,610 |
| \$49,000,000 | \$175,397 |
| \$49,500,000 | \$177,190 |
| \$50,000,000 | \$178,671 |

2. *Residential construction permit fees.* The fee for a building permit and inspections of residential construction or new structures, alterations and additions on one- or two-family residential structures and all other miscellaneous residential construction shall be determined by applying the table of fee rates set forth below to the total estimated cost of construction as determined in Section **500.020** of this Article. Permit processing, plan review and inspection charges are included in the fee rate. However, the minimum permit fee shall be ninety-six dollars (\$95.00) where no plan review is required. A building permit and inspection fee for residential construction, with a total estimated cost of construction in excess of six hundred and eighty thousand dollars (\$680,000) shall be computed at the rate of three dollars and sixty cents (\$3.60) per thousand dollars of the total estimated cost of construction.

| Construction Cost | Permit Fee |
|--------------------------|-------------------|
| \$1,000 | \$95 |
| \$2,000 | \$105 |
| \$3,000 | \$116 |
| \$4,000 | \$129 |
| \$5,000 | \$147 |
| \$6,000 | \$160 |
| \$7,000 | \$166 |
| \$8,000 | \$183 |
| \$9,000 | \$188 |
| \$10,000 | \$191 |
| \$11,000 | \$191 |
| \$12,000 | \$191 |
| \$13,000 | \$191 |
| \$14,000 | \$191 |
| \$15,000 | \$191 |
| \$16,000 | \$192 |
| \$17,000 | \$197 |
| \$18,000 | \$197 |
| \$19,000 | \$205 |
| \$20,000 | \$205 |
| \$21,000 | \$205 |

| Construction Cost | Permit Fee |
|--------------------------|-------------------|
| \$22,000 | \$205 |
| \$23,000 | \$205 |
| \$24,000 | \$213 |
| \$25,000 | \$213 |
| \$26,000 | \$223 |
| \$27,000 | \$223 |
| \$28,000 | \$227 |
| \$29,000 | \$227 |
| \$30,000 | \$227 |
| \$31,000 | \$236 |
| \$32,000 | \$236 |
| \$33,000 | \$236 |
| \$34,000 | \$245 |
| \$35,000 | \$245 |
| \$36,000 | \$252 |
| \$37,000 | \$253 |
| \$38,000 | \$258 |
| \$39,000 | \$260 |
| \$40,000 | \$268 |
| \$42,000 | \$276 |
| \$44,000 | \$284 |
| \$46,000 | \$290 |
| \$48,000 | \$299 |
| \$50,000 | \$306 |
| \$52,000 | \$313 |
| \$54,000 | \$329 |
| \$56,000 | \$329 |
| \$58,000 | \$338 |
| \$60,000 | \$344 |
| \$62,000 | \$352 |
| \$64,000 | \$359 |
| \$66,000 | \$369 |
| \$68,000 | \$376 |
| \$70,000 | \$383 |
| \$72,000 | \$391 |
| \$74,000 | \$400 |
| \$76,000 | \$407 |
| \$78,000 | \$414 |
| \$80,000 | \$421 |
| \$82,000 | \$431 |

| Construction Cost | Permit Fee |
|--------------------------|-------------------|
| \$84,000 | \$438 |
| \$86,000 | \$444 |
| \$88,000 | \$453 |
| \$90,000 | \$469 |
| \$92,000 | \$477 |
| \$94,000 | \$483 |
| \$96,000 | \$492 |
| \$98,000 | \$500 |
| \$100,000 | \$508 |
| \$105,000 | \$522 |
| \$110,000 | \$546 |
| \$115,000 | \$561 |
| \$120,000 | \$585 |
| \$125,000 | \$599 |
| \$130,000 | \$624 |
| \$135,000 | \$638 |
| \$140,000 | \$662 |
| \$145,000 | \$677 |
| \$150,000 | \$699 |
| \$155,000 | \$716 |
| \$160,000 | \$731 |
| \$165,000 | \$755 |
| \$170,000 | \$772 |
| \$175,000 | \$794 |
| \$180,000 | \$810 |
| \$185,000 | \$824 |
| \$190,000 | \$845 |
| \$195,000 | \$863 |
| \$200,000 | \$879 |
| \$210,000 | \$918 |
| \$220,000 | \$957 |
| \$230,000 | \$992 |
| \$240,000 | \$1,026 |
| \$250,000 | \$1,065 |
| \$260,000 | \$1,095 |
| \$270,000 | \$1,133 |
| \$280,000 | \$1,166 |
| \$290,000 | \$1,203 |
| \$300,000 | \$1,235 |
| \$310,000 | \$1,274 |

| Construction Cost | Permit Fee |
|--------------------------|-------------------|
| \$320,000 | \$1,304 |
| \$330,000 | \$1,335 |
| \$340,000 | \$1,372 |
| \$350,000 | \$1,405 |
| \$360,000 | \$1,442 |
| \$370,000 | \$1,473 |
| \$380,000 | \$1,503 |
| \$390,000 | \$1,545 |
| \$400,000 | \$1,575 |
| \$420,000 | \$1,637 |
| \$440,000 | \$1,705 |
| \$460,000 | \$1,781 |
| \$480,000 | \$1,838 |
| \$500,000 | \$1,899 |
| \$520,000 | \$1,961 |
| \$540,000 | \$2,030 |
| \$560,000 | \$2,094 |
| \$580,000 | \$2,155 |
| \$600,000 | \$2,216 |
| \$620,000 | \$2,279 |
| \$640,000 | \$2,340 |
| \$660,000 | \$2,401 |
| \$680,000 | \$2,465 |

3. A fifty-dollar (**\$50.00**) fee shall apply for each additional or extra inspection, as defined herein, including inspections for compliance with approved development or site plans. An "*additional inspection*" is defined as an inspection which is required as a result of unusual or complicated construction. An "*extra inspection*" is defined as an inspection which is made as a result of non-compliance, not ready, lock out or similar circumstances.
4. *Electrical permit fees.* Electrical permit fees shall follow the rates set forth in Section 500.010(A) except as set forth in **Section 500.020**.
5. *Mechanical permit fees.* Mechanical permit fees shall follow the rates set forth in Section 500.010(A) except as set forth in **Section 500.020**.
6. *Plumbing and sewer permit fees.* Plumbing permit fees shall follow the rates set forth in Section 500.010(A) except as set forth in **Section 500.020**.
7. Miscellaneous fees.

- a. *Permit Amendments* - **\$40.00**
- b. *Refund Service Charge* - **\$40.00**
- c. *Permit Extension* - **\$40.00**
- d. *Plan Revision* - **\$40.00**
- e. *Permit Processing* - **\$40.00**
- f. *Additional Inspection* - **\$50.00**
 - 1. An "*additional inspection*" is defined as an inspection which is required as a result of unusual or complicated construction.
- g. *Extra Inspection* - **\$50.00**
 - 1. An "*extra inspection*" is defined as an inspection which is made as a result of non-compliance, not ready, lock out or similar circumstances.
- h. *Stop Work Order Fee* - **\$50.00**
- i. *Electrical inspection to verify safety (required by utility)* - **\$50.00**
- j. *Land Disturbance Permit Fees.*
 - 1. Major - **\$500.00**
 - 2. Ordinary - **\$250.00**
 - 3. Additional Inspections - **\$50.00**
- k. *Exterior Accessibility Ramp Permit Fee:* Upon approval from the Building Commissioner the permit fee for an exterior accessibility ramp may be waived for one (1) required means of egress in single-family residential homes.
 - 1. *Processing of annual backflow preventer inspection report.* - **\$40.00**
- m. *Portable On Demand Storage Container Permit (P.O.D.)* - **\$75.00**
- n. *Roll Off Dumpster Permit* - **\$75.00**

B. *General.*

- 1. The number and type of building inspections shall be as required by the Building Official.

- 101 2. It shall be the responsibility of the permit holder to maintain proper records of
102 partial permit fee payment.
- 103 3. Applicants for additional permits involving previously installed rough-in
104 installations shall produce records of payment regarding partial permit claims.
- 105 4. Failure to produce payment and permit records shall result in the full fee being
106 charged for any installation performed under a previously issued partial permit.
- 107 5. Permits issued for partial installations shall be considered completed when the
108 segment issued is inspected and approved.
- 109 6. Permits shall be issued on the merit of the plans, specifications and
110 documentation submitted in support of the permit application.
- 111 7. The estimated amount to cover general inspection fees set forth in the above
112 schedule shall be paid when a permit is issued. Extra or additional inspection
113 fees shall be paid upon completion of the work prior to a final approval.

114 C. *Administration Costs.*

- 115 1. Administration costs shall also be charged to the owner, his/her developer
116 and/or agent(s) for any major development. Administration's cost shall include,
117 but shall not be limited to, the current hourly rate for the Director of Public
118 Works, City Engineer, Building Commissioner, City Attorney, Building
119 Inspectors, secretaries, clerk typists, draftsman, copy equipment operators or
120 any other City employee(s) and shall also include the current duplicating
121 charge(s) as set by ordinance. Major developments shall include subdivision
122 projects, special permit projects and all non-residential rezoning projects.
- 123 2. Prior to reviewing building plans and issuing building permits for any major
124 development, the Director of Public Works or his/her designee shall estimate
125 the administration costs and shall require the owner, his/her developer and/or
126 agent(s) to deposit with the City this estimated amount for their particular
127 project. All administration costs associated with a particular project (including
128 all preliminary and subsequent consultations prior to Planning and Zoning and
129 City Council approvals) will be charged against the funds on deposit on a
130 monthly basis. During the course of a particular project, if funds are not
131 adequate to cover administration costs, then the owner (his/her developer
132 and/or agents) will be required to deposit an additional estimated amount with
133 the City. If at the end of a particular project there are excess funds and all
134 administration costs have been covered, then these excess funds will be
135 returned to the owner, his/her developer and/or agents.
- 136 3. If the owner, his/her developer and/or agents(s) fails to deposit adequate funds
137 required to cover actual (not estimated) administration costs, then an occupancy

permit(s) will be withheld (where applicable) or revoked until the matter is resolved.

D. Administrative Fees For Various Zoning Applications And Permits.

1. Planning and Zoning Plan Review Fees.

a. Residential - **\$50.00**

b. Commercial or Multi-Family Residential - **\$100.00**

c. The filing fee for the review by the Planning and Zoning Commission of all plans submitted to ensure that all buildings comply with the minimum standards shall be fifty dollars (**\$50.00**) for residential buildings and one hundred (**\$100.00**) for multi-family and non-residential projects.

2. The filing fee for a petition for change of zoning district, boundaries, district classification or special permit shall be three hundred dollars (**\$300.00**);

3. The application fee for a residential designed development permit shall be three hundred dollars (**\$300.00**);

4. The application fee for a planned environmental unit permit shall be three hundred dollars (**\$300.00**);

5. The application fee for a commercial industrial design permit shall be three hundred dollars (**\$300.00**)

6. No application fee shall be charged for an application under the density development procedure other than the normal fees required for processing of the subdivision under the Subdivision Regulations (see Chapter **410** of this Code) and other ordinances.

7. The aforementioned fees to be charged for the various procedures are not refundable, except where petitions or applications are withdrawn before substantial processing has been undertaken, and then only be order of the City Council. In addition to all other fees set out herein, the petitioner for a change of zoning district, district boundaries, district classification, or special permit shall pay to the City any and all costs of publication necessary to comply with the provisions of the Florissant Zoning Ordinance. Such fees shall be paid prior to the time any permit is issued under the Zoning Ordinance.

Section 500.020 Calculation of Estimated Value of Construction for Determining Permit Fee.

[Code 1980 § 6-5; CC 1990 § 5-3; Ord. No. 5409, 10-26-1992; Ord. No. 7122 § 1, 1-25-2005]

A. The Code Official is authorized to estimate the total cost of construction of a structure, building or project, by multiplying the total floor area of the structure in square feet by an appropriate square foot cost rate as published by the International Code Council. Structures or projects for which it is impractical to estimate the total construction cost by said square foot cost method shall be estimated by applying current, commonly accepted unit cost figures to the various components in a commonly accepted manner. In lieu of determining the total cost of construction as outlined above, the Code Official may accept a bona fide contract or any affidavit of the owner of the building structure or project, in which the total cost of construction, including site improvements related to the permit, is verified by applicant and owner.

B. The method to be used for calculating the estimated value for the construction of any building for the purpose of a building permit fee calculation shall be by one (1) of the following methods in which the highest figure shall be used:

1. The construction cost may be taken as that cost which was submitted on the permit application.
2. The construction cost and permit fee may be calculated using the most recent building valuation data report as published by the International Code Council (ICC). This cost shall be determined by using one hundred percent (100%) of the square footage cost given in the table. The calculation shall be required in writing provided by applicant.

Section 500.030 Maintenance of Unoccupied Freestanding Commercial or Industrial Buildings.

[Code 1980 § 6-7; CC 1990 § 5-4]

A. Any freestanding commercial or industrial building which remains unoccupied for one hundred twenty (120) days shall be maintained in accordance with the following provisions:

1. All exterior openings shall be boarded up with not less than one-quarter (1/4) inch tempered Masonite or three-eighths (3/8) inch plywood, cut to fit within the openings, fastened in place as securely as possible and suitably coated with an appropriate neutral color harmonizing with the exterior colors of the building as inconspicuously as possible. Such work shall be performed in a neat and workmanlike manner.

2. All signs and signposts, other than real estate signs, relating to such premises shall be removed.

3. Every window, glazed exterior door, exterior transom or exterior sidelight of an unoccupied building shall be provided with properly installed glass or other approved glazing material and in the event of breakage the owner shall immediately remove all broken glass and temporarily board up with suitable materials.

B. Any such building which had been used as a service station shall have all above ground pumps and pump islands removed and all underground tanks shall be filled with sand.

C. The owner of any building or structure subject hereto who shall fail to comply with these requirements, ten (10) days after written notice thereof from the Building Commissioner, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties provided for violation of City ordinances.

D. The provisions of this Section shall not apply to any building or structure designated as a landmark under the provisions of Sections 120.280 and Article XII of Chapter 405 of this Code (Sections 405.425 et seq.).

Section 500.040 Frame Construction in "R-6", "B-1", "B-2", "B-3", "B-4", "B-5", "M-1", "M-2" and "M-3" Zoning Districts.

[Code 1980 § 6-8; CC 1990 § 5-5; Ord. No. 4926 § 1, 7-11-1988; Ord. No. 5318, 1-27-1992; Ord. No. 6224, 1-25-1999; Ord. No. 7437 § 1, 8-20-2007; Ord. No. 7671 § 1, 1-13-2010]

A. Any building as defined in the Building Code, as adopted by Chapter 505, which is located in an "R-6", "B-1", "B-2", "B-3", "B-4", "B-5", "M-1", "M-2" or "M-3" zoning district shall have exterior finished walls composed of one hundred percent (100%) masonry on all sides of structure, except as otherwise permitted by this Section. There shall be no exposed non-masonry surfaces in the first (1st) three (3) feet above grade except doors and windows.

B. Exceptions:

1. Accessory buildings if otherwise permitted by ordinance and approved by the planning and zoning commission;
2. Buildings specifically excepted from such requirement under provisions of a special permit or a "B-5" zoning ordinance granted by the Council in accordance with provisions of Chapter 405 of the Code;
3. Tilt-up construction is allowed on buildings of twenty thousand (20,000) square feet or greater provided that the front tilt-up face of the building shall be constructed with traditional masonry material unless otherwise determined by the City Council. "Traditional masonry" is defined as hand-laid in place traditional block back-up, brick, stone or any other masonry material as a face. Decorative and/or embossed tilt-up panels may be required on all other portions of the building. Tilt-up construction is the process of forming, pouring and curing Portland cement concrete panels on the job site and tilting/raising them up into place usually as the exterior wall of a building or structure. Tilt-up is different than pre-cast panels which are constructed off site.
4. Any buildings legally existing on or for which building permits have been legally issued prior to March 1, 1992, or any reconstruction thereof or any alterations and expansion thereof if approved by the Planning and Zoning Commission.

C. "Masonry", as used in this Section, shall be defined as exposed face brick or natural building stone which is used as a facing component which is applied over exterior wall back-up construction. Face brick shall be prismatic units in a variety of sizes, colors and shapes. Brick shall be manufactured from clay, shale or similar naturally occurring earthy substances and subjected to firing in a kiln. Brick shall be solid masonry units, having a minimum thickness of three and five-eighths (3 5/8) inches and meeting all the requirements of ASTM Designation C-216, Standard Specification for Facing Brick. Ceramic glazed facing brick are specifically

267 excluded. Natural building stone shall include stone that is sawed, cut, split or
268 otherwise finished or shaped having a minimum thickness of one (1) inch. Natural
269 building stone shall include granite, limestone, marble, slate, soapstone, sandstone
270 or other natural stones of similar characteristics and physical properties. Molded,
271 cast or otherwise artificially aggregated units composed of fragments are
272 specifically excluded. Materials specifically excluded from the definition of exposed
273 masonry construction shall include, but shall not be limited to: all hollow masonry
274 units (i.e., structural clay tile, facing tile, customized architectural concrete masonry
275 units, hollow brick units, etc.), all concrete masonry units, glass blocks, plastic
276 and/or composite blocks, metal panels, plastic panels, plaster exterior insulation-
277 finish system, precast concrete panels or any composition and all cast-in-place
278 concrete walls, tilt-up concrete panels.

279 D. Restrictions On Use Of Masonry.

- 280 1. Masonry shall not be painted, but clear sealers may be applied if approved
281 by the Building Commissioner.
- 282 2. Any masonry that was lawfully painted may only be repainted for
283 maintenance purposes and only with written permission from the Director of
284 Public Works. In cases where there is a need to perform maintenance on a
285 painted area, the Director of Public Works or their designee may review and
286 approve any repainting for maintenance reasons, provided that there is no
287 change in color or texture.
- 288 3. Repainting for reasons other than for maintenance of current painted surfaces
289 upon the approval of the Director of Public Works and requests to change
290 the color or texture of the existing brick or masonry surface may not be done
291 without the review and recommendation from Planning and Zoning
292 Commission and approval of City Council.
- 293 4. Nothing contained herein shall excuse or authorize the unlawful painting or
294 repainting of brick or masonry surfaces.
- 295 5. Exemption for Landmark and Historic Homes: All buildings listed on the
296 National Register of Historic Places, designated Florissant landmarks or
297 structures eligible to be designated Florissant landmarks which were painted
298 prior to the adoption of this Section would be excluded from its provisions.

Section 500.050 Washroom and Lavatory Facilities in Business Establishments.

[Code 1980 § 6-9; CC 1990 § 5-6]

1. "Business" Defined. For the purpose of this Section, the term "business" means and includes any person, firm, partnership or corporation engaged in the carrying out of any commercial activity.
2. Cleanliness—Supplies. All business establishments which are open to the general public and which provide washroom and lavatory facilities for customer usage shall keep such facilities in a clean, neat and orderly manner and shall keep same equipped at all times with an adequate supply of toilet tissue, soap, towels and containers for disposable items.
3. Lighting—Ventilation—Plumbing. All washroom and lavatory facilities provided by business establishments shall be adequately lighted and ventilated and shall meet all plumbing requirements of the Plumbing Code.
4. Penalties. Any person violating any of the provisions of this Section shall be subject to the penalties provided for violation of City ordinances. In addition thereto the Director of Public Works shall be empowered to close such business establishment upon twenty-four (24) hours written notice of violation of such provisions and any business establishment closed pursuant thereto shall remain closed until full compliance with the terms of such provisions shall be achieved.

320

CHAPTER 505 - BUILDING CONSTRUCTION CODE

321 The Building Construction Code of the City of Florissant shall consist of the following code
322 sections and articles along with all appendixes, additions, insertions, deletions and changes to
323 each International and National Code, along with the additional City of Florissant code sections
324 as set out under its related Article or Section below.

325 **Section 505.010 Jurisdictional Titles.**

326 [Code 1980 §6-2(b); CC 1990 §5-27; Ord. No. 4877 §3, 2-8-1988; Ord. No. 5319, 1-27-
327 1992; Ord. No. 5805, 1-8-1996; Ord. No. 6246, 4-12-1999; Ord. No. 6950, 12-8-2003; Ord. No.
328 7678 §3, 2-10-2010]

329 Throughout the City of Florissant Building Construction Code, wherever the terms "Name of
330 Jurisdiction" or "Local Jurisdiction" appear, it shall be deemed to mean "City of Florissant";
331 likewise wherever the term "Department of Building Inspection", "department of building
332 safety", "the applicable governing authority", "department of property maintenance", or
333 "authority having jurisdiction" appears, it shall be deemed to mean "City of Florissant Building
334 Department". The terms "code official", "building official", "fire code official" or "supervisor
335 of electrical inspection" shall refer to the Building Commissioner of the City of Florissant.

336 **Section 505.020 Penalties.**

337 Any person, firm, corporation, Limited Liability Company or other business entity who shall
338 violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code
339 of Ordinances of the City of Florissant.

340 **Section 505.030 International Codes Adopted.** The following codes described in Articles I
341 through XII, are hereby adopted.

342

ARTICLE I. BUILDING CODE

343 **Section 505.040 International Building Code Adopted**

344 The International Building Code, 2018 Edition, including appendixes C, E, F, and I as published
345 by the International Code Council, Inc., one (1) copy of which was on file in the office of the
346 City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for
347 public use, inspection and examination, and a copy of which is attached hereto and incorporated
348 by this reference as if fully set forth herein, is hereby adopted as the Building Code of the City of
349 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
350 out in Section 500.050 of this Chapter.

351 **Section 505.050 Additions, Insertions, Deletions and Amendments**

352 The following numbered Sections and Subsections of the International Building Code, 2018
353 Edition, including appendixes C, E, F, and I as published by the International Code Council, Inc.,

are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended): These regulations shall be known as the Building Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

Section 103.1 Creation of enforcement agency (Amended): The Building Department, a Division of the Department of Public Works shall be the department in charge of the enforcement of this code.

Section 105.2 Work exempt from permit (Amended).

Building:

1. *(Deleted)*
2. *(Amended)* Fence repairs if total linear feet of repair is 25% or less than the total fence length added together.
3. *(Unchanged from code text)*
4. *(Amended)* Retaining walls that are not over two (2) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge load.
5. *(Unchanged from code text)*
6. *(Amended)* Sidewalks and driveways not more than thirty (30) inches above grade and not over any basement or story above. However, any excavation in a public right-of-way requires an approval and/or excavation permit from the City of Florissant.
7. *(Amended)* Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work, unless it interferes with another required system, component, safety condition or requirement.
8. *(Unchanged from code text)*
9. *(Unchanged from code text)*
10. *(Unchanged from code text)*
11. *(Amended)* Swings, playground equipment and other recreational structures or equipment accessory to detached one- and two-family dwellings.
12. *(Unchanged from code text)*
13. *(Unchanged from code text)*
14. *(Added)* Removal and installation of exterior coverings provided the work does not interfere with other required systems or components. All newly installed exterior

coverings and roofing materials must match the existing in appearance and color, texture and profile so as not to promote visual blight and shall be constructed in a workmanlike manner.

Section 105.2.1 Emergency Repairs (Amended). Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 105.2.4 Fences (Added). The finished side of fences shall face all neighboring properties including streets and alleys so as to prohibit the view of fence posts and support rails from adjoining properties.

Exception: In cases where both sides of a fence are intended to be finished, i.e. shadowbox or basket weave construction, etc.

Section 105.3.3 Integrated permits (Added). The Code Official shall be permitted to issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application. The integrated permit primary applicant shall be responsible for providing the Department of Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit shall result in the assessment of a transfer or revision fee in the amount specified in this Code.

Section 105.7 Placement of Permit (Amended). The building permit authorization card and stamped approved plans shall be kept on the construction site until completion of the work. The authorization card shall be placed in a window visible from the street upon which the structure or structures face or located on the exterior of the structure facing the street in a clear waterproof container.

Section 113.1 General (Deleted and Replaced). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in Section 11.1.

Section 114.4 Violation penalties (Amended). Any person, firm, corporation, Limited Liability Company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 114.5 Method of Service (Added). Such notice shall be deemed to be properly served upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof is:

1. Delivered personally by leaving the notice with a responsible party of suitable age and discretion;

2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent known address or the mailing address according to the real estate property records of St. Louis County Missouri.
3. A copy thereof may be posted in a conspicuous place in or about the structure affected by such notice.

Section 3107.2 Permits required (Added). A sign shall not be erected, constructed or altered except as herein provided and not until any applicable fees are paid by the applicant and the sign permit has been issued by the *building official*.

Section 3308.3 Storage containers (Added). No dumpster or construction storage unit or portable on demand storage container (P.O.D.) may be placed without first receiving a permit from the City's Public Works Department per City Code **Section 210.1280**.

ARTICLE II. RESIDENTIAL CODE

Section 505.060 International Residential Code Adopted.

The International Residential Code, 2018 Edition, including appendixes A, B, C, D, G, H, and K as published by the International Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this reference as if fully set forth herein, is hereby adopted as the Residential Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in **Section 505.070** of this Chapter.

Section 505.070 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the International Residential Code, 2018 Edition, including appendixes A, B, C, D, G, H, and K as published by the International Code Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended). These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Florissant and shall be cited as such and will be referred to herein as "this code".

Section 105.2 Work exempt from permit (Amended). Exemption 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 this jurisdiction. Permits shall not be required for the following:

Building:

1. *(Deleted)*

2. *(Amended)* Fence repairs if total linear feet of repair is 25% or less than the total cumulative fence length on the parcel.
3. *(Amended)* - Retaining walls that are not over two (2) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge load.
4. *(Unchanged from code text)*
5. *(Amended)* - Sidewalks and driveways not more than thirty (30) inches above grade and not over any basement or story above. However, any excavation in a public right-of-way requires an approval and/or excavation permit from the City of Florissant.
6. *(Amended)* Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work, unless it interferes with another required system, component, safety condition or requirement.
7. *(Amended)* Swimming pools that are less than twenty-four **(24)** inches deep. (See International Swimming Pool and Spa Code as adopted)
8. *(Amended)* *Swings, playground equipment and other recreational structures or equipment accessory to detached one- and two-family dwellings.*
9. *(Unchanged from code text)*
10. *(Deleted)*
11. *(Added)* Removal and installation of exterior coverings provided the work does not interfere with other required systems or components. All newly installed exterior coverings and roofing materials must match the existing in appearance and color, texture and profile so as not to promote visual blight and shall be constructed in a workmanlike manner.
12. *(Added)* Re-roofing provided the scope of work does not include installation of more than 25% of roof decking. All applicable code sections still apply and may be enforced if found to be installed contrary to this code. All newly installed exterior coverings and roofing materials must match the existing in appearance and color, texture and profile so as not to promote visual blight and shall be constructed in a workmanlike manner.

Electrical: *(Unchanged from code text)*

Gas: *(Unchanged from code text)*

Mechanical: *(Unchanged from code text)*

Plumbing: (*Unchanged from code text*)

3. (*Added*) Installation of fixtures if water supply valve does not fall within the scope of work.
4. (*Added*) Installation, modification or replacement of under sink tailpiece, trap or drain if not concealed behind finished surfaces.

Section 105.2.1 Emergency Repairs (*Amended*): Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 105.3.3 Integrated permits (*Added*). The Code Official shall be permitted to issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application. The integrated permit primary applicant shall be responsible for providing the Department of Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit shall result in the assessment of a transfer or revision fee in the amount specified in this Code.

Section 105.7 Placement of Permit (*Amended*): The building permit authorization card and stamped approved plans shall be kept on the construction site until completion of the work. The authorization card shall be placed in a window visible from the street upon which the structure or structures face or located on the exterior of the structure facing the street in a clear waterproof container.

Section 112.1 General (*Deleted and replaced*). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in Section 11.1. The *building official* shall be an *ex officio* member of the board when hearing building code appeals but shall not have a vote on any matter before the board.

Section R113.4 Violation penalties (*Amended*). Any person, firm, corporation, Limited Liability Company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 113.5 Method of Service (*Added*): Such notice shall be deemed to be properly served upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof is:

1. Delivered personally by leaving the notice with a responsible party of suitable age and discretion;
2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent

521 known address or the mailing address according to the real estate property records of St.
522 Louis County Missouri.

523 3. A copy thereof may be posted in a conspicuous place in or about the structure affected by
524 such notice.

525 **Table R301.2(1)** (*Amended to have the following values inserted*):

526 Ground Snow Load – **Twenty (20) Pounds Per Square Foot**

527 Wind Speeds – **One Hundred Fifteen (115) Miles Per Hour**

528 Topographic Effects - **NO**

529 Special Wind Region - **NO**

530 Wind-Borne Debris Zone – **NO**

531 Seismic Design Category – **C**

532 Weathering – **Severe**

533 Front In Line Depth – **Thirty (30) Inches**

534 Termite – **Moderate to Heavy**

535 Winter Design Temperature – **Five (5) Degrees Fahrenheit**

536 Ice Shield Underlayment Required – **YES, At Valleys and Eaves**

537 Flood Hazard – **See Chapter 415 of the Florissant Code of Ordinances**

538 Air Freezing Index – **1500**

539 Mean Annual Temperature – **53.3 Degrees Fahrenheit**

540 **Section 312.1.5 Retaining wall protection** (*Added*). Guards shall be provided where retaining
541 walls with differences in grade level on either side of the wall in excess of 30 inches are located
542 closer than 2 feet to a walk, path, parking lot or driveway on the high side of the retaining wall.

543 **Section 313.2 One- and two-family dwellings automatic fire systems** (*Amended*). Any builder of
544 single-family dwellings or residences or multifamily dwellings of four or fewer units shall offer,
545 in writing, to any purchaser the option to install or equip such dwellings or residences with a fire
546 sprinkler system at the purchaser's cost in accord with the requirements of State of Missouri law,
547 Section 67.281, RSMo. Supp. 2009.

548 **Section 327 FENCES WALLS AND SCREENS** (*Added*).

Section 327.1 Fences general (Added). All fences, walls and screens must be constructed in accordance with the zoning code of the City of Florissant. It shall be unlawful to erect any division, fence or screen, in whole or in part, of cloth, canvas or similar non-durable material.

Section 327.2 Finished side (Added). The finished side of fences shall face all neighboring properties including streets and alleys so as to prohibit the view of fence posts and support rails from adjoining properties.

Exception: In cases where both sides of a fence are intended to be finished, i.e. shadowbox or basket weave construction, etc.

Section 401.1 Application (Amended). The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC PWF.

Exceptions:

1. The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

a. In buildings that have not more than two floors and a roof.

b. Where interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15240mm).

Wood foundations in Seismic Design Category D₀, D₁ or D₂ shall be designed in accordance with accepted engineering practice.

2. (Added) The provisions of this chapter shall not be required for detached accessory structure foundations under two hundred (200) square feet.

Section 2603.5.1 Sewer depth (Amended). Building sewers that connect to private sewage disposal systems shall be not less than 30 inches (762mm) below finished grade at the point of septic tank connection. Building sewers shall not be less than 30 inches (762mm) below grade at any point.

ARTICLE III. MECHANICAL CODE

Section 505.080 International Mechanical Code Adopted.

The International Mechanical Code, 2018 Edition including appendix A as published by the International Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this

reference as if fully set forth herein, is hereby adopted as the Mechanical Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in Section 505.090 of this Chapter.

Section 505.090 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the International Mechanical Code, 2018 Edition, including appendix A as published by the International Code Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended). These regulations shall be known as the Mechanical Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

Section 106.1.3 License Required (Added). No person who is not licensed by the St. Louis County Department of Public Works as a Mechanical Contractor shall engage in or perform the work of installing, altering or repairing mechanical facilities unless permitted by sections **106.1.4** or **106.1.5** below.

Section 106.1.4 Homeowner Mechanical Permit (Added). A homeowner permit may be issued for an addition to or repair, modification or reconstruction of an existing mechanical system on the premises of a detached single-family dwelling including accessory structures to the owner or to a member of his/her or her immediate family residing with him/her. A homeowner permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Homeowner Mechanical Permit is subject to the following conditions:

1. The dwelling shall be designed and used solely for living purposes.
2. The dwelling shall be occupied by or vacant and intended for immediate occupancy by the owner and his/her family and no other person.
3. The permittee shall personally perform all required work.
4. The applicant must present proof of current **Section 608 Technician Certification** as set forth by the United States Environmental Protection Agency.
5. The permit shall not apply to the portion of the system that is used for gas line.
6. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in mechanical work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
7. This Section does not authorize a waiver or modification of any provision of the Code relating to the material, design, installation or practice of mechanical work or to the preparation and approval of plans or to required fees for permits or inspections.

8. If the test is failed, the homeowner must wait a minimum of thirty (30) days to retake the test.
9. A fee for testing shall be according to fee schedule established by the City of Florissant, Missouri.

Section 106.1.5 Multi-Family Technician Mechanical Permit (Added). A Multi-Family Technician Mechanical Permit may be issued for an addition to or repair, modification or reconstruction of an existing mechanical system on the premises of a multi-family building including accessory structures. A permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Multi-Family Technician Mechanical Permit is subject to the following conditions:

1. The building shall be designed and used solely for living purposes.
2. The permittee shall personally perform all required work.
3. The applicant must be currently employed at the location of the permitted work and must present authorization by the management to obtain such an authorization.
4. The applicant must present proof of current **Section 608 Technician Certification** as set forth by the United States Environmental Protection Agency.
5. The permit shall not apply to the portion of the system that is used for gas line except to reconnect with an approved gas line connector.
6. Prior to issuance of a permit under this Section, the building official may require an affidavit or other reasonable proof, such as a test to assure competency in mechanical work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
7. This Section does not authorize a waiver or modification of any provision of the Code relating to the material, design, installation or practice of mechanical work or to the preparation and approval of plans or to required fees for permits or inspections.
8. If the test is failed, the applicant must wait a minimum of thirty (30) days to retake the test.
9. A fee for testing shall be according to fee schedule established by the City of Florissant, Missouri.

Section 106.5.2 Permit fees (Amended). The permit fees for the installation, extension, repair or alteration of heating, air handling, and refrigeration equipment shall be in accordance with the fee schedule as established by the City of Florissant, Missouri.

Section 106.5.3 (Deleted).

Section 106.6 Emergency Repairs (Added). Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 108.4 Violation penalties (Amended). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 108.5 Stop work order (Amended). The “**amount**” referred to in this Section shall be the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed in Section 500.010.

Section 109.2 Membership of board (Amended). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

Sections 109.2.1 through 109.7 (Deleted).

Section 303.6.1 Location (Added). Mechanical equipment, air conditioning condensing units, pool pumps, geothermal borings and/or piping and other mechanical appliances and equipment located outdoors shall be located according to the zoning ordinance of the City of Florissant.

Section 404.1 Enclosed parking garages (Amended). Mechanical ventilation systems for enclosed parking garages shall be permitted to operate intermittently where the system is arranged to operate automatically upon detection of vehicle operation or the presence of occupants by approved automatic detection devices. The mechanical ventilation system shall have means to operate manually for a remote device. The location and installation shall be approved by the *building official*.

ARTICLE IV. ELECTRICAL CODE

Section 505.100 National Electrical Code Adopted.

The National Electrical Code, 2017 Edition as published by the National Fire Protection Association, one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this reference as if fully set forth herein, is hereby adopted as the Electrical Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in **Section 505.110** of this Chapter.

Section 505.110 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the National Electrical Code, 2017 Edition as published by the National Fire Protection Association, are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 89.1 Title (Added). This code shall be known as the Electrical Code of the City of Florissant, Missouri, and shall be cited as such. It is referred to herein as "this code".

Section 89.2 Permits Required (Added). Electrical permits must be obtained from the City of Florissant Public Works Department prior to any construction, alteration, addition, or modification to any system supplying or transferring electrical power, alarms, data transmission, or low voltage electricity. The permit fees for electrical permits shall be in accordance with the permit fee schedule as established by the City of Florissant, Missouri. No permit issued under these provisions of the Code shall be assignable or transferable or be used to aid or abet any unlicensed or unauthorized person, firm or corporation in the performance of electrical work. A true copy of the electrical permit shall be kept on the construction site, open to public inspection during the entire time of prosecution of the work and until the completion of the same.

Section 89.3 Violation penalties (Added). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant. Each day a violation continues after actual notice to either the responsible individual, person, firm, institution, corporation or organization or representative thereof to whom the permit was issued or to the owner or both or to the legally authorized representative of the permit holder, owner or both shall constitute a separate violation.

Section 89.4 Stop work orders (Added). Any person found to be in violation of the Electrical Code of the City of Florissant shall be subject to the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed in **Section 500.010**.

Section 89.5 Licenses required (Added). No person who is not licensed by the St. Louis County Department of Public Works as a Master Electrician or a Licensed Journeyman Electrician or a Registered Electrician or a Registered Electrician Apprentice working under the direction of a licensed Electrical Contractor shall engage in or perform the work of installing, altering or repairing electrical facilities in a building for the supply and distribution of electrical power, or alarm or data systems. No person who is not licensed by the St. Louis County Department of Public Works as a Licensed Electrician, Licensed Low Voltage Contractor or Journeyman Low Voltage Electrician shall engage in or perform the work of installing or modifying low voltage, data transmission, or alarm systems.

Section 89.6 Electrical Code Appeals Board (Added). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

Section 89.7 Electrical Inspection Generally (Added). Upon completion of any electrical installation for which a permit has been issued, the permittee shall notify the office of the *building official* and a final inspection shall be made. The *building official* shall cause to be made as many interim inspections as he/she deems necessary. No installation shall be covered or concealed until inspected.

Section 89.7.1 Third Party Inspections (Added). The *building official* may accept reports of inspection by authoritative and recognized services or individuals. Such services or individuals must be proven experience in the electrical field as it relates to the work being inspected. All reports of such inspection shall be in writing and certified by a responsible officer of such authoritative service or by the responsible individual.

Section 89.7.2 Additional Inspections (Added). The *building official* may engage such services or individuals as may be deemed necessary to report on unusual technical issues that may arise and such services shall be at the expense of the permit holder.

Section 89.7.4 Doing Electrical Business Without a License (Added). It shall be unlawful for any person to engage in the business of electrical or communication work within the City without having been duly licensed as required by the provisions of this Section.

Section 89.7.5 Use of Licensee's Name By Another — Office of Building Official to be Notified of Business Name and Address (Added). No person having obtained a license under the provisions of this Section shall allow his/her name to be used by another person, either for the purpose of obtaining permits or for doing business or work under the license. Every person licensed shall notify the office of the *building official* of the address of his/her place of business and the name under which such business is carried on and shall give immediate notice to the office of the *building official* of any change in either.

Section 89.7.4 Homeowner Electrical Permit (Added). A homeowner permit may be issued for an addition to or repair, modification or reconstruction of an existing electrical system on the premises of a detached single-family dwelling including accessory structures to the owner or to a member of his/her or her immediate family residing with him/her. A homeowner permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Homeowner Electrical Permit is subject to the following conditions:

1. The dwelling shall be designed and used solely for living purposes.
2. The dwelling shall be occupied by or vacant and intended for immediate occupancy by the owner and his/her family and no other person.
3. The permittee shall personally perform all required work.
4. The homeowner permit shall not apply to the main service(s), service entrance conductors, meter box or main electrical panel.
5. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in electrical work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.

6. This Section does not authorize a waiver or modification of any provision of the Electrical Code relating to the material, design, installation or practice of electrical work or to the preparation and approval of plans or to required fees for permits or inspections.

7. If the test is failed, the homeowner must wait a minimum of thirty (30) days to retake the test.

8. A fee for testing will be according to fee schedule established by the City of Florissant, Missouri.

Section 89.7.5 Emergency Repairs (Added). In the case of a catastrophic event (i.e., earthquake, tornado, etc.) work may proceed to eliminate hazards and restore the electrical system to a safe and functional condition prior to obtaining a permit, however, a permit shall be applied for as soon as circumstances reasonably allow.

Section 89.7.6 Suspension of Permit (Added). 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.

Section 89.7.7 Extension of Permits (Added). Electrical permits may be extended at any time up to thirty (30) days prior to the date of abandonment or expiration date of the specific permit.

Section 89.7.8 Revocation of Permit (Added). The Code Official shall revoke a permit or approval issued under the provisions of this Code in case of any false statement or misrepresentation of fact in the application or on the construction documents upon which the permit or approval was based.

Section 89.7.9 Separate Permits (Added). Permit applicants may submit separate applications for building, mechanical, electrical or plumbing permits. As a condition of approval, the owner or owner's agent shall agree to assume full responsibility for the coordination of all applicable code requirements relating to these permits.

Section 89.7.10 Integrated permits (Added). The Code Official shall be permitted to issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application.

Section 89.7.11 Applicant Responsibility (Added). The integrated permit applicant shall be responsible for the return to the Department of Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit shall result in the assessment of a transfer fee in the amount specified in this Code.

Section 89.7.12 Plans and Specifications (Added). The application for a building permit shall describe in detail the nature of such work, shall give the location by street and number thereof, shall be accompanied by at least two (2) sets of plans and specifications bearing the seal of an engineer authorized to perform engineering work in the State of Missouri and shall contain an accurate description and account of electrical fixtures to be installed. The *building official* may

waive the need for such plans when the work involved is of a minor nature or can be described adequately by other means. If in the course of the work it is found necessary to make any change from the approved plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and, if approved, a supplementary permit shall be issued to cover the change after the same conditions required to secure the original permit have been satisfied. If the change is minor in nature and does not require further plan review, the *building official* may waive the need for a supplemental permit and may amend the original permit subject to fees as set forth in the Florissant City Code of Ordinances.

Section 89.7.13 Notice of Violations (Added). The *building official* or designated representatives shall serve a notice of violation for the installation, extension, alteration, repair or maintenance of electrical systems which are in violation of the provisions of this Code or in violation of a detailed statement or a plan approved thereunder or in violation of a permit issued under the provisions of this Code to the permittee or the owner of the building, structure or premises. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered to the owner, individual performing the work, contractor or permit holder personally by leaving the notice with a responsible party of suitable age and discretion;
2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent known address or the mailing address according to the real estate property records of St. Louis County Missouri.
3. A copy thereof may be posted in a conspicuous place in or about the structure affected by such notice.

Section 89.7.14 Stop Work Order (Added). Upon notice from the *building official* that work on any building, structure or premises is proceeding contrary to the provisions of this Code in an unsafe and dangerous manner, such work shall immediately be stopped. The *building official* shall issue a stop work order in writing to the owner of the property involved or to the person doing the work. The stop work order shall state the conditions under which the work may resume. The building or premises on which a stop work is placed shall be posted as such.

Section 89.7.15 Unlawful Continuance of Work (Added). Any person who shall continue any work in or about the building, structure or premise after the issuance of a stop work order that is directed to be performed to remove a violation or unsafe condition shall be guilty of a violation of this Code and subject to the penalties set out in **Section 100.080** of the Code of the City of Florissant, Missouri and shall be subject to the fees listed in **Section 500.010**.

Section 89.7.16 Unsafe Condition (Added). All electrical systems regardless of type which constitute a hazard to human life, health or welfare are hereby declared illegal and shall be abated by repair and rehabilitation or removal.

Section 89.7.17 Emergency Measures (Added). When in the opinion of the *building official* there is a real and present danger or hazard which would endanger human life, the *building official* is hereby authorized and empowered to order and require the occupants to vacate a

843 structure forthwith. The *building official* shall post each entrance to such structure as unsafe and
844 unoccupiable.

845 **Section 89.7.18 Existing Electrical Systems (Added).** The legal use and occupancy of any
846 structure existing on the date of the adoption of this Code or for which it had been heretofore
847 approved may be continued without change except as may be specifically covered in this Code
848 or deemed necessary by the *building official* for the general safety and welfare of the occupants
849 and the public.

850 **Section 89.7.19 Alteration or Repair of Existing Electrical Systems (Added).** Incidental repairs,
851 replacements or alterations to an existing system generally recognized as being part of normal
852 household or normal maintenance activities with regard to such systems shall not require a
853 permit and may be made in the same manner and arrangement as in the existing system provided
854 such repairs, replacements or alterations are made in a safe manner. Minor repairs, replacements
855 or alterations to an existing system may be made in the same manner and arrangement as in the
856 existing system provided such repairs or replacements are made in a safe manner and are
857 approved by the electrical official.

858 **Section 89.7.20 Alteration or Substantial Repairs (Added).** Alteration or substantial repairs may
859 be made to any existing electrical system without requiring the system to comply with all the
860 requirements of this Code provided such work conforms to that required for a new electrical
861 system. Alterations or repairs shall not cause an existing electrical system to become unsafe or
862 adversely affect the performance of the system.

863 **Section 89.7.21 Additional Loads On Existing Electrical System (Added).** Where additions or
864 alterations subject parts of existing systems to loads exceeding those permitted herein, such parts
865 shall be made to comply with this Code. The licensed and permitted electrician shall provide a
866 complete load calculation to the Electrical Inspection Official.

867 **Section 89.7.22 Maintenance of Electrical Systems (Added).** All electrical systems, both
868 existing and new, shall be maintained in a safe condition. All service equipment, devices and
869 safeguards which are required by this Code or which were required in the building or structure
870 by previous Statute or ordinance shall be maintained in good working order when installed,
871 altered or repaired.

872 **Section 89.7.23 Owner Responsibility (Added).** The owner or a designated agent shall be
873 responsible for the safe maintenance of the electrical systems in any building, structure or
874 premises at all times.

875 **Section 89.7.24 Moved Structures (Added).** Buildings and structures moved into or within the
876 jurisdiction shall comply with the provisions of this Code for new buildings or structures.

877 **Section 89.7.25 Modifications (Added).** Where there are practical difficulties involved in
878 carrying out the provisions of this Code, the Code Official shall have the right to vary or modify
879 such provisions upon application of the owner or the owner's representative, provided that the
880 spirit and intent of the law is observed and that the public health, safety and welfare is assured.

Section 89.7.26 Records (Added). The application for modification and the final decision of the Code Official shall be in writing and shall be officially recorded with the application for the permit in the permanent records of the office of electrical inspection.

Section 89.7.27 Material and Equipment Reuse (Added). Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved by the building official.

Section 89.7.28 Alternative Materials and Equipment (Added). The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the Code Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire-resistance, durability and safety. Research and investigation-sufficient technical data shall be submitted to substantiate the proposed installation of any material or assembly. If it is determined that the evidence submitted is satisfactory proof of performance for the proposed installation, the Code Official shall approve such alternative subject to the requirements of this Code. The costs of all tests, reports and investigations required under these provisions shall be paid for by the applicant.

ARTICLE V. PLUMBING CODE.

Section 505.150 International Plumbing Code Adopted.

The International Plumbing Code, 2018 Edition, including appendix E as published by the International Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this reference as if fully set forth herein, is hereby adopted as the Plumbing Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in Section 505.160 of this Chapter.

Section 505.160 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the International Plumbing Code, 2018 Edition, including appendix E as published by the International Code Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended). These regulations shall be known as the Plumbing Code of the City of Florissant Missouri, hereinafter referred to as "this code".

Sections 106.1.1 and 106.1.2 (Deleted).

Section 106.6.2 Fee Schedule (Amended). The fees for all plumbing work shall be paid in accordance with the fee schedule as established by the City of Florissant, Missouri.

Section 106.6.3 (Deleted).

Section 106.7 Emergency Repairs (Added). Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 108.4 Violation penalties (Amended). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code, or who shall erect, install, alter, or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificated issued by the code official, shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 108.5 Stop Work Orders (Amended). Upon notice from the code official, work on any plumbing system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be delivered according to Section 114.5 of the Building Code of the City of Florissant. Any person who shall continue any work in or about the building after having been served with a stop work order, except such work as is directed by the Code Official to remove a violation or unsafe condition, shall be subject to the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed in **Section 500.010**.

Section 106.4.1 Licenses required (Added). No person who is not licensed by the St. Louis County Department of Public Works as a Master Plumber or a licensed Journeyman Plumber or a Registered Plumber or a Registered Plumber Apprentice working under the direction of a licensed Master Plumber shall engage in or perform the work of installing, altering or repairing facilities in a building for the supply and distribution of water for ordinary drinking, culinary and domestic purposes of facilities or for the removal therefrom of waterborne wastes except as set forth in **Section 106.4.2**. No person who is not licensed by the St. Louis County Department of Public Works as a Master or Journeyman Drainlayer shall engage in or perform the work of installing sanitary or storm sewer.

Section 106.4.2 Homeowner Plumbing Permit (Added). A homeowner permit may be issued for an addition to or repair, modification or reconstruction of an existing plumbing system on the premises of a detached single-family dwelling including accessory structures to the owner or to a member of his/her or her immediate family residing with him/her. A homeowner permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Homeowner Plumbing Permit is subject to the following conditions:

1. The dwelling shall be designed and used solely for living purposes.

2. The dwelling shall be occupied by or vacant and intended for immediate occupancy by the owner and his/her family and no other person.
3. The permittee shall personally perform all required work.
4. The homeowner permit shall not apply to the portion of the system that is used for gas line or located underground, under a concrete slab or outside the building envelope except to reconnect with an approved gas line connector.
5. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in plumbing work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
6. This Section does not authorize a waiver or modification of any provision of the Plumbing Code relating to the material, design, installation or practice of plumbing work or to the preparation and approval of plans or to required fees for permits or inspections.
7. If the test is failed, the homeowner must wait a minimum of thirty (30) days to retake the test.
8. A fee for testing will be according to fee schedule established by the City of Florissant, Missouri.

Section 106.4.3 Multi-Family Maintenance Technician Water Heater Permit (Added). Authorization to apply for water heater installation permits may be issued to a maintenance technician who is not a St. Louis County licensed plumber subject to the following conditions:

1. The applicant must be currently employed at the location of the permitted work and must present authorization by the management to obtain such an authorization.
2. The permit shall not apply to the portion of the system that is used for gas line except to reconnect with an approved gas line connector.
3. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in plumbing work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
4. This Section does not authorize a waiver or modification of any provision of the Plumbing Code relating to the material, design, installation or practice of plumbing work or to the preparation and approval of plans or to required fees for permits or inspections.
5. Permits issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section
6. If the test is failed, the technician must wait a minimum of thirty (30) days to retake the test.
7. A fee for testing will be according to fee schedule established by the City of Florissant, Missouri.

Section 109.2 Membership of board (Amended). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and

992 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
993 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

994 ***Sections 109.2 through 109.7 (Deleted).***

995 ***Section 903.1 Roof extension (Amended).*** All open vent pipes that extend through a roof shall be
996 terminated at least 12 inches above the roof, except that where a roof is to be used for any other
997 purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm)
998 above the roof.

999 **ARTICLE VI. FIRE CODE.**

1000 **Section 505.180 International Fire Code Adopted.**

1001 The International Fire Code, 2018 Edition, including appendixes B, E, F, G, and H, as published
1002 by the International Code Council, Inc., one (1) copy of which was on file in the office of the
1003 City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for
1004 public use, inspection and examination, and a copy of which is attached hereto and incorporated
1005 by this reference as if fully set forth herein, is hereby adopted as the Fire Code of the City of
1006 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1007 out in Section 505.190 of this Chapter.

1008 **Section 505.190 Additions, Insertions, Deletions and Amendments.**

1009 The following numbered Sections and Subsections of the International Fire Code, 2018 Edition,
1010 including appendixes B, E, F, G, and Has published by the International Code Council, Inc., are
1011 hereby amended by additions, insertions, deletions and amendments so that such Sections and
1012 Subsections shall read as follows:

1013 ***Section 101.1 Title (Amended).*** This code shall be known as the Fire Code of the City of
1014 Florissant, Missouri, and shall be cited as such. It is referred to herein as "this code".

1015 ***Section 106.2 Schedule of permit fees (Amended).*** A fee for each permit shall be paid as
1016 required in the schedule of fees as established in the Building Regulations established by the City
1017 of Florissant, Missouri.

1018 ***Section 109.3 Qualifications (Amended).*** In order to hear and decide appeals of orders,
1019 decisions, or determinations made by the *building official* relative to the application and
1020 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1021 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

1022 ***Section 110.4 Violation penalties (Amended).*** Any person, firm, corporation, limited liability
1023 company or other business entity who shall violate a provision of this code or shall fail to
1024 comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in
1025 violation of the approved construction documents or directive of the fire code official, or of a

1026 permit or certificate used under provisions of this code, be subject to the penalties of Section
1027 **100.080** of the Code of Ordinances of the City of Florissant.

1028 **Section 112.4 Failure to comply** (*Amended*) is amended by inserting in the spaces shown as
1029 “(AMOUNT)” the following language “*the penalties set forth in Section 100.080 of the Code of*
1030 *Ordinances of the City of Florissant*” and shall be subject to the fees listed in **Section 500.010**.

1031 **ARTICLE VII. FUEL GAS CODE**

1032 **Section 505.200 International Fuel Gas Code Adopted.**

1033 The International Fuel Gas Code, 2018 Edition, including appendixes A, B, and C as published
1034 by the International Code Council, Inc., one (1) copy of which was on file in the office of the
1035 City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for
1036 public use, inspection and examination, and a copy of which is attached hereto and incorporated
1037 by this reference as if fully set forth herein, is hereby adopted as the Fuel Gas Code of the City of
1038 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1039 out in **Section 505.210** of this Chapter.

1040 **Section 505.210 Additions, Insertions, Deletions and Amendments.**

1041 The following numbered Sections and Subsections of the International Fuel Gas Code, 2018
1042 Edition, including appendixes A, B, and C as published by the International Code Council, Inc.,
1043 are hereby amended by additions, insertions, deletions and amendments so that such Sections
1044 and Subsections shall read as follows:

1045 **Section 101.1 Title** (*Amended*). These regulations shall be known as the Fuel Gas Code of the
1046 City of Florissant, Missouri, hereinafter referred to as "this code".

1047 **Section 106.6.2 Fee Schedule** (*Amended*). Permit fees shall be in accordance with the fee
1048 schedule as established by the City of Florissant, Missouri.

1049 **Section 106.6.3 Fee refunds** (*Deleted*)

1050 **Section 108.4 Violation penalties** (*Amended*). Any person, firm, corporation, Limited Liability
1051 Company or other business entity who shall violate any provision of this code shall be subject to
1052 the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

1053 **Section 108.5 Stop work order** (*Amended*). Any person who shall continue any work in or about
1054 the building after having been served with a stop work order, except such work as is directed by
1055 the Code Official to remove a violation or unsafe conditions, shall be liable to punishment as
1056 provided in **Section 100.080** of the Code of Ordinances as defined in **Section 108.4** and shall be
1057 subject to the fees listed in **Section 500.010**.

1058 **Section 109.2 Membership of board** (*Amended*). In order to hear and decide appeals of orders,
1059 decisions, or determinations made by the *building official* relative to the application and

1060 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1061 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

1062 ***Sections 109.2 through 109.7 (Deleted).***

1063 **ARTICLE VIII. ENERGY CONSERVATION CODE.**

1064 **Section 505.220 International Energy Conservation Code Adopted.**

1065 The International Energy Conservation Code, 2018 Edition as published by the International
1066 Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period
1067 of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection
1068 and examination, and a copy of which is attached hereto and incorporated by this reference as if
1069 fully set forth herein, is hereby adopted as the Energy Conservation Code of the City of
1070 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1071 out in Section 505.230 of this Chapter.

1072 **Section 505.230 Additions, Insertions, Deletions and Amendments.**

1073 The following numbered Sections and Subsections of the Energy Conservation Code, 2018
1074 Edition as published by the International Code Council, Inc., are hereby amended by additions,
1075 insertions, deletions and amendments so that such Sections and Subsections shall read as
1076 follows:

1077 ***Section 101.1 Title (Amended).*** This code shall be known as the International Energy
1078 Conservation Code of the City of Florissant, Missouri, and shall be cited as such. It is referred to
1079 herein as "this code".

1080 ***Section 109.1 Membership of board (Amended).*** In order to hear and decide appeals of orders,
1081 decisions, or determinations made by the *building official* relative to the application and
1082 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1083 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

1084 ***Section 110.0 Violation penalties (Added).*** Any person, firm, corporation, Limited Liability
1085 Company or other business entity who shall violate any provision of this code shall be subject to
1086 the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

1087 **ARTICLE IX. SWIMMING POOL AND SPA CODE.**

1088 **Section 505.260 International Swimming Pool And Spa Code Adopted.**

1089 The International Swimming Pool And Spa Code, 2018 Edition as published by the International
1090 Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period
1091 of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection
1092 and examination, and a copy of which is attached hereto and incorporated by this reference as if
1093 fully set forth herein, is hereby adopted as the Swimming Pool And Spa Code of the City of

1094 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1095 out in **Section 505.270** of this Chapter.

1096 **Section 505.270 Additions, Insertions, Deletions and Amendments.**

1097 The following numbered Sections and Subsections of the International Swimming Pool And Spa
1098 Code, 2018 Edition as published by the International Code Council, Inc., are hereby amended by
1099 additions, insertions, deletions and amendments so that such Sections and Subsections shall read
1100 as follows:

1101 **Section 101.1 Title (Amended).** This code shall be known as the Swimming Pool and Spa Code
1102 of the City of Florissant, Missouri, and shall be cited as such. It is referred to herein as "this
1103 code".

1104 **Section 104.13 Water Purity (Added).** Water contamination and any other health concern
1105 related to water quality of public swimming pools or spas must be reported within 24 hours to
1106 the *building official*.

1107 **Section 105.1 When required (Amended).** Any owner, or owner's authorized agent who desires
1108 to construct, enlarge, alter, repair, move, or demolish a pool or spa or to erect, install, enlarge,
1109 alter, repair, remove, convert or replace any system, the installation of which is regulated by this
1110 code, or to cause any such work to be performed, shall first make application to the code official
1111 and obtain the required permit for the work.

1112 **Exemptions:**

- 1113 1. Pools and spas up to twenty-four (**24**) inches in depth or,
1114 2. A potential surface area of two hundred and fifty (**250**) square feet or fewer.
1115 3. Bodies of water not intended for swimming or bathing, purely decorative, or for
1116 landscaping purposes only including those which do not use recirculation / filtration
1117 systems such as fishponds and lily ponds.

1118 **Section 105.6.2 Permit fees (Amended).** The permit fees for the installation, extension, repair or
1119 alteration of swimming pools and spas or their equipment shall be in accordance with the fee
1120 schedule as established by the City of Florissant, Missouri.

1121 **Section 105.6.3 Fee refunds (Deleted).**

1122 **Section 107.4 Violation penalties (Amended).** Any person, firm, corporation, limited liability
1123 company or other business entity who shall violate any provision of this code shall be subject to
1124 the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant.

1125 **Section 107.5 Stop work orders, is amended by inserting in the spaces shown as**
1126 **"(AMOUNT)" the following language** "the penalties of **Section 100.080** of the Code of
1127 Ordinances of the City of Florissant and shall be subject to the fees listed in **Section 500.010.**"

1128 **Section 108.2 Membership of Board (Amended).** In order to hear and decide appeals of orders,
1129 decisions, or determinations made by the *building official* relative to the application and
1130 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1131 as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

1132 **Sections 108.2.1 through 108.2.6 (Deleted).**

1133 **ARTICLE X. PRIVATE SEWAGE DISPOSAL CODE.**

1134 **Section 505.300 International Private Sewage Disposal Code Adopted.**

1135 The International Private Sewage Disposal Code, 2018 Edition, including appendixes A and B as
1136 published by the International Code Council, Inc., one (1) copy of which was on file in the office
1137 of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and
1138 available for public use, inspection and examination, and a copy of which is attached hereto and
1139 incorporated by this reference as if fully set forth herein, is hereby adopted as the Private Sewage
1140 Disposal Code of the City of Florissant, Missouri, subject to the amendments, additions,
1141 insertions, deletions and changes set out in **Section 505.310** of this Chapter.

1142 **Section 500.310 Additions, Insertions, Deletions and Amendments.**

1143 The following numbered Sections and Subsections of the International Private Sewage Disposal
1144 Code, 2018 Edition, including appendixes A and B as published by the International Code
1145 Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that
1146 such Sections and Subsections shall read as follows:

1147 **Section 101.1 Title (Amended).** These regulations shall be known as the Private Sewage Disposal
1148 Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

1149 **Section 109.2 Membership of Board (Amended).** In order to hear and decide appeals of orders,
1150 decisions, or determinations made by the *building official* relative to the application and
1151 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1152 as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

1153 **Section 109.2.1 through 109.2.6 (Deleted)**

1154 **ARTICLE XI, SECTION 505.035. EXPLOSIVES CODE.**

1155 **Section 505.035.1 Explosives Code Adopted (Added).** The Explosives Code of St. Louis
1156 County, adopted as Ordinance No. 25931 on December 2, 2014, is hereby adopted as the
1157 Explosives Code of the City of Florissant, as amended by ordinances of the City. All
1158 amendments of the St. Louis County Explosives Code as adopted by the City prior to February
1159 13, 1989, are hereby reaffirmed in their entirety to apply to the codes herein adopted.

1160 **Section 505.035.2 Penalties (Added).** Any person, firm, corporation, Limited Liability
1161 Company or other business entity who shall violate any provision of this code shall be subject to
1162 the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant.

1163 **ARTICLE XII. SECTION 505.040. LAND DISTURBANCE CODE.**

1164 **Section 505.401. Title.** [Ord. No. 7358 §1, 11-29-2006]

1165 These regulations shall be known as the "Land Disturbance Code" of Florissant, Missouri,
1166 hereinafter referred to as "this code".

1167 **Section 505.401. Introduction.** [Ord. No. 7358 §1, 11-29-2006]

1168 On construction or land disturbance sites, soil is highly vulnerable to erosion by wind and water.
1169 Eroded soil endangers water resources by reducing water quality and causing the siltation of
1170 aquatic habitat for fish and other desirable species. Deposits of eroded soil also necessitate
1171 maintenance of sewers and ditches and the dredging of lakes, in addition, clearing and grading
1172 during construction cause the loss of native vegetation necessary for terrestrial and aquatic
1173 habitat. Construction activities also utilize materials and generate wastes which, if not properly
1174 controlled, can pollute receiving waters.

1175 **Section 505.402. Purpose.** [Ord. No. 7358 §1, 11-29-2006]

1176 The purpose of this code is to safeguard persons, protect property and prevent damage to the
1177 environment in the City of Florissant. This code will also promote the public welfare by guiding,
1178 regulating and controlling the design, construction, use and maintenance of any development or
1179 other activity that disturbs or breaks the topsoil or results in the movement of earth on land in
1180 Florissant, Missouri.

1181 **Section 505.403. Scope.** [Ord. No. 7358 §1, 11-29-2006]

1182 This code provides for the safety, health and welfare of the public by regulating and controlling
1183 the design, construction, use and maintenance of any development or other activity that disturbs
1184 land surfaces or results in the movement of earth in Florissant, Missouri.

1185 **Section 505.404. Definitions.** [Ord. No. 7358 §1, 11-29-2006]

1186 For the purpose of this code, the following terms, phrases, words and their derivations shall have
1187 the meanings given herein. Where terms are not defined by this Section, such terms shall have
1188 ordinarily accepted meanings such as the context implies.

1189 **BEST MANAGEMENT PRACTICES OR BMP:** Practices, procedures or a schedule of
1190 activities to reduce the amount of sediment and other pollutants in storm water discharges
1191 associated with construction and land disturbance activities.

1192 **BUILDING CODE BOARD OF APPEALS:** The appeals board as described in the City of
 1193 Florissant Building Code.

1194 **BUILDING DIVISION:** The Florissant Building Division, acting through its Director or the
 1195 Building Commissioner.

1196 **CITY:** City of Florissant.

1197 **CLEARING:** Any activity that removes the vegetative surface cover.

1198 **CODE OR THIS CODE:** The "Land Disturbance Code" of Florissant.

1199 **CONSTRUCTION SITE OR LAND DISTURBANCE SITE:** A parcel or contiguous parcels
 1200 where land disturbance activities are performed as part of a proposed development.

1201 **COUNTY:** St. Louis County, Missouri.

1202 **DEPARTMENT OF HIGHWAYS AND TRAFFIC:** The applicable highway or street
 1203 department (City of Florissant, St. Louis County Department of Highways and Traffic, Missouri
 1204 Department of Transportation) acting through its Director or his/her duly authorized designee.

1205 **DEPARTMENT OF PUBLIC WORKS:** The Florissant Public Works, acting through its
 1206 Director or his/her duly authorized designee.

1207 **DRAINAGE WAY:** Any channel that conveys surface runoff through a site.

1208 **ENGINEERING DIVISION:** The Florissant Engineering Division acting through its Director
 1209 and the City Engineer.

1210 **EROSION:** The wearing away of land surface through the action of wind or water.

1211 **EROSION CONTROL:** Any Best Management Practices (BMP) that prevents or minimizes
 1212 erosion.

1213 **GRADING:** Reshaping the ground surface through excavation and/or fill of material.

1214 **LAND DISTURBANCE ACTIVITIES:** Clearing, grading or any related work which results in
 1215 removal of the natural site vegetation and destruction of the root zone or otherwise results in
 1216 leaving the ground surface exposed to soil erosion through the action of wind or water.

1217 **LAND DISTURBANCE, MAJOR:** Any land disturbance activity involving one (1) acre or
 1218 more of land or a site involving less than one (1) acre that is part of a proposed development that
 1219 will ultimately disturb one (1) acre or more.

1220 **LAND DISTURBANCE, ORDINARY:** Any land disturbance activity involving less than one
 1221 (1) acre of land.

1222 **LAND DISTURBANCE PERMIT:** A permit issued by the authority having jurisdiction
 1223 authorizing a land disturbance activity at a specific site subject to conditions stated in the permit.
 1224 A permit may be for either major or ordinary land disturbance activities.

1225 **PERIMETER CONTROL:** A barrier that prevents sediment from leaving a site by filtering
 1226 sediment- laden runoff or diverting it to a sediment trap or basin.

1227 **PHASING:** Clearing a parcel of land in distinct stages, with the stabilization of each phase
 1228 substantially completed before the clearing of the next.

1229 **QUALIFIED PROFESSIONAL:** A Missouri licensed professional engineer or other person or
 1230 firm knowledgeable in the principles and practices of erosion and sediment control, including the
 1231 Best Management Practices described in this code.

1232 **RUNOFF COEFFICIENT:** The fraction of total rainfall that exits at the outfalls from a site.
 1233 This depends not only on the surface cover and soil types, but also on the recurrence interval,
 1234 antecedent moisture content, rainfall intensity, drainage area, slope and fraction of
 1235 imperviousness.

1236 **SEDIMENT CONTROL:** Any Best Management Practices (BMP) that prevents eroded
 1237 sediment from leaving a site.

1238 **STABILIZATION:** The use of Best Management Practices (BMP) that prevent exposed soil
 1239 from eroding from a land disturbance site.

1240 **START OF CONSTRUCTION:** The first (1st) land disturbance activity associated with a
 1241 development.

1242 **STORM WATER POLLUTION PREVENTION PLAN (SWPPP):** A management plan, the
 1243 purpose of which is to ensure the design, implementation, management and maintenance of Best
 1244 Management Practices (BMP) in order to reduce the amount of sediment and other pollutants in
 1245 storm water discharges associated with land disturbance activities, comply with the standards of
 1246 the City of Florissant and ensure compliance with the terms and conditions of the applicable
 1247 State permits, including adherence to the land disturbance program contained in Missouri MS4
 1248 NPDES permits.

1249 **WATERCOURSE:** A natural or artificial channel or body of water including, but not limited to,
 1250 lakes, ponds, rivers, streams, ditches and other open conveyance, that carries surface runoff
 1251 water either continuously or intermittently.

1252 **Section 505.405. Applicability.** [Ord. No. 7358 §1, 11-29-2006]

1253 The provisions of this code shall not be deemed to nullify any provisions of City of Florissant,
 1254 State or Federal law.

1255 **Section 505.406. Enforcement.** [Ord. No. 7358 §1, 11-29-2006]

1256 **A. Department Of Public Works.** The Department of Public Works shall have the authority and
 1257 responsibility to perform the following functions related to the enforcement of this code as
 1258 associated with land disturbance permits:

1259 **1.** Receive applications for land disturbance permits;

1260 **2.** Coordinate the review of permit applications and accompanying documents with the City's
 1261 Building Division and the Metropolitan St. Louis Sewer District (MSD).

1262 **3.** Clear issuance of major land disturbance permits with the applicable Department of Highways
 1263 and Traffic and the Metropolitan St. Louis Sewer District (MSD) and issue such permits.

1264 4. Administer the determination, collection and release of site development escrows required by
1265 this code.

1266 5. Inspection of land disturbance activities;

1267 6. Inspection of land disturbance activities within or abutting areas designated 100-year
1268 floodplain; and

1269 7. Plan review, inspection and issuance of permits for ordinary land disturbance activities
1270 relating to Best Management Practices (BMP) to be utilized to control erosion and sedimentation
1271 from leaving the site during construction and other land disturbance activities.

1272 **B. Engineering Division.** The Engineering Division shall have the authority and responsibility
1273 to perform the following functions related to the enforcement of this code:

1274 1. Plan review of major land disturbance activities;

1275 2. Plan review and inspection of land disturbance activities related to construction, repair,
1276 maintenance or condition of roadways and roadway right-of-ways which are maintained by the
1277 City; and

1278 3. Plan review of Land Disturbance Activities within or abutting areas designated 100-year
1279 floodplain or 500-year floodplain.

1280 **Section 505.407. Rule Making Authority.** [Ord. No. 7358 §1, 11-29-2006]

1281 City and County departments having enforcement authority and responsibilities described in
1282 **Section 505.106** of this code shall have the authority, as necessary in the interest of public
1283 health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and
1284 implement the provisions of this code in order to secure the intent thereof and to designate
1285 requirements applicable because of local climatic or other conditions. Such rules and regulations
1286 shall not have the effect of waiving requirements specifically provided for in this code or of
1287 violating accepted engineering practices involving the purpose of this code.

1288 **Section 505.408. Violations.** [Ord. No. 7358 §1, 11-29-2006]

1289 **A. Unlawful Acts.** It shall be unlawful for any person, firm or corporation to perform any land
1290 disturbance activities or cause or allow same to be done in conflict with or in violation of any of
1291 the provisions of this code.

1292 **B. Notices Of Violations.** When the Department of Public Works determines that a violation of
1293 this code exists, the respective Director shall notify the violator. The notification shall be in
1294 writing and shall be delivered to the violator or his/her legally authorized representative or
1295 mailed to his last known address via first class mail postage prepaid. Any person having been
1296 notified that a violation exists and who fails to abate the violation within ten (10) days after
1297 notification shall be subject to the penalties enumerated in Sections 505.408(D) and 505.408(E).

1298 **C. Prosecution Of Violation.** If the violator does not abate the violation promptly, the
1299 Department of Public Works shall request the appropriate prosecuting attorney to institute the
1300 appropriate proceeding at law or in equity to restrain, correct or abate such violation.

1301 Any person, firm or corporation who shall violate any provision of this code or who shall fail to
1302 comply with any of the requirements thereof or who shall perform work in violation of the
1303 approved construction documents or the Storm Water Pollution Prevention Plan or any directive
1304 of the Department of Public Works and Traffic or of a permit or certificate issued under the
1305 provisions of this code or shall start any work requiring a permit without first obtaining a permit
1306 therefore or who shall continue any work in or about a structure after having been served a stop
1307 work order, except for such work which that person, firm or corporation has been directed to
1308 perform to remove a violation or unsafe conditions, or any owner of a property or any other
1309 person who commits, takes part or assists in any violation of this code or who maintains any
1310 property on which such violation shall exist shall be guilty of a misdemeanor punishable by a
1311 fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty
1312 (30) days, or both such fine and imprisonment. Each day that a violation continues shall be
1313 deemed a separate offense.

1314 **E. No Permit Penalty.** In addition to the penalties set out above, the following procedure shall
1315 be followed where a City department identified in Section 505.406 determines that work has
1316 been started prior to the acquisition of a permit required by this Code:

1317 **1.** The Department of Public Works shall issue a stop work order.

1318 **2.** The department Director shall notify the violator of his/her assessment regarding the
1319 appropriate penalty amount to be assessed against the violator, which shall not exceed one
1320 thousand dollars (\$1,000.00) for each day that work occurs without a permit. In making the
1321 assessment, the department shall consider whether the violator has previously violated this code
1322 and whether the occupation or experience of the violator indicates that he/she knew or should
1323 have known that a permit was required. In no case will a no permit penalty be assessed against a
1324 property owner unless he/she actually performed the work involved.

1325 **3.** At the violator's option, he/she may deposit the assessed penalty amount in escrow (certified
1326 check or cash only) with the Department of Public Works, in which case the violator's right to a
1327 hearing will be preserved.

1328 **4.** No permit penalties are appealable to the Building Code Board of Appeals in the same manner
1329 as other decisions of the department. The department may revise its assessment upon notice to
1330 both the Board of Appeals and the violator at any time prior to the hearing. Likewise, at any time
1331 prior to the hearing, the violator may accept and pay the recommended penalty amount and the
1332 hearing will be canceled.

1333 **5.** At the hearing before the Building Code Board of Appeals, said Board of Appeals shall afford
1334 both the department and the alleged violator an opportunity to present any evidence or make any
1335 statements they wish to have considered.

1336 **6.** Following the hearing the Building Code Board of Appeals shall determine whether a permit
1337 was required.

1338 **a.** If the Board determines that a permit was required, an appropriate penalty amount shall be
1339 assessed, taking into account the same considerations as noted above. The stop work order shall
1340 remain in full force and effect until such time as the penalty amount is paid and the violator has
1341 complied with all other regulations pertaining to the issuance of permits.

1342 **b.** If the Board determines that no permit was required, the department shall immediately cancel
1343 the stop work order.

1344 **F. Abatement Of Violation.** The imposition of the penalties herein prescribed shall not preclude
1345 the Florissant prosecuting attorney from instituting appropriate action to prevent unlawful
1346 construction or to restrain, correct or abate a violation or to prevent illegal use of a property or to
1347 stop an illegal act.

1348 **G. Permit Suspension Or Revocation.** When a land disturbance activity is conducted in
1349 violation of the requirements of this code or the terms of the permit in such a manner as to
1350 materially adversely affect the safety, health or welfare of persons or materially be detrimental or
1351 injurious to property or improvements, the Department of Public Works or the Department of
1352 Highways and Traffic may suspend or remove such permit.

1353 **H. Unlawful Continuance.** Whenever the Department of Public Works or the Department of
1354 Highways and Traffic finds that any land disturbance activity is being prosecuted contrary to the
1355 provisions of this code or in an unsafe and dangerous manner, the owner or the person
1356 performing such activity shall immediately stop such activity. The stop work order shall be in
1357 writing and shall be given to the owner of the property involved or to the owner's agent or to the
1358 person doing the work and shall state the conditions under which work will be permitted to
1359 resume. Any person who shall continue any work in or about the property after having been
1360 served with a stop work order, except such work as that person is directed to perform to remove
1361 a violation or unsafe condition, shall be subject to penalties as specified in Sections 505.108(D)
1362 or 505.108(E) of this code.

1363 **Section 505.409. Appeals.** [Ord. No. 7358 §1, 11-29-2006]

1364 **A. Application For Appeal.** Any person shall have the right to appeal a decision of the
1365 Department of Public Works or the Department of Highways and Traffic to the Florissant
1366 Building Code Board of Appeals. An application for appeal shall be based on a claim that the
1367 intent of this code or the rules or regulations adopted thereunder have been incorrectly
1368 interpreted or the provisions of this code do not apply.

1369 **B. Filing Procedure.** All appeals shall be filed in writing with the Department of Public Works.
1370 All appeals shall be filed within thirty (30) days after the decision to be appealed is rendered by
1371 the departments identified in this Section.

1372 **C. Filing Fee.** All appeals must be accompanied by a fee in the amount of one hundred dollars
1373 (\$100.00).

1374 **D. Notice Of Meeting.** The Board shall meet upon notice from the Chairman within ten (10)
1375 days of the filing of an appeal or at stated periodic meetings.

1376 **E. Open Hearing.** All hearings before the Board shall be open to the public. The appellant, the
1377 appellant's representative, the department(s) having enforcement authority and responsibilities
1378 described in Section 505.106 of this code and any person whose interests are affected shall be
1379 given an opportunity to be heard.

1380 **F. Procedure.** The Board shall adopt and make available to the public through the Secretary
1381 procedures under which a hearing will be conducted. The procedures shall not require
1382 compliance with strict rules of evidence but shall mandate that only relevant information be
1383 received.

1384 **G. Commission Decision.** Decisions by the Board to reverse or modify a decision by a
1385 department requires a minimum vote of three (3) members.

1386 **H. Resolution.** The decision of the Board shall be in writing. Copies shall be furnished to the
1387 appellant and to the department(s) having enforcement authority and responsibilities described in
1388 Section 505.406 of this code.

1389 **I. Administration.** The applicable department identified in this Section of the code shall take
1390 immediate action in accordance with the decision of the Board.

1391 **J. Court Review.** A party adversely affected by a decision of the Board may appeal to an
1392 appropriate court from such decision. Application for review shall be made in the manner and
1393 time required by law following the filing of the decision.

1394 **Section 505.410.Land Disturbance Permits Required.** [Ord. No. 7358 §1, 11-29-2006]

1395 **A. City Permit Required.** Any person who intends to conduct any land disturbance activity
1396 must obtain a permit prior to beginning the activity. The type of permit shall be as required by
1397 this Section unless specified otherwise within this Section.

1398 **B. Major Land Disturbance Permit.** No person shall perform any major land disturbance
1399 activity prior to receipt of a major land disturbance permit. Applications for major land
1400 disturbance permits shall be filed with the Department of Public Works.

1401 **C. Ordinary Land Disturbance Permit.** No person shall perform any ordinary land disturbance
1402 activity prior to receipt of an ordinary land disturbance permit. Applications for ordinary land
1403 disturbance permits shall be filed with by the Department of Public Works.

1404 **D. City Building Permit And Related Ordinary Land Disturbance Activities.** The
1405 Department of Public Works may include ordinary land disturbance activities associated with the

1406 construction of a building, structure or parking lot authorized by a permit issued under the
1407 Building Code as an integrated permit for the proposed construction.

1408 **E. Limitation On Transfer Of Land Disturbance Permits.** Any person who buys land from a
1409 person who has been issued a land disturbance permit under Section of this code must obtain a
1410 separate land disturbance permit from the City. Exceptions:

1411 **1.** Major land disturbance permits may be transferred to a new landowner provided the original
1412 permit holder obtains the approval of the Department of Public Works to retain responsibility for
1413 the land disturbance activities on such property.

1414 **2.** Ordinary land disturbance permits may be transferred to a new landowner provided the
1415 original permit holder obtains the approval of the Department of Public Works to retain
1416 responsibility for the land disturbance activities on such property.

1417 **F. Exceptions — Land Disturbance Required.** Land disturbance permits are not required for
1418 the activities identified as items (1) and (8) in this Subsection, nor are such permits required for
1419 the activities identified in items (2), (3), (4), (5), (6) and (7), provided the activity does not alter
1420 or cause to be altered the present surface of the ground:

1421 **1.** By any cut or fill at the property;

1422 **2.** By any cut or fill that would permanently divert one drainage area to another drainage area;

1423 **3.** By any cut or fill which would deposit mud or harmful silt or create erosion or damage to
1424 adjoining properties; or

1425 **4.** By any cut or fill that would block or affect an existing swale or drainage path in a manner to
1426 cause damming and ponding.

1427 **a.** Any emergency activity that is immediately necessary for the protection of life, property or
1428 natural resources.

1429 **b.** Existing farming, nursery and agricultural operations conducted as a permitted or accessory
1430 use.

1431 **c.** Excavation of fill of less than thirty (30) cubic yards provided the land disturbance activity is
1432 for the improvement of the property. Erosion and sediment control measures shall be provided,
1433 when necessary, until grass or other vegetation is established or other approved means of ground
1434 cover means are used.

1435 **d.** Land disturbance activities associated with additions to and accessory structures for one- and
1436 two-family dwellings.

1437 **e.** Land disturbance activities less than two thousand (2,000) square feet in area.

1438 f. Removal of existing or dying grass or similar vegetation by disturbing not more than ten
1439 thousand (10,000) square feet and resodding or reseeded with new landscaping to include
1440 preparation of the seedbed; provided erosion and sediment control measures are provided until
1441 grass or other vegetation is established. Any cut or fill in conjunction with the preparation of the
1442 seedbed shall not exceed thirty (30) cubic yards.

1443 g. Gardening and similar activities on property occupied by one- or two-family dwellings.

1444 h. Land disturbance activities by any public utility for the installation, inspection, repair or
1445 replacement of any of its equipment or for its collection or distribution lines or piping systems;
1446 provided erosion and sediment control measures are provided until the grass or other vegetation
1447 is established or other approved ground cover means are used. This exception does not apply to
1448 any land disturbance activity associated with work that requires a building permit.

1449 **G. State of Missouri Permits Required.** The permit applicant must obtain a land disturbance
1450 permit from the State of Missouri Department of Natural Resources for any site where one (1)
1451 acre or more of land will be disturbed, before beginning any site work authorized by a City
1452 permit. This requirement applies to sites of less than one (1) acre that are part of a proposed
1453 development that will ultimately disturb one (1) acre or more.

1454 **Section 505.411. Land Disturbance Permit Applications.** [Ord. No. 7358 §1, 11-29-2006]

1455 **A. Permit Applications.** Applications for land disturbance permits required by this code shall be
1456 in the form prescribed by and accompanied by the site plans and documents determined
1457 necessary by the department responsible for issuing the permit. Such applications shall include
1458 proof that proposed land uses have received zoning approvals from the City.

1459 **B. Storm Water Pollution Prevention Plan Required (SWPPP) For Major Land**
1460 **Disturbance Permits.** All applications for major land disturbance permits shall be accompanied
1461 by a Storm Water Pollution Prevention Plan, prepared for the specific site by or under the
1462 direction of a qualified professional. The application shall contain a statement that any land
1463 clearing, construction or development involving the movement of earth shall be in accordance
1464 with the Storm Water Pollution Prevention Plan and the applicant will assume and acknowledge
1465 responsibility for compliance with this code and the Storm Water Pollution Prevention Plan at
1466 the site of the permitted activity.

1467 **C. Required Site Development Escrows For Major Land Disturbance Permits.** Applicants
1468 for major land disturbance permits shall file a site development escrow in the form of a letter of
1469 credit or other improvement security in an amount deemed sufficient by the Department of
1470 Public Works to cover all costs of improvements, landscaping and maintenance of improvements
1471 for such period as specified by the Department of Public Works. The site development escrow
1472 shall include engineering and inspection costs sufficient to cover the cost of failure or repair of
1473 improvements installed on the site.

1474 **D. Release Of Escrows — Project Closure.** Any site development escrow will not be fully
1475 released to the property owner, site operator or permit holder until all of the following have been
1476 completed:

1477 **1.** All temporary storm water controls Best Management Practices (BMPs) have been removed
1478 and the site has been fully stabilized.

1479 **2.** All permanent storm water controls Best Management Practices (BMPs) have been completed.

1480 **3.** All final inspections/certifications have been completed by each of the government
1481 jurisdictions involved in authorizing the project.

1482 **Section 505.412. Fees.** [Ord. No. 7358 §1, 11-29-2006]

1483 **A. Issuance Of Permits.** Land disturbance permits shall not be issued until the fees associated
1484 with the permit are paid to the Department of Public Works specified in this code.

1485 Exception: Individual City departments may defer all or parts of fees to a later stage of site
1486 development. Individual City departments are exempt from fees.

1487 **B. Department Of Public Works.** Fees for the activities of the Department of Public Works
1488 related to land disturbance permits shall be in accordance with the fee rates set forth in Section
1489 500.010 of Florissant City Code of Ordinances. In applying the code enforcement fee schedule,
1490 the total estimated cost of land disturbance activities shall include applicable grubbing, site
1491 clearing, rough grading, sediment and erosion control measures, excavating, backfill, final
1492 grading, concrete flatwork, asphalt pavement and final landscaping. The Department of Public
1493 Works may require a bona fide contract(s) or any affidavit of the owner of the project, in which
1494 the applicant and owner verify the total cost of the site improvements related to the permit. The
1495 Department of Public Works is authorized to establish the fee by determining the plan review
1496 cost and estimating the total number of inspections required when, in the opinion of the
1497 Department of Public Works, the fee resulting from this method more closely relates to the cost
1498 of enforcing the requirements of this code.

1499 **C. Department Of Highways And Traffic.** Fees for the activities of the Department of
1500 Highways and Traffic related to land disturbance permits shall be in accordance with the
1501 applicable department's regulations.

1502 **Section 505.413. Storm Water Pollution Prevention Plan (SWPPP).** [Ord. No. 7358 §1, 11-
1503 29-2006]

1504 **A. Content — Storm Water Pollution Prevention Plan (SWPPP).** The design requirements in
1505 Section 505.414 of this code shall be complied with when developing the Storm Water Pollution
1506 Prevention Plan and the plan shall include the following:

- 1507 **1.** Name, address and telephone number of the site owner and the name, address and telephone
1508 number of the individual who will be in overall responsible charge of construction/development
1509 activities at the site.
- 1510 **2.** Site address or location description and parcel identification number(s).
- 1511 **3.** A site map showing the outlines of the total project area, the areas to be disturbed, existing
1512 land uses, locations and names of surface water bodies, locations of flood plains, locations of
1513 temporary and permanent Best Management Practices (BMP) and such other information as may
1514 be required by the department(s) having enforcement authority and responsibilities described in
1515 Section 505.406 of this code.
- 1516 **4.** Existing contours of the site and adjoining strips of off-site property and proposed contours
1517 after completion of the proposed land disturbance and development, based on United States
1518 Geological Survey datum, with established elevations at buildings, walks, drives, street and
1519 roads; and information on necessary clearing and grubbing, removal of existing structures,
1520 excavating, filling, spreading and compacting.
- 1521 **5.** A natural resources map identifying soils, forest cover and resources protected under other
1522 provisions of City ordinances.
- 1523 **6.** An estimate of the runoff coefficient of the site prior to disturbance and the runoff coefficient
1524 after the construction addressed in the permit application is completed.
- 1525 **7.** Estimated quantity of land to be disturbed.
- 1526 **8.** Details of the site drainage pattern both before and after major land disturbance activities.
- 1527 **9.** Access to construction site.
- 1528 **10.** Description of Best Management Practices (BMP) to be utilized to control erosion and
1529 sedimentation during the period of land disturbance.
- 1530 **11.** Description of Best Management Practices (BMP) to be utilized to prevent other potential
1531 pollutants such as construction wastes, toxic or hazardous substances, petroleum products,
1532 pesticides, herbicides, site litter, sanitary wastes and other pollutants from entering the natural
1533 drainage ways during the period of construction and land disturbance.
- 1534 **12.** Description of Best Management Practices (BMP) that will be installed during land
1535 disturbance to control pollutants in storm water discharges that will occur after land disturbance
1536 activity has been completed.
- 1537 **13.** Location of temporary off-street parking and wash down area for related vehicles.
- 1538 **14.** Sources of off-site borrow material or spoil sites and all information relative to haul routes,
1539 trucks and equipment.

1540 **15.** The anticipated sequence of construction and land disturbance activities, including
1541 installation of Best Management Practices (BMP), removal of temporary Best Management
1542 Practices (BMP), stripping and clearing; rough grading; construction utilities, infrastructure and
1543 buildings; and final grading and landscaping. Sequencing shall identify the expected date(s) on
1544 which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing,
1545 installation of temporary erosion and sediment control measures and establishment of permanent
1546 vegetation.

1547 **16.** All erosion and sediment control measures necessary to meet the objectives of this code
1548 throughout all phases of construction and after completion of site development. Depending upon
1549 the complexity of the project, the drafting of intermediate plans may be required at the close of
1550 each season.

1551 **17.** Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding
1552 dates, type and rate of lime and fertilizer application and kind and quantity of mulching for both
1553 temporary and permanent vegetative control measures.

1554 **18.** Provisions for maintenance of control facilities, including easements and estimates of the
1555 cost of maintenance.

1556 **19.** Plans for responding to any loss of contained sediment to include the immediate actions the
1557 permit holder will take in case of a containment failure. This plan must include documentation of
1558 actions and mandatory reporting to the Department of Public Works.

1559 **20.** Schedules and procedures for routine inspections of any structures provided to prevent
1560 pollution of storm water or to remove pollutants from storm water and of the site in general to
1561 ensure all Best Management Practices (BMP) are continually implemented and are effective.

1562 **B. Required Plan Amendments — Storm Water Pollution Prevention Plan (SWPPP).** The
1563 permit holder shall amend the Storm Water Pollution Prevention Plan whenever:

1564 **1.** Design, operation or maintenance of Best Management Practices (BMP) is changed;

1565 **2.** Design of the construction project is changed that could significantly affect the quality of the
1566 storm water discharges;

1567 **3.** Site operator's inspections indicate deficiencies in the Storm Water Pollution Prevention Plan
1568 (SWPPP) or any Best Management Practices (BMP);

1569 **4.** Inspections by City or by the Missouri Department of Natural Resources indicate deficiencies
1570 in the Storm Water Pollution Prevention Plan (SWPPP) or any Best Management Practices
1571 (BMP);

1572 **5.** The Storm Water Pollution Prevention Plan (SWPPP) is determined to be ineffective in
1573 significantly minimizing or controlling erosion or excessive sediment deposits in streams or
1574 lakes;

1575 6. The Storm Water Pollution Prevention Plan (SWPPP) is determined to be ineffective in
1576 preventing pollution of waterways from construction wastes, chemicals, fueling facilities,
1577 concrete truck washouts, toxic or hazardous materials, site litter or other substances or wastes
1578 likely to have an adverse impact on water quality;

1579 7. Total settleable solids from a storm water outfall exceeds one-half (0.5) ml/L/hr if the
1580 discharge is within the prescribed proximity of a "Valuable Resource Water" as defined by the
1581 Missouri Department of Natural Resources;

1582 8. Total settleable solids from a storm water outfall exceeds two and one-half (2.5) ml/L/hr for
1583 any other outfall; or

1584 9. The City or County or the Missouri Department of Natural Resources determines violations of
1585 water quality standards may occur or have occurred.

1586 C. Permit Holder Responsibilities For Administration Of Storm Water Pollution Prevention Plan
1587 (SWPPP). The permit holder shall:

1588 1. Notify all contractors and other entities (including utility crews, City employees or their
1589 agents) that will perform work at the site of the existence of the Storm Water Pollution
1590 Prevention Plan (SWPPP) and what actions or precautions shall be taken while on site to
1591 minimize the potential for damaging any Best Management Practices (BMP);

1592 2. Determine the need for and establish training programs to ensure that all site workers have
1593 been trained, at a minimum, in erosion control, material handling and storage and housekeeping;

1594 3. Provide copies of the Storm Water Pollution Prevention Plan (SWPPP) to all parties who are
1595 responsible for installation, operation or maintenance of any Best Management Practices (BMP);
1596 and

1597 4. Maintain a current copy of the Storm Water Pollution Prevention Plan (SWPPP) on the site at
1598 all times.

1599 **Section 505.414. General.** [Ord. No. 7358 §1, 11-29-2006]

1600 A. **Design.** The design of erosion and settlement controls required for land disturbance activities
1601 shall comply with the following minimum requirements:

1602 1. Land disturbance, erosion and sediment control practices and watercourse crossings shall be
1603 adequate to prevent transportation of sediment from the site.

1604 2. Materials brought to any site or property under a permit issued under this code, where said
1605 material is intended to be utilized as fill material at the site for land disturbance, erosion or
1606 sediment control, shall consist of clean uncontaminated earth, soil, dirt, sand, rocks, gravel or
1607 masonry materials only.

1608 3. Cut and fill slopes shall be no greater than three to one (3:1) except as approved by the
1609 Department of Public Works or the applicable Department of Highways and Traffic to meet
1610 other community or environmental objectives.

1611 4. Clearing and grading of natural resources, such as forest and wetlands, shall not be permitted,
1612 except when in compliance with all other City ordinances.

1613 5. Clearing techniques that retain existing vegetation to the maximum extent practicable shall be
1614 used and the time period for disturbed areas to be without vegetative cover shall be minimized to
1615 the extent practicable.

1616 6. Clearing, except that necessary to establish sediment control devices, shall not begin until all
1617 sediment control devices have been installed and have been stabilized.

1618 7. Phasing shall be required on all sites disturbing greater than thirty (30) acres of land. The size
1619 of each phase will be established by the Department of Public Works at the time of plan review
1620 for the issuance of a major land disturbance permit.

1621 **B. Erosion Control Design.** Erosion control requirements shall include the following:

1622 1. Soil stabilization shall be completed within five (5) days of clearing or inactivity in
1623 construction.

1624 2. If seeding or another vegetative erosion control method is used, it shall become established
1625 within two (2) weeks or the site shall be reseeded or a non-vegetative option employed.

1626 3. Techniques shall be employed to ensure stabilization on steep slopes and in drainage ways.

1627 4. Soil stockpiles must be stabilized or covered at the end of each workday or perimeter controls
1628 must be in place to prevent silt from the stockpile from leaving the site.

1629 5. The entire site must be stabilized, using a heavy mulch layer or another method that does not
1630 require germination to control erosion, at the close of the construction season.

1631 6. Techniques shall be employed to prevent the blowing of dust or sediment from the site.

1632 7. Techniques shall be employed to divert upland runoff past disturbed slopes.

1633 **C. Sediment Control Design.** Sediment control requirements shall include:

1634 1. Settling basins, sediment traps or tanks and perimeter controls.

1635 2. Settling basins shall be provided for each drainage area within ten (10) or more acres disturbed
1636 at one time and shall be sized to contain one-half (0.5) inch of sediment from the drainage area
1637 and be able to contain a 2-year, 24-hour storm. If the provision of a basin this size is impractical,

1638 other similarly effective Best Management Practices (BMP), as evaluated and specified in the
1639 Storm Water Pollution Prevention Plan (SWPPP), shall be provided.

1640 **3.** Settling basins shall be designed in a manner that allows adaptation to provide long-term
1641 storm water management as required by the City or enforcement authority and responsibilities
1642 described in Section 505.406 of this code.

1643 **4.** Settling basins shall have stabilized spillways to minimize the potential for erosion of the
1644 spillway or basin embankment.

1645 **5.** Protection for adjacent properties by the use of a vegetated buffer strip in combination with
1646 perimeter controls.

1647 **D. Watercourse Design.** Watercourse protection requirements shall include:

1648 **1.** Encroachment into or crossings of active watercourses/riparian areas and wetlands shall be
1649 avoided to the maximum extent practicable. All City, State and Federal permits and approvals
1650 shall be obtained by a permit holder prior to beginning work authorized by a City of Florissant
1651 land disturbance permit.

1652 **2.** Stabilization of any watercourse channels before, during and after any in-channel work.

1653 **3.** If a defined watercourse is to be realigned or reconfigured, clearing and grubbing activities
1654 within fifty (50) feet of the watercourse shall not begin until all materials and equipment
1655 necessary to protect the watercourse and complete the work are on site. Once started, work shall
1656 be completed as soon as possible. Areas within fifty (50) feet of the watercourse shall be
1657 recontoured and revegetated, seeded or otherwise protected within five (5) working days after
1658 land disturbance activities have ceased.

1659 **4.** All storm water conveyances shall be designed according to the criteria of the St. Louis
1660 Metropolitan Sewer District (MSD) and the necessary MSD permits obtained.

1661 **5.** Stabilization adequate to prevent erosion shall be provided at the outlets of all pipes and paved
1662 channels.

1663 **E. Construction Site Access Design.** Construction site access requirements for major land
1664 disturbance activities shall include:

1665 **1.** A temporary access road provided at all land disturbance sites including a wash down area
1666 supporting all active sites.

1667 **2.** The applicable Department of Highways and Traffic may require other measures to ensure that
1668 construction vehicles do not track sediment onto public streets or be washed with wash effluent
1669 channeled directly into storm drains.

1670 **F. Control of Construction Materials and Waste.** Control requirements for construction
1671 materials, construction wastes and other wastes generated on site at land disturbance sites shall
1672 include provisions satisfactory to the City department(s) having enforcement authority and
1673 responsibilities described in Section 505.406 of the code for:

1674 **1.** Spill prevention and control facilities for materials such as paint, solvents, petroleum products,
1675 chemicals, toxic or hazardous substances, substances regulated under the Resource Conservation
1676 and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation and
1677 Liability Act (CERLA) and any wastes generated from the use of such materials and substances,
1678 including their containers. Any containment systems employed to meet this requirement shall be
1679 constructed of materials compatible with the substances contained and shall be adequate to
1680 protect both surface and ground water.

1681 **2.** Collection and disposal of discarded building materials and other construction site wastes,
1682 including those listed in Section 505.414(F)(1) above.

1683 **3.** Litter control.

1684 **4.** Control of concrete truck washouts.

1685 **5.** Assurance that on-site fueling facilities will adhere to applicable Federal and State regulations
1686 concerning storage and dispensers.

1687 **6.** Provision of sufficient temporary toilet facilities to serve the number of workers on major land
1688 disturbance sites.

1689 **Section 505.415 Inspections.** [Ord. No. 7358 §1, 11-29-2006]

1690 **A. General.**

1691 **1. Department of Public Works — General.** The City department(s) having enforcement
1692 authority and responsibilities described in Section 505.106 of this code shall make inspections as
1693 herein required and shall either approve that portion of the work completed or shall notify the
1694 permit holder wherein the work fails to comply with the land disturbance, erosion and sediment
1695 control plan as approved. Plans for land disturbance, stripping, excavating and filling work
1696 bearing the stamp of approval of the department issuing the permit shall be maintained at the site
1697 during the progress of the work. To obtain inspections, a permit holder shall notify the
1698 Department of Public Works at least two (2) working days before the following:

1699 **a.** Start of construction.

1700 **b.** Installation of sediment and erosion measures.

1701 **c.** Completion of site clearing.

1702 **d.** Completion of rough grading.

- 1703 e. Completion of final grading.
- 1704 f. Close of the construction season.
- 1705 g. Completion of final landscaping.
- 1706 Exception: Inspections conducted by the Department of Highways and Traffic related to
1707 construction and maintenance of County highways and roadways.
- 1708 **2. Extra inspections.** In addition to the inspections otherwise required, the Department of Public
1709 Works is authorized to perform and charge fees for extra inspections or reinspections which in
1710 their judgment are reasonably necessary due to non-compliance with the requirements of this
1711 code or work not ready or accessible for inspection when requested.
- 1712 **3. Permit holder inspection and report responsibilities — major land disturbances.** The
1713 holder of a major land disturbance permit or his/her agent shall cause regular inspection of land
1714 disturbance sites, including all erosion and sediment and other pollutant control measures,
1715 outfalls and off-site receiving waters in accordance with the inspection schedule outlined in the
1716 approved Storm Water Pollution Prevention Plan (SWPPP). Inspections must be scheduled at
1717 least once per week and no later than seventy-two (72) hours after heavy rain. The purpose of
1718 such inspections will be to ensure proper installation, operation and maintenance of Best
1719 Management Practices (BMP) and to determine the overall effectiveness of the Storm Water
1720 Pollution Prevention Plan (SWPPP) and the need for additional control measures. All inspections
1721 shall be documented in written form on weekly reports with copies submitted to the Department
1722 of Public Works at the time interval specified in the permit. Permit holder inspection reports
1723 must include the following minimum information:
- 1724 a. Inspector's name and signature;
- 1725 b. Date of inspection;
- 1726 c. Observations relative to the effectiveness of the Best Management Practices (BMPs);
- 1727 d. Actions taken or necessary to correct deficiencies; and
- 1728 e. A listing of areas where land disturbance operations have permanently or temporarily stopped.
- 1729 The permit holder shall notify the site contractor(s) responsible for any deficiencies identified so
1730 that deficiencies can be corrected within seven (7) calendar days of the weekly inspection report.
- 1731 **4. Verification of permit holder's reports.** The Department of Public Works may make extra
1732 inspections as deemed necessary to ensure the validity of the reports filed under this Section or to
1733 otherwise ensure proper installation, operation and maintenance of storm water Best
1734 Management Practices (BMP) and to determine the overall effectiveness of the Storm Water
1735 Pollution Prevention Plan (SWPPP) and the need for additional control measures.

1736 **Section 505.416 Implementation — Effective Date of Code Provisions.** [Ord. No. 7358 §1,
1737 11-29-2006]

1738 The provisions of this code shall become effective thirty (30) days after its adoption by the
1739 Florissant City Council.

1740 **ARTICLE XIII. SECTION 505.050. STREAM BUFFER ORDINANCE**

1741 **Section 505.051 Title.** [Ord. No. 7533 §1, 8-15-2008]

1742 This Article shall be known as the "Florissant Stream Buffer Protection Ordinance".

1743 **Section 505.052 Introduction.** [Ord. No. 7533 §1, 8-15-2008]

1744 A. The City of Florissant finds that buffers adjacent to stream systems provide numerous
1745 environmental protection and resource management benefits which can include the
1746 following:

1747 1. Protection, restoring and maintaining the chemical, physical and biological integrity of
1748 streams and their water resources;

1749 2. Removing pollutants delivered in urban stormwater;

1750 3. Reducing erosion and controlling sedimentation;

1751 4. Protection and stabilizing stream banks;

1752 5. Providing for infiltration of stormwater runoff;

1753 6. Maintaining base flow of streams;

1754 7. Contributing the organic matter that is a source of food and energy for the aquatic
1755 ecosystem;

1756 8. Providing tree canopy to shade streams and promote desirable aquatic habitat;

1757 9. Providing riparian wildlife habitat;

1758 10. Furnishing scenic value and recreational opportunity;

1759 11. Providing opportunities for the protection and restoration of green space.

1760 **Section 505.053 Purpose.** [Ord. No. 7533 §1, 8-15-2008]

1761 The purpose of this Article is to establish minimal acceptable requirements for the design of
1762 buffers to protect the streams, wetlands and floodplains of the City of Florissant; to protect the

1763 water quality of watercourses, reservoirs, lakes and other significant water resources within the
1764 City of Florissant; to protect Florissant's riparian and aquatic ecosystems; and to provide for the
1765 environmentally sound use of Florissant's land resources.

1766 **Section 505.054 Definitions.** [Ord. No. 7533 §1, 8-15-2008]

1767 The following words, terms and phrases, when used in this Article, shall have the meanings
1768 ascribed to them in this Section, except where the context clearly indicates a different meaning:

1769 **BUFFER:** With respect to a stream, a natural or enhanced vegetated area (established by Section
1770 **505.506** below) lying adjacent to the stream.

1771 **FLOODPLAIN:** Any land area susceptible to flooding, which would have at least a one percent
1772 (1%) probability of flooding occurrence in any calendar year based on the basin being fully
1773 developed as shown on the current land use plan, i.e., the regulatory flood. This pertains to the
1774 100-year flood plain only.

1775 **IMPERVIOUS COVER:** Any manmade paved, hardened or structural surface regardless of
1776 material. Impervious cover includes, but is not limited to, rooftops, buildings, streets, roads,
1777 decks, swimming pools and any concrete or asphalt, unless such asphalt or concrete is designed
1778 to allow the saturation of water into the ground and is approved by the Director of Public Works
1779 as a pervious surface.

1780 **LAND DEVELOPMENT:** Any land change including, but not limited to, clearing, grubbing,
1781 stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land,
1782 construction, paving and any other installation of impervious cover.

1783 **LAND DEVELOPMENT ACTIVITY:** Those actions or activities which comprise, facilitate or
1784 result in land development.

1785 **LAND DISTURBANCE:** Any land or vegetation change, including, but not limited to, clearing,
1786 grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and
1787 filling of land, that do not involve construction, paving or any other installation of impervious
1788 cover.

1789 **LAND DISTURBANCE ACTIVITY:** Those actions or activities which comprise, facilitate or
1790 result in land disturbance.

1791 **PARCEL:** Any plot, lot or acreage shown as a unit on the latest County tax assessment records.

1792 **PERMIT:** The permit issued by the Building Division required for undertaking any land
1793 development activity.

1794 **PERSON:** Any individual, partnership, firm, association, joint venture, public or private
1795 corporation, trust, estate, commission, board, public or private institution, utility, cooperative,

1796 City, County or other political subdivision of the State, any interstate body or any other legal
1797 entity.

1798 **PROTECTION AREA OR STREAM PROTECTION AREA:** With respect to a stream, the
1799 combined areas of all required buffers and setbacks applicable to such stream.

1800 **RIPARIAN:** Belonging or related to the bank of a river, stream, lake, pond or impoundment.

1801 **SETBACK:** With respect to a stream, the area established by Section **505.122** extending beyond
1802 any buffer applicable to the stream.

1803 **STREAM:** Any stream, beginning at:

1804 1. All natural watercourses depicted by a solid or dashed blue line on the most current United
1805 States Geological Survey (U.S.G.S.) 7.5 Minute Series (Topographic) Maps for Missouri; or

1806 2. A point in the stream channel with a drainage area of twenty-five (25) acres or more.

1807 **STREAM BANK:** The sloping land that contains the stream channel and the normal flows of
1808 the stream. Where no established top-of-bank can be determined, the stream bank will be the
1809 "ordinary high water mark" as defined by the Corps of Engineers in Title 33 of the Code of
1810 Federal Regulation, Part 3283.3.

1811 **STREAM CHANNEL:** The portion of the watercourse that contains the base flow of the
1812 stream.

1813 **Section 505.055 Applicability.** [Ord. No. 7533 §1, 8-15-2008]

1814 A. This Article shall apply to all land development activity on property containing a stream
1815 protection area as defined in Section **505.054** of this Article. These requirements are in
1816 addition to, and do not replace or supersede, any other applicable buffer or floodplain
1817 requirements established under State or local law and approval or exemption from these
1818 requirements do not constitute approval or exemption from buffer requirements established
1819 under State law or from other applicable local, State or Federal regulations.

1820 B. ***Legal Non-Conforming Provisions.*** The following shall not apply to this Article:

1821 1. Work consisting of the repair or maintenance of any lawful use of land that is zoned and
1822 approved for such use on or before the effective date of this Article.

1823 2. Existing development and ongoing land disturbance activities including, but not limited to,
1824 existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that
1825 new development or land disturbance activities on such properties will be subject to all
1826 applicable buffer requirements.

- 1827 3. Any land development activity that is under construction, fully approved for development,
1828 scheduled for permit approval or has been submitted for approval as of the effective date of
1829 this Article.
- 1830 4. Land development activity that has not been submitted for approval but that is part of a
1831 larger master development plan, such as for an office park or other phased development that
1832 has been previously approved within two (2) years of the effective date of this Article.
- 1833 C. **Exemptions.** The following specific activities are exempt from this Article. Exemption of
1834 these activities does not constitute an exemption for any other activity proposed on a
1835 property.
- 1836 1. Activities for the purpose of building one (1) of the following:
- 1837 a. A stream crossing by a driveway (bridge), transportation route or utility line;
- 1838 b. Public water supply intake or public wastewater structures or stormwater outfalls;
- 1839 c. Intrusions necessary to provide access to a property;
- 1840 d. Public access facilities that must be on the water including boat ramps, docks, foot trails,
1841 leading directly to the river, fishing platforms and overlooks;
- 1842 e. Foot trails and paths, pervious or impervious, approved only by the Director of Public
1843 Works;
- 1844 f. Activities to restore and enhance stream bank stability, vegetation, water quality and/or
1845 aquatic habitat, so long as native vegetation and bioengineering techniques are used and
1846 said work is approved by the Director of Public Works.
- 1847 2. **Public line easements.** This includes such impervious cover as is necessary for the
1848 operation and maintenance of the utility including, but not limited to, manholes, vents and
1849 valve structures. This exemption shall not be construed as allowing the construction of
1850 roads, bike paths or other transportation routes in such easements, regardless of paving
1851 material, except for access for the uses specifically cited in item (1) above.
- 1852 3. Land development activities within a right-of-way existing at the time this Article takes
1853 effect or approved under the terms of this Article.
- 1854 4. Within an easement of any utility existing at the time this Article takes effect or approved
1855 under the terms of this Article, land disturbance activities and such impervious cover as is
1856 necessary for the operation and maintenance of the utility including, but not limited to,
1857 manholes, vents and valve structures.
- 1858 5. Emergency work necessary to preserve life or property. However, when emergency work is
1859 performed under this Section, the person performing it shall report such work to the

1860 Director of Public Works on the next business day after commencement of the work. Within
1861 ten (10) days thereafter, the person shall apply for a permit and perform such work within
1862 such time period as may be determined by the review and permitting authority to be
1863 reasonably necessary to correct any impairment such emergency work may have caused to
1864 the water conveyance capacity, stability or water quality of the protection area.

1865 6. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or
1866 agricultural uses and are not incidental to other land development activity. If such activity
1867 results in land disturbance in the buffer that would otherwise be prohibited, then no other
1868 land disturbing activity other than normal forest management practices will be allowed on
1869 the entire property for three (3) years after the end of the activities that intruded on the
1870 buffer.

1871 7. Any activities approved under a 404 permit issued by the Corps of Engineers and 401 water
1872 quality certification issued by the Missouri Department of Natural Resources. After the
1873 effective date of this Article, the requirements herein shall apply to new subdivisions and
1874 platting activities. Any land development activity within a buffer established hereunder or
1875 any impervious cover within a setback established hereunder is prohibited unless a variance
1876 is granted pursuant to Section **505.506** of this Article.

1877 **Section 505.056 Land Development Requirements.** [Ord. No. 7533 §1, 8-15-2008]

1878 A. ***Buffer And Setback Requirements.*** All land development activity subject to this Article
1879 shall meet the following requirements:

1880 1. For streams depicted as a solid blue line on the U.S.G.S. map, an undisturbed natural
1881 vegetative buffer shall be maintained for fifty (50) feet, measured horizontally, on both
1882 banks (as applicable) of the stream as measured from the top of the stream bank. For all
1883 other streams subject to this Article, an undisturbed natural vegetative buffer shall be
1884 maintained for twenty-five (25) feet, measured horizontally, on both banks (as applicable)
1885 of the stream as measured from the top of the stream bank.

1886 2. An additional setback shall be maintained for twenty-five (25) feet, measured horizontally,
1887 beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be
1888 prohibited, except pervious paving shall be allowed when reviewed and approved by the
1889 Director of Public Works. Grading, filling and earthmoving shall be minimized within the
1890 setback.

1891 3. No septic tanks or septic tank drain fields shall be permitted within the buffer or the
1892 setback.

1893 B. ***Variance Procedures.*** Variances from the above buffer and setback requirements may be
1894 granted in accordance with the following provisions:

1895 1. Where a parcel was platted prior to the effective date of this Article, and its shape,
1896 topography or other existing physical condition prevents land development consistent with

1897 this Article, and the Director of Public Works finds and determines that the requirements of
1898 this Article prohibit the otherwise lawful use of the property by the owner, the City Council
1899 may grant a variance from the buffer and setback requirements hereunder, provided such
1900 variance requires mitigation measures to offset the effects of any proposed land
1901 development on the parcel.

1902 2. Except as provided above, the City Council shall grant no variance from any provision of
1903 this Article without first conducting a public hearing on the application for variance and
1904 authorizing the granting of the variance by an affirmative vote of the City Council. The City
1905 of Florissant shall give public notice of each such public hearing in a newspaper of general
1906 circulation within the City of Florissant. The City of Florissant shall require that the
1907 applicant post a sign giving notice of the proposed variance and the public hearing. The sign
1908 shall be of a size and posted in such a location on the property as to be clearly visible from
1909 the primary adjacent road right-of-way.

1910 C. Variances will be considered only in the following cases:

1911 1. When a property's shape, topography or other physical conditions existing at the time of the
1912 adoption of this Article prevents land development unless a buffer variance is granted.

1913 2. Unusual circumstances when strict adherence to the minimal buffer requirements in this
1914 Article would create an extreme hardship. Variances will not be considered when, following
1915 adoption of this Article, actions of any property owner of a given property have created
1916 conditions of a hardship on that property.

1917 3. At a minimum, a variance request shall include the following information:

1918 a. A site map that includes locations of all streams, wetlands, floodplain boundaries and other
1919 natural features as determined by field survey;

1920 b. A description of the shape, size, topography, slope, soils, vegetation and other physical
1921 characteristics of the property;

1922 c. A detailed site plan that shows the locations of all existing and proposed structures and
1923 other impervious cover, the limits of all existing and proposed land disturbance, both inside
1924 and outside the buffer and setback. The exact area of the buffer to be affected shall be
1925 accurately and clearly indicated;

1926 d. Documentation of unusual hardship should the buffer be maintained;

1927 e. At least one (1) alternative plan, which does not include a buffer or setback intrusion, or an
1928 explanation of why such a site plan is not possible;

1929 f. A calculation of the total area and length of the proposed intrusion;

1930 g. A stormwater management site plan, if applicable; and

1931 h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must
1932 include an explanation of why none is being proposed.

1933 **D. The following factors will be considered in determining whether to issue a variance:**

1934 1. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the
1935 property;

1936 2. The locations of all streams on the property, including along property boundaries;

1937 3. The location and extent of the proposed buffer or setback intrusion;

1938 4. Whether alternative designs are possible which require less intrusion or no intrusion;

1939 5. The long-term and construction water-quality impacts of the proposed variance;

1940 6. Whether issuance of the variance is at least as protective of natural resources and the
1941 environment.

1942 **Section 505.057 Compatibility With Other Regulations and Requirements.** [Ord. No. 7533
1943 §1, 8-15-2008]

1944 This Article is not intended to interfere with, abrogate or annul any other ordinance, rule or
1945 regulation, Statute or other provision of law. The requirements of this Article should be
1946 considered minimum requirements and where any provision of this Article imposes restrictions
1947 different from those imposed by any other ordinance, rule, regulation or other provision of law,
1948 whichever provisions are more restrictive or impose higher protective standards for human health
1949 or the environment shall be considered to take precedence.

1950 **Section 505.058 Additional Information Requirements For Development On Buffer Zone**
1951 **Properties.** [Ord. No. 7533 §1, 8-15-2008]

1952 A. Any permit applications for property requiring buffers and setbacks hereunder must include
1953 the following:

1954 1. A site plan showing:

1955 a. The location of all streams on the property;

1956 b. Limits of required stream buffers and setbacks on the property;

1957 c. Buffer zone topography with contour lines at no greater than five (5) foot intervals;

1958 d. Delineation of forested and open areas in the buffer zone; and

1959 e. Detailed plans of all proposed land development in the buffer and of all proposed
1960 impervious cover within the setback.

1961 2. A description of all proposed land development within the buffer and setback; and

1962 3. Any other documentation that the Director of Public Works may reasonably deem necessary
1963 for review of the application and to insure that the Buffer Zone Ordinance is addressed in
1964 the approval process. All buffer and setback areas must be recorded on the final plat of the
1965 property following plan approval. A note to reference the vegetated buffer shall state:
1966 "There shall be no clearing, grading, construction or disturbance of vegetation except as
1967 permitted by Stream Buffer Protection Ordinance of the City of Florissant".

1968 **Section 505.059 Responsibility.** [Ord. No. 7533 §1, 8-15-2008]

1969 Neither the issuance of a development permit nor compliance with the conditions thereof, nor
1970 with the provisions of this Article shall relieve any person from any responsibility otherwise
1971 imposed by law for damage to persons or property; nor shall the issuance of any permit
1972 hereunder serve to impose any liability upon the City of Florissant, its officers or employees for
1973 injury or damage to persons or property.

1974 **Section 505.060 Inspection.** [Ord. No. 7533 §1, 8-15-2008]

1975 A. The Director of Public Works may cause inspections of the work of the buffer or setback to
1976 be made periodically during the course thereof and shall make a final inspection following
1977 completion of the work. The permittee shall assist the Director of Public Works in making
1978 such inspections. The City of Florissant shall have the authority to conduct such
1979 investigations as it may reasonably deem necessary to carry out its duties as prescribed in
1980 this Article and for this purpose to enter at reasonable time upon any property, public or
1981 private, for the purpose of investigating and inspecting the sites of any land development
1982 activities within the protection area.

1983 B. No person shall refuse entry or access to any authorized representative or agent who
1984 requests entry for purposes of inspection and who presents appropriate credentials, nor shall
1985 any person obstruct, hamper or interfere with any such representative while in the process
1986 of carrying out official duties.

1987 **Section 505.061 Violations, Enforcement and Penalties.** [Ord. No. 7533 §1, 8-15-2008]

1988 A. Any action or inaction which violates the provisions of this Article or the requirements of
1989 an approved site plan or permit may be subject to the enforcement actions outlined in this
1990 Section. Any such action or inaction which is continuous with respect to time is deemed to
1991 be a public nuisance and may be abated by injunctive or other equitable relief. The
1992 imposition of any of the penalties described below shall not prevent such equitable relief.

1993 1. **Notice of violation.** If the Director of Public Works determines that an applicant or other
1994 responsible person has failed to comply with the terms and conditions of a permit, an

1995 approved site plan or the provisions of this Article, a written notice of violation shall be
 1996 issued to such applicant or other responsible person. Where a person is engaged in activity
 1997 covered by this Article without having first secured the appropriate permit thereof, the
 1998 notice of violation shall be served on the owner or the responsible person in charge of the
 1999 activity being conducted on the site. The notice of violation shall contain:

2000 a. The name and address of the owner or the applicant or the responsible person;

2001 b. The address or other description of the site upon which the violation is occurring;

2002 c. A statement specifying the nature of the violation;

2003 d. A description of the remedial measures necessary to bring the action or inaction into
 2004 compliance with the permit, the approved site plan or this Article and the date for the
 2005 completion of such remedial action;

2006 e. A statement of the penalty or penalties that may be assessed against the person to whom the
 2007 notice of violation is directed; and

2008 f. A statement that the determination of violation may be appealed to the Director of Public
 2009 Works by filing a written notice of appeal within thirty (30) days after the notice of
 2010 violation (except that in the event the violation constitutes an immediate danger to public
 2011 health or public safety, twenty-four (24) hours' notice shall be sufficient).

2012 2. ***Penalties.*** In the event the remedial measures described in the notice of violation have not
 2013 been completed by the date set forth for such completion in the notice of violation, any one
 2014 (1) or more of the following actions or penalties may be taken or assessed against the person
 2015 to whom the notice of violation was directed. Before taking any of the following actions or
 2016 imposing any of the following penalties, the Director of Public Works shall first notify the
 2017 applicant or other responsible person in writing of its intended action and shall provide a
 2018 reasonable opportunity of not less than ten (10) days (except that in the event the violation
 2019 constitutes an immediate danger to public health or public safety, twenty-four (24) hours'
 2020 notice shall be sufficient) to correct such violation. In the event the applicant or other
 2021 responsible person fails to correct such violation after such notice and corrective action
 2022 period, the Director of Public Works may take any one (1) or more of the following actions
 2023 or impose any one (1) or more of the following penalties.

2024 a. ***Stop work order.*** The Director of Public Works may issue a stop work order which shall be
 2025 served on the applicant or other responsible person. The stop work order shall remain in
 2026 effect until the applicant or other responsible person has taken the remedial measures set
 2027 forth in the notice of violation or has otherwise corrected the violation or violations
 2028 described therein, provided the stop work order may be withdrawn or modified to enable the
 2029 applicant or other responsible person to take necessary remedial measures to correct such
 2030 violation or violations.

2031 b. ***Withhold certificate of occupancy.*** The Director of Public Works may refuse to issue a
2032 certificate of occupancy for the building or other improvements constructed or being
2033 constructed on the site until the applicant or other responsible person has taken the remedial
2034 measures set forth in the notice of violation or has otherwise corrected the violations
2035 described therein.

2036 c. ***Suspension, revocation or modification of permit.*** The Director of Public Works may
2037 suspend, revoke or modify the permit authorizing the land development project. A
2038 suspended, revoked or modified permit may be reinstated after the applicant or other
2039 responsible person has taken the remedial measures set forth in the notice of violation or has
2040 otherwise corrected the violations described therein, provided such permit may be reinstated
2041 (upon such conditions as the Director of Public Woks may deem necessary) to enable the
2042 applicant or other responsible person to take the necessary remedial measures to correct
2043 such violations.

2044 d. ***Penalties.*** For violations of this Article, the Director of Public Works may issue a citation to
2045 the applicant or other responsible person, requiring such person to appear in the Florissant
2046 Municipal Court to answer charges for such violation. Upon conviction, such person shall
2047 be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for
2048 ninety (90) days or both. Each act of violation and each day upon which any violation shall
2049 occur shall constitute a separate offense.

2050 **Section 505.062 Administrative Appeal and Judicial Review.** [Ord. No. 7533 §1, 8-15-2008]

2051 A. ***Administrative Appeal.*** Any person aggrieved by a decision or order of the Director of
2052 Public Works may appeal in writing within seven (7) days after the issuance of such
2053 decision or order to the Mayor of Florissant and shall be entitled to a hearing before the City
2054 Council of Florissant within thirty (30) days of receipt of the written appeal.

2055 B. ***Judicial Review.*** Any person aggrieved by a decision or order of City Council, after
2056 exhausting all administrative remedies, shall have the right to appeal de novo to the Circuit
2057 Court of St. Louis County, Missouri.

2058 **CHAPTER 510 - EXISTING STRUCTURES AND PROPERTY MAINTENANCE CODE**

2059 The Existing Structures Code of the City of Florissant is for the purpose of controlling existing
2060 property conditions, ensuring the quality of Florissant neighborhoods, and controlling changes to
2061 existing structures including additions, remodeling, changes of use, changes of occupancy, and
2062 control of nuisances. The Existing Structures Code shall consist of the following codes, as
2063 published by the International Code Council, under these organizational Articles and Sections:
2064 Article I, Section 510.010 the Property Maintenance Code; Article II, Section 510.025 the
2065 Existing Buildings Code; Article III, Section 510.040 Occupancy Permits and Transfer of
2066 Ownership; Article IV, Section 510.090 Notification Of New Electric Customers; Article V,
2067 Section 510.070 Vacant Residential Structure Fee; Article VI, Section 510.080 Registration Of
2068 Vacant Residential Buildings; and Article VII, Section 510.060 Abatement of Contamination

2069 Due To Production of Methamphetamine. All appendices, additions, insertions, deletions and
2070 changes to each code section are set out under its related Article or Section below.

2071 **Section 510.005 Jurisdictional Titles.**

2072 Throughout the City of Florissant Existing Structures Code, wherever the terms "Name of
2073 Jurisdiction" or "Local Jurisdiction" appear, it shall be deemed to mean "City of Florissant";
2074 likewise wherever the term "Department of Building Inspection", "department of building
2075 safety", "the applicable governing authority", "department of property maintenance", or
2076 "authority having jurisdiction" appears, it shall be deemed to mean "City of Florissant Building
2077 Department". The terms "code official", "building official", "fire code official" or "supervisor
2078 of electrical inspection" shall refer to the Building Commissioner of the City of Florissant.

2079 **Section 510.008 Penalties.**

2080 Any person, firm, corporation, Limited Liability Company or other business entity who shall
2081 violate any provision of this code shall be subject to the penalties of **Section 100.080** of the Code
2082 of Ordinances of the City of Florissant.

2083 **ARTICLE I. PROPERTY MAINTENANCE CODE.**

2084 **Section 510.010 International Property Maintenance Code Adopted.**

2085 The International Property Maintenance Code, 2018 Edition, as published by the International
2086 Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period
2087 of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection
2088 and examination, and a copy of which is attached hereto and incorporated by this reference as if
2089 fully set forth herein, is hereby adopted as the Property Maintenance Code of the City of
2090 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
2091 out in **Section 510.020** of this Chapter.

2092 **Section 510.020 Additions, Insertions, Deletions and Amendments.**

2093 The following numbered Sections and Subsections of the International Property Maintenance
2094 Code, 2018 Edition, as published by the International Code Council, Inc., are hereby amended by
2095 additions, insertions, deletions and amendments so that such Sections and Subsections shall read
2096 as follows:

2097 **Section 101.1 Title (Amended):** These regulations shall be known as the Property Maintenance
2098 Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

2099 **Section 102.3 Application of Other Codes (Amended):** Repairs, additions or alterations to a
2100 structure, or changes of occupancy, shall be done in accordance with the procedures and
2101 provisions of the International Building Code, International Existing Building Code,
2102 International Energy Conservation Code, International Fire Code, International Fuel Gas Code,
2103 International Mechanical Code, International Residential Code, International Plumbing Code and

2104 NFPA 70. Repairs, additions, or alterations to a structure, or changes of occupancy or use, shall
2105 be done in accordance with the procedures and provisions of the Code of Ordinances of the City
2106 of Florissant.

2107 **Section 103.1 General (Amended):** The Building Department, a division of the Public Works
2108 Department, shall be responsible for the administration of this code under the supervision of the
2109 Building Commissioner and Director of Public Works.

2110 **Section 103.2 (Deleted).**

2111 **Section 103.5 Fees (Amended):** The fees for activities and services performed by the department
2112 in carrying out its responsibilities under this code shall be in accordance with the fee schedule as
2113 established by the City of Florissant, Missouri. Fees for occupancy permits and inspections shall
2114 be according to **Section 500.040** of the City of Florissant Code of Ordinances. Fees for vacant
2115 residential structures shall be according to **Section 500.070** of the City of Florissant Code of
2116 Ordinances.

2117 **Section 104.6 Department Records (Amended):** The *building official* or his designee shall keep
2118 records of all business and activities of the department specified in the provisions of this code,
2119 for the length of time required by the State of Missouri. Such records shall be available to public
2120 inspection at all appropriate times after receipt by the City Clerk of a written request for
2121 information.

2122 **Section 106.4 Penalty (Amended):** Any person, firm, corporation, Limited Liability Company or
2123 other business entity who shall violate any provision of this code shall be subject to the penalties
2124 of **Section 100.080** of the Code of Ordinances of the City of Florissant.

2125 **Section 107.3 Method of Service (Amended).** Such notice shall be deemed to be properly served
2126 upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof
2127 is:

- 2128 1. Delivered personally by leaving the notice with a responsible party of suitable age and
2129 discretion;
- 2130 2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service,
2131 UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent
2132 known address or the mailing address according to the real estate property records of St.
2133 Louis County Missouri.
- 2134 3. A copy thereof may be posted in a conspicuous place in or about the structure affected by
2135 such notice.

2136 **Section 107.6.1 Condominium conversion (Added):** It shall be unlawful for the owner of any
2137 rental building containing two or more units to convert an existing rental building or unit into a
2138 condominium unless the owner has received authorization from the building official and
2139 complied with all applicable regulations.

2140 **Section 108.1.6 Utilities (Added).** Each dwelling and/or dwelling unit shall have all the basic
2141 continuous utility services as a matter of public health and safety which shall include electrical
2142 service, natural or propane gas service (or other acceptable heating ability), potable drinking
2143 water service, sanitary sewer service or a fully functional septic sewer system, and solid waste
2144 (garbage, rubbish, trash) collection service for an approved occupancy.

2145 **Section 108.4 Placarding (Amended).** Upon failure of the *owner*, owner's authorized agent or
2146 person responsible to comply with the notice provisions within the time given, the *code official*
2147 shall post on the *premises* or on defective equipment a placard bearing appropriate wording as
2148 designated by the code official and a statement of the penalties provided for occupying the
2149 premises, operating the equipment or removing the placard.

2150 **Section 109.1 Imminent Danger (Amended).** When, in the opinion of the *code official*, there is
2151 *imminent danger* of failure or collapse of a building or structure that endangers life, or when any
2152 structure or part of a structure has fallen and life is endangered by the occupation of the structure,
2153 or when there is actual or potential danger to the building *occupants* or those in the proximity of
2154 any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes,
2155 gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby
2156 authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith.
2157 The *code official* shall cause to be posted at each entrance to such structure a notice limiting the
2158 structure's use and occupancy bearing appropriate wording as designated by the *code official*. It
2159 shall be unlawful for any person to enter such structure except for the purpose of securing the
2160 structure, making the required repairs, removing the hazardous condition or of demolishing the
2161 same.

2162 **Section 110 Demolition (Deleted).**

2163 **Sections 111.1 through Section 111.6.2 (Deleted)**

2164 **Section 111.1 Property Maintenance Code Board of Appeals (Added).** The Property
2165 Maintenance Code Board shall consist of five (5) members, all of whom shall be residents of the
2166 City and appointed by the City Council, shall not be employees of the City of Florissant, and
2167 who are qualified by experience and training to pass on matters related to the Property
2168 Maintenance Code. The term of office of the members of the Board shall be three (3) years and
2169 those presently in office shall serve the remaining time of their particular appointment.
2170 Vacancies shall be filled for the unexpired term only. The board shall elect its own Chairman and
2171 Secretary who shall serve for one (1) year. The Board shall adopt from time to time such rules
2172 and regulations as it may deem necessary to carry into effect the provisions of this Chapter.

2173 **A.** The Board shall have the jurisdiction to:

2174 **1.** Hear and decide appeals where it is alleged that there is error in any order,
2175 requirement, decision or determination made by the building official;

2176 **2.** Authorize a variance from the strict application of any provision of this code where a
2177 property owner can show that this would result in exceptional practical difficulties and

2178 particular hardship, if such relief can be granted without substantial detriment to the
2179 public welfare and without substantially impairing the general purpose and intent of this
2180 Chapter.

2181 **B.** Any person claiming to be aggrieved by any order, requirement, decision or determination
2182 made by the Enforcement Official hereunder or seeking a variance from the provisions of this
2183 Chapter shall have the right to appeal to the Board. Such appeal shall be initiated within thirty
2184 (30) calendar days after receipt of notice of non-compliance. Upon the filing of a notice of
2185 appeal or request for variance, the Enforcement Official shall forthwith submit to the Board all
2186 papers constituting the record upon which the action appealed from or request for variance was
2187 taken. An appeal stays all proceedings in furtherance of the action appealed from unless the
2188 Enforcement Official certifies to the Board that, by reason of facts stated in the certificate, a stay
2189 would, in his/her opinion, cause imminent peril to life or property. In such case, the proceeding
2190 shall not be stayed. The board shall fix a reasonable time for the hearing of the appeal or request
2191 for variance, give public notice thereof, as well as due notice to the parties in interest and decide
2192 same within a reasonable time. At such hearing, any party may appear in person or by agent or
2193 attorney.

2194 **C.** All hearings of the Board shall be open to the public. The Board shall keep minutes of its
2195 proceedings, showing the vote of each member on each question or if absent or failing to vote,
2196 indicating such fact and shall keep records of its examinations and other official actions, all of
2197 which shall be immediately filed with the City Clerk and shall be a public record.

2198 **D.** In exercising its authority, the Board may reverse or affirm, in whole or part, or may modify
2199 the order, requirement, decision or determination appealed from and may make such order,
2200 requirement, decision or determination as ought to be made.

2201 **Section 112.4 Failure to comply (Amended).** Any person who shall continue any work after
2202 having been served with a stop work order, except such work as that person is directed to
2203 perform to remove a violation or unsafe condition, shall be liable to the penalties of **Section**
2204 **100.080** of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed
2205 in **Section 500.010**.

2206 **Section 202 GENERAL DEFINITIONS (Amended):**

2207 **CHANGE OF OCCUPANCY (Added).** Any circumstances wherein the composition of the
2208 residents or tenants of a building changes either through the sale, lease, rental, or other provision
2209 for the transfer of any structure.

2210 **FAMILY (Added):**

- 2211 1. An individual living as a single non-profit, housekeeping unit in a dwelling unit; or An
2212 individual living as a single non-profit, housekeeping unit in a dwelling unit; or
- 2213 2. Two (2) individuals or married couple and the children thereof, including adopted
2214 children, foster children and grandchildren, and no more than two (2) other persons

- 2215 related to the individuals or married couple by blood or marriage and no more than two
2216 (2) other individuals; or
- 2217 3. A group of not more than four (4) persons not related by blood or marriage and not living
2218 as a group home but living together as a single housekeeping unit in a dwelling unit as
2219 distinguished from a boarding house; or
- 2220 4. A group of nine (9) or fewer unrelated mentally or physically handicapped persons
2221 (group home), excluding supervisory persons acting as house parents or guardians, who
2222 need not be related to each other or to any of the mentally or physically handicapped
2223 individuals residing in a dwelling unit as distinguished from a boarding house.

2224 **PUBLIC NUISANCE:** A public nuisance includes:

- 2225 1. The physical condition or use of any premises regarded as a public nuisance at common
2226 law; or
- 2227 2. Any physical condition, use or occupancy of any premises or its appurtenances
2228 considered an attractive nuisance to children including, but not limited to, abandoned
2229 wells, shafts, basements, excavations and unsafe fences or structures; or
- 2230 3. Any premises which have unsanitary sewerage or plumbing facilities; or
- 2231 4. Any premises designated as unsafe for human habitation or use; or
- 2232 5. Any premises which are manifestly capable of being a fire hazard or are manifestly
2233 unsafe or unsecure as to endanger life, limb or property; or
- 2234 6. Any premises from which the plumbing, heating and/or facilities required by this Code
2235 have been removed or from which utilities have been disconnected, destroyed, removed
2236 or rendered ineffective or the required precautions against trespassers have not been
2237 provided; or
- 2238 7. Any premises which are unsanitary or which are littered with rubbish or garbage or which
2239 have an uncontrolled growth of weeds; or
- 2240 8. Any structure or building that is in a state of dilapidation, deterioration or decay; faulty
2241 construction; overcrowded, open, vacant or abandoned; damaged by fire to the extent as
2242 to not provide shelter, in danger of collapse or failure and is dangerous to anyone on or
2243 near the premises.
- 2244 9. All trees or parts thereof in a dead or dying condition or living trees which are hazardous.

2245 **Section 302.4 Weeds. (Amended).** Premises and exterior property shall be maintained free from
2246 weeds or plant growth in excess of **eight (8) inches**. Noxious weeds shall be prohibited. Weeds
2247 shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided:
2248 however, this term shall not include cultivated flowers and gardens.

2249 Upon failure of the owner or agent having charge of a property to cut and destroy weeds
2250 after service of a notice of violation, they shall be subject to prosecution in accordance with

2251 **Section 106.3 and 106.4** of this code and as prescribed by the authority having jurisdiction,
2252 Upon failure to comply with the notice of violation, any duly authorized employee of the
2253 jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the
2254 weeds growing thereon, and the costs of such removal shall be paid by the owner or agent
2255 responsible for the property.

2256 **Section 302.10 Maintenance of Trees (Added).** All trees or parts thereof in a dead or dying
2257 condition or living trees which are hazardous are hereby declared to be public nuisances and no
2258 person owning, in control of, or occupying property wherein such trees are located shall possess
2259 or keep such trees.

2260 **Section 303.2 Enclosures (Amended).** Private swimming pools, hot tubs and spas, containing
2261 water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or
2262 barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on
2263 the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing
2264 and self-latching. Where the self-latching device is not less than 54 inches (1372 mm) above the
2265 bottom of gate, the release mechanism shall be located on the pool side of the gate. Self-closing
2266 and self-latching gates shall be maintained such that the gate will positively close and latch when
2267 released from an open position of 6 inches (152 mm) from the gatepost. An existing pool
2268 enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a
2269 safety barrier.

2270 **Exceptions:**

- 2271 1. Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt
2272 from the provisions of this section.
- 2273 2. Pools, spas, and hot tubs which were properly installed under a Florissant building permit
2274 shall be required to be surrounded by a fence or guard at least 42" in height according to
2275 the code under which it was permitted as long as the original structure remains. In the
2276 event of permitted repair or replacement then the pool guard must comply with the
2277 current building code.

2278 **Section 304.3.1 Buildings with Rear Alleys (Added):** Buildings with alleys, drives, or public
2279 ways at the rear shall have approved address numbers placed at the rear of the property so as to
2280 be visible from the rear of the building.

2281 **Section 304.6 Exterior Walls (Amended).** Exterior walls shall be free from holes, breaks, and
2282 loose or rotting materials; and maintained weatherproof and properly surface coated where
2283 required to prevent *deterioration*. Exterior coverings must match the existing in appearance,
2284 color, texture and profile so as not to promote visual blight and shall be constructed in a
2285 workmanlike manner.

2286 **Section 304.7 Roofs and drainage (Amended).** The roof and flashing shall be sound, tight and
2287 not have defects that admit rain. Roof drain-age shall be adequate to prevent dampness or
2288 *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts
2289 shall be maintained in good repair and free from obstructions. Roof water shall not be discharged

2290 in a manner that creates a public nuisance. Roof coverings must match the existing in
2291 appearance, color, texture and profile so as not to promote visual blight and shall be constructed
2292 in a workmanlike manner.

2293 ***Section 304.10 Stairways, Decks, Porches, Balconies and other Walking Surfaces (Amended).***
2294 Every stair, ramp, balcony, porch, deck or other walking surface, and all appurtenances attached
2295 thereto, shall be maintained structurally sound, in good repair, with proper anchorage and
2296 capable of supporting the imposed loads. Every stair shall have uniform risers and treads. Every
2297 stair, porch or fire escape shall be maintained free of unsafe conditions. No required exit stairs or
2298 fire escape may be blocked by any material at any time.

2299 ***Section 304.14 Insect screens. (Deleted)***

2300 ***Section 304.16 Basements Stairwells and Hatchways (Amended).*** Every basement hatchway
2301 shall be kept free of debris and standing water and maintained to prevent the entrance of rodents,
2302 rain and surface drainage water.

2303 ***Section 304.20 Accessory Structures (Added).*** Existing accessory structures shall be properly
2304 maintained so as not to obstruct light or ventilation of any dwelling unit or obstruct a safe means
2305 of egress or access to any dwelling unit or create fire and safety hazards or provide rodent or
2306 insect harborage. Accessory structures shall be functional, maintained in a state of good repair
2307 and properly constructed subject to review and approval by the *building official*.

2308 ***Section 305.3.1 Hallways, Basement Storage, and Common Areas (Added).*** The interior
2309 hallways, stairwells, laundry rooms, basements and designated storage areas, and other common
2310 areas in all multi-family buildings must be kept in a clean and sanitary manner, and free of
2311 debris. Flooring must be properly maintained. Storage must be neatly stacked at least three (3)
2312 feet from any mechanical equipment. At least a three (3) foot clear passage to the exit or stairway
2313 doors must be provided. No flammable or noxious liquids may be stored in the basement or other
2314 common areas.

2315 ***Section 305.4 Stairs and Walking Surfaces (Amended).*** All interior stairs and railings shall be
2316 maintained in good repair, structurally sound and in a sanitary condition and free of stored items
2317 or other unsafe conditions.

2318 ***Section 307.1.1 Multi-Family Dwellings (Added).*** Handrails and guardrails that do not comply
2319 with this Code at the time of adoption may be granted grace period of up to twelve months by the
2320 Building Commissioner upon review of a plan to comply submitted by the owner or responsible
2321 party.

2322 ***Section 404.4.1 Room Area (Amended).*** Every living room shall contain not less than 120 square
2323 feet (11.2 m²) and every bedroom shall contain not less than 70 square feet (6.5 m²) and every
2324 bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m²) of
2325 floor area for each occupant thereof with a maximum of 3 occupants permitted for each
2326 bedroom.

2327 **Section 602.3 Heating Supply (Amended).** Every owner and operator of any building who rents,
2328 leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied,
2329 to furnish heat to the *occupants* thereof shall supply heat to maintain a minimum temperature of
2330 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

2331 **Exceptions:**

- 2332 1. When the outdoor temperature is below the winter outdoor design temperature for the
2333 locality, maintenance of the minimum room temperature shall not be required provided
2334 that the heating system is operating at its full design capacity. The winter outdoor design
2335 temperature for the locality shall be as indicated in Appendix D of the *International*
2336 *Plumbing Code*.
- 2337 2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum
2338 temperature of 65°F (18°C) shall be maintained

2339 **Section 602.4 Occupiable Work Spaces (Amended).** Indoor occupiable work spaces shall be
2340 supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the
2341 spaces are occupied.

2342 **Exceptions:**

- 2343 1. Processing, storage and operation areas that require cooling or special temperature
2344 conditions.
- 2345 2. Areas in which persons are primarily engaged in vigorous physical activities

2346 **Section 605.2 Receptacles (Amended):** Every *habitable space* in a dwelling shall contain not less
2347 than two separate and remote receptacle outlets. Every laundry area shall contain not less than
2348 one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every
2349 *bathroom* shall contain not less than one receptacle. All newly installed receptacle outlets shall
2350 be grounded and have ground fault circuit interrupter protection where required by the Florissant
2351 Residential Code. All receptacle outlets shall have the appropriate faceplate cover for the
2352 location. In two-wire circuits without a grounding conductor which are original to the home, a
2353 new two-prong receptacle is permitted to be installed where a two-prong receptacle was
2354 originally installed in lieu of a ground fault circuit interrupter.

2355 **Section 605.4 Wiring (Amended).** Flexible cords shall not be used for permanent wiring, or for
2356 running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings. All
2357 wiring must be maintained in a safe condition and properly secured to framing members.

2358 **Section 702.5 Corridor Enclosure (Added):** All corridors serving more than one occupant or
2359 tenant, and openings therein, shall provide an effective barrier to resist the movement of smoke.
2360 All transoms, louvers, doors and other openings shall be self-closing.

2361 **Exceptions:**

2362 1. Louvers or grills for the movement of conditioned air shall be permitted in exit access
2363 corridor enclosure walls or doors, provided an approved smoke detection system is
2364 installed in the corridor. The smoke detection system shall sound an audible alarm in
2365 the building. This exception shall not apply to openings into exit stairway enclosures.

2366 **Section 703.2 Opening Protectives (Amended).** All required opening protectives, fire doors and
2367 smoke barriers shall be maintained in good working order, including all hardware necessary for
2368 the proper operation thereof. Fire doors shall not be blocked, obstructed or held open by any
2369 means.

2370 **Section 703.3.4 Dwelling-garage fire separation (Added).** In one and two-family dwellings
2371 attached garage separation wall must comply with International Residential Code Section 302.6.

2372 **Section 704.6.1 Where required (Amended).** Existing Group I-1 and R occupancies shall be
2373 provided with single-station smoke alarms in accordance with **Sections 704.6.1.1** through
2374 **704.6.1.4**. Interconnection and power sources shall be in accordance with **Sections 704.6.2** and
2375 **704.6.3**.

2376 **Exceptions:**

- 2377 1. (Deleted)
- 2378 2. (Deleted)
- 2379 3. Where smoke detectors connected to a fire alarm system have been installed as a
2380 substitute for smoke alarms.

2381 **Section 704.6.1.1 Group R-1 (Amended).** Single- or multiple-station smoke alarms shall be
2382 installed in all of the following locations in Group R-1:

- 2383 1. In sleeping areas.
- 2384 2. In every room in the path of the means of egress from the sleeping area to the door
2385 leading from the sleeping unit.
- 2386 3. (Amended) In each story within the sleeping unit, including basements.

2387 **Section 704.6.1.2 Groups R-2, R-3, R-4 and I-1 (Amended).** Single or multiple-station smoke
2388 alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant
2389 load at all of the following locations:

- 2390 1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of
2391 bedrooms.
- 2392 2. In each room used for sleeping purposes.
- 2393 3. (Amended) In each story within a dwelling unit, including basements but not including
2394 crawl spaces and uninhabitable attics.

2395 **Section 704.6.2 Interconnection** (*Amended*). Where more than one smoke alarm is required to
2396 be installed within an individual dwelling or sleeping unit, the smoke alarms shall be
2397 interconnected in such a manner that the activation of one alarm will activate all of the alarms in
2398 the individual unit. Physical interconnection of smoke alarms shall not be required where listed
2399 wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall
2400 be clearly audible in all bedrooms over background noise levels with all intervening doors
2401 closed.

2402 **Exceptions:**

- 2403 1. Interconnection is not required in buildings that are not undergoing alterations, repairs or
2404 construction of any kind.
- 2405 2. (*Amended*) Smoke alarms in existing areas are not required to be interconnected where
2406 alterations or repairs do not result in the removal of interior wall or ceiling finishes.

2407 **Section 704.6.3 Power source** (*Amended*). Single-station smoke alarms shall receive their
2408 primary power from the building wiring provided that such wiring is served from a commercial
2409 source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are
2410 not equipped with battery backup shall be connected to an emergency electrical system. Smoke
2411 alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a
2412 disconnecting switch other than as required for overcurrent protection.

2413 **Exceptions:**

- 2414 1. Smoke alarms are permitted to be solely battery operated in existing buildings where no
2415 construction is taking place.
- 2416 2. Smoke alarms are permitted to be solely battery operated in buildings that are not served
2417 from a commercial power source.
- 2418 3. (*Amended*) Smoke alarms are permitted to be solely battery operated in existing areas of
2419 buildings undergoing alterations or repairs that do not result in the removal of interior
2420 walls or ceiling finishes exposing the structure.

2421

2422

ARTICLE II. EXISTING BUILDING CODE.

2423 **Section 510.030 International Existing Building Code Adopted.**

2424 The International Existing Building Code, 2018 Edition, including appendixes A2, A3, A4, A5,
2425 A6, B, C1, C2, and Resource A as published by the International Code Council, Inc., one (1)
2426 copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to
2427 the adoption of this Chapter and available for public use, inspection and examination, and a copy
2428 of which is attached hereto and incorporated by this reference as if fully set forth herein, is
2429 hereby adopted as the Existing Building Code of the City of Florissant, Missouri, subject to the
2430 amendments, additions, insertions, deletions and changes set out in **Section 510.035** of this
2431 Chapter.

2432 **Section 510.040 Additions, Insertions, Deletions and Amendments.**

2433 The following numbered Sections and Subsections of the International Existing Building Code,
2434 2018 Edition, including appendixes A2, A3, A4, A5, A6, B, C1, C2, and Resource A as
2435 published by the International Code Council, Inc., are hereby amended by additions, insertions,
2436 deletions and amendments so that such Sections and Subsections shall read as follows:

2437 ***Section 101.1 Title (Amended):** These regulations shall be known as the Existing Building Code*
2438 *of the City of Florissant, Missouri, hereinafter referred to as "this code".*

2439 ***Section 103.1 Creation of enforcement agency (Deleted).***

2440 ***Section 105.1.1 Annual permit (Deleted).***

2441 ***Section 105.1.2 Annual permit records (Deleted).***

2442 ***Section 105.2 Work exempt from permit (Amended).*** Work exempt from a permit shall comply
2443 with the Florissant Building Code and Florissant Residential Code respectively.

2444 ***Section 105.2.1 Emergency Repairs (Amended).*** Where equipment or system replacements
2445 and/or repairs must be performed in an emergency situation, the permit application shall be
2446 submitted within forty-eight (48) working hours of said repair or replacement.

2447 ***Section 108.2 Schedule of permit fees (Amended).*** The fees for all work on existing buildings
2448 shall be paid in accordance with the fee schedule as established by the City of Florissant,
2449 Missouri.

2450 ***Section 112.1 General (Amended).*** In order to hear and decide appeals of orders, decisions, or
2451 determinations made by the *building official* relative to the application and interpretation of this
2452 code, The Board of Appeals shall be the Planning and Zoning Commission as established by the
2453 Code of Ordinances of the City of Florissant in **Section 11.1**.

2454 ***Section 112.3 Qualifications (Deleted).***

Section 113.4 Violation Penalties (Amended). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code shall be subject to the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant.

Section 115.4 Method of Service (Amended): Such notice shall be deemed to be properly served upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof is:

1. Delivered personally by leaving the notice with a responsible party of suitable age and discretion;
2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent known address or the mailing address according to the real estate property records of St. Louis County Missouri.
3. A copy thereof may be posted in a conspicuous place in or about the structure affected by such notice.

ARTICLE III. SECTION 510.050. OCCUPANCY PERMITS AND TRANSFER OF OWNERSHIP.

A. Applicability. This Section shall not apply to any occupancy in existence at the time of the adoption of this Chapter and until a change of occupancy occurs as defined in the Property Maintenance Code.

B. Requirements. Except as otherwise provided, it shall be unlawful for any person, corporation, business or family to occupy or for any owner or agent thereof to permit the occupancy of any building, tenant space, structure, dwelling, dwelling unit or addition thereto or part thereof for any purpose until an occupancy permit has been issued by the Enforcement Official. The occupancy permit which is issued will allow the natural growth of a single family but requires that no dwelling unit shall be occupied by more than a single family, as defined in this Chapter, plus not more than two (2) other persons all living together in the dwelling unit as a single housekeeping unit. The occupancy permit shall not be issued until all violations of this Chapter have been brought into compliance, except as provided in Subsection (F) and its issuance shall be subject to the following occupancy limitations:

1. Single-family occupancy. No dwelling unit, other than a group home permitted under the provisions of the Zoning Code, shall be occupied by more than a single family, as defined in this Chapter, plus not more than two (2) other persons all living together as a single housekeeping unit and shall be subject to square footage.

2. Overcrowding. Dwelling units and group homes shall not be occupied by more occupants than permitted by the minimum area requirement set forth in the Florissant Property Maintenance Code.

C. Fee. Occupancy related fees shall be as follows:

- 2492 **\$75.00.....**One- and two-family dwellings application and 2 inspections.
- 2493 **\$150.00.....**One- and two-family dwellings application and 2 inspections occupied at the time
2494 of the first inspection.
- 2495 **\$50.00.....**Apartment unit application and 2 inspections.
- 2496 **\$100.00.....**Apartment unit application and 2 inspections occupied at the time of the first
2497 inspection.
- 2498 **\$40.00.....**Occupancy permit update (except as a result of the natural growth of a family).
- 2499 **\$100.00.....**Commercial application and inspection less than three thousand (3,000) square
2500 feet building /tenant space.
- 2501 **\$200.00.....**Commercial application and inspection between three thousand (3,000) and fifty
2502 thousand (50,000) square feet building / tenant space.
- 2503 **\$300.00.....**Commercial application and inspection over fifty thousand (50,000) square feet
2504 building/tenant space.
- 2505 **\$50.00.....**Commercial or residential occupancy permit issuance.
- 2506 **\$50.00.....**Occupancy permit extension after review and approval.
- 2507 **\$50.00.....**Conditional or temporary occupancy permit after review and approval.
- 2508 **\$50.00.....**Extra inspections over and above the application allowance of 2 inspections.
- 2509 The above fees shall also cover the first (1st) reinspection in the event a reinspection is necessary
2510 following the initial inspection. In the event further reinspections are necessary to secure an
2511 occupancy permit or to comply with the terms of a conditional occupancy permit, each such
2512 reinspection after the first (1st) reinspection shall require an additional fee of fifty dollars
2513 (**\$50.00**) per reinspection.
- 2514 ***D. Report Change of Occupancy.*** Every building, structure, tenant space or dwelling unit in
2515 which a change of occupancy is to occur must be reported by the owner to the *building official* so
2516 that the Enforcement Official may inspect the structure according to the provisions of this
2517 Chapter. Failure to make such a report shall constitute a violation of this Chapter and the person
2518 responsible for the failure shall be subject to the penalties of this Chapter.
- 2519 ***E. Responsibilities of Real Estate Brokers.*** All real estate brokers and agents and similar
2520 businesses and owners of buildings, structures, tenant spaces, dwelling units or multiple-family
2521 dwelling units shall report each change occupancy as defined in this Chapter so that the
2522 Enforcement Official may inspect the unit according to the provisions of this Chapter. Failure to

2523 register or make such a report shall constitute a violation of this Chapter and the person
2524 responsible for the failure shall be subject to the penalties of this Chapter.

2525 ***F. Conditional Occupancy Permit.*** A conditional occupancy permit may be issued by the
2526 Enforcement Official if, in his/her judgment, any deficiencies in structures covered by this
2527 Chapter would not demonstrate a visual blight or seriously endanger the health or safety of the
2528 occupants or of the community and provided that in the case of an owner-occupant an affidavit
2529 stating that he/she will correct deficiencies within a specific time and in the case of an owner-
2530 non-occupant an affidavit stating that the owner will correct deficiencies within a specified time
2531 and thus bring the structure into compliance with the provisions of this Chapter. The occupant,
2532 who may be the owner or a renter as the case may be, may occupy the space while repairs are
2533 being made. At such time and within the period covered by the affidavit furnished as the space
2534 complies with all the provisions of this Chapter an occupancy permit will be issued as provided
2535 above. In the event that repairs are not completed within the specified time the City may revoke
2536 the occupancy permit and peruse further action allowable by this chapter. The fee for a
2537 conditional or temporary occupancy permit shall be fifty dollars (\$50.00).

2538 ***G. Inspection of Occupancy Records.*** Every owner and managing agent of a multiple-family
2539 dwelling shall, upon request of the Enforcement Official, make available for inspection by the
2540 Enforcement Official its records of occupancy and all changes of occupancy of the dwelling
2541 units within such multiple-family dwelling.

2542 ***H. Notice of Requirement Of Occupancy Permit To Be Posted.*** The Enforcement Official shall
2543 provide to the owner or managing agent of every multiple-family dwelling a sign specifying that
2544 an occupancy permit is required to be issued prior to the occupation of any dwelling unit. Upon
2545 receipt of such sign, the owner or managing agent shall post and maintain the sign in a
2546 conspicuous place in the rental office of such multiple-family dwelling and if such rental office
2547 is not at the same location as the multiple-family dwelling, such owner or managing agent shall
2548 also post the sign in the common entry area of each multiple-family dwelling. Failure to post and
2549 maintain this sign shall constitute a violation and the person responsible for such failure shall be
2550 subject to the penalties of this Chapter.

2551 ***I. Occupancy Permits, Non-Residential Structures.*** It shall be unlawful for any person, owner
2552 or operator to occupy or use or to permit occupancy or use of any premises for any purpose until
2553 an occupancy permit has been issued by the *building official*. No such permit shall be issued
2554 unless said premises has been inspected by the *building official* or his designee and the premises
2555 is in compliance with this code. All commercial occupancy permits shall require the review and
2556 approval of the local Fire Marshal. All commercial occupancy permits must be reviewed and
2557 approved for use and classification according to the Building Code and Existing Building Code
2558 as well as Florissant Zoning Code.

2559 ***J. Inspections Required by a Home Improvement Program.*** Where an inspection is a
2560 requirement of a specific home improvement program the building official is authorized and
2561 directed to make inspections to determine whether dwellings, dwelling units, rooming units,
2562 accessory structures and premises located within the City conform to the requirements of this
2563 Chapter. This inspection shall not constitute a requirement for occupancy. For the purpose of

2564 making such inspections, the building official is authorized at reasonable times to enter, examine
2565 and survey all dwellings, dwelling units, rooming units, accessory structures and premises with
2566 the consent of the owner or occupant thereof. The inspection contemplated under this subsection
2567 shall remain valid for a period of one hundred twenty (120) days from the date of initial
2568 inspection provided that there is no change in occupancy or the building has remained vacant
2569 during the one hundred twenty (120) day period. Extensions of time may be granted at the
2570 discretion of the *building official* or his/her designated representative.

2571 ***K. Expiration of Occupancy Inspection and Permit.*** Any occupancy permit process shall
2572 become invalid one hundred and twenty (120) days after the initial inspection date. The
2573 occupancy permitting process must be completed and permit obtained within this timeframe
2574 unless an extension is granted after review by the *building official*. Fees for extensions shall be
2575 fifty dollars (\$50).

2576 **Section 510.055 Emergency Measures.** [Code 1980 §6-68; CC 1990 §5-152]

2577 A. When any dwelling unit has become so damaged by fire, wind or other causes or has
2578 become so unsafe, unhealthful or unsanitary that, in the opinion of the Enforcement
2579 Official, life or health is immediately endangered by the occupation of the dwelling unit, the
2580 Enforcement Official is hereby authorized and empowered to revoke without notice any
2581 occupancy permit for such dwelling unit and to order and require the occupants to vacate
2582 the dwelling unit forthwith and to order the owner or agent to proceed immediately with the
2583 corrective work and repairs required to make the dwelling unit safe and fit for human
2584 habitation, whether or not a notice of violation has been given as described in this Chapter
2585 and whether or not legal procedures described by City ordinances have been instituted.

2586 B. If the Enforcement Official determines that there is an immediate danger to the health,
2587 safety or welfare of any person, he/she may take emergency measures to vacate and repair
2588 the structure or otherwise remove the immediate danger.

2589 C. Written notice shall be given to the owner, occupant, lessee, mortgagee, agent and all other
2590 persons having an interest in such building or structure as promptly as possible. The cost of
2591 any such emergency work shall be collected in the same manner as provided by this
2592 Chapter.

2593 **ARTICLE IV. SECTION 510.060. NOTIFICATION OF NEW ELECTRIC CUSTOMERS**

2594 [CC 1990 §5-174; Ord. No. 5676, 11-28-1994]

2595 A. For any month when there is a change of user of residential electric service or non-residential
2596 electric service within the City, AmerenUE shall notify the *building official* of the City in writing
2597 within seven (7) working days after the end of the month of said changes, indicating the address
2598 and apartment or unit number and the name(s) of electric user(s) per service and address and
2599 apartment or unit number in whose name service is connected or billed.

B. The electric utility company shall submit annually to the City an invoice for its cost associated with its compliance with this Chapter. The City shall pay to the electric utility company the amount of the invoice within thirty (30) days of receipt.

ARTICLE V. SECTION 510.070. VACANT RESIDENTIAL STRUCTURE FEE

[Ord. No. 7071 §1, 9-28-2005; Ord. No. 7890 §1, 7-11-2012]

A. A semi-annual registration fee of two hundred dollars (\$200.00) shall be charged to the owner of any residential structure, including a structure containing multiple dwelling units, which has been vacant for six (6) months or more and is in violation of the City's housing codes. In the event that the registration fee is not paid within thirty (30) days of the receipt of the notice, a lien may be placed on the property, enforceable as are other liens, by recording in the Office of the Recorder of Deeds in St. Louis County, a true copy of a statement attested to by the Director of Finance stating that the fee has remained unpaid and shall constitute a lien for principle and interest and shall be in full force and effect until final payment has been made. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the fee is due and owing, and this shall constitute full notice to every person that the amount of the fees plus interest constitutes a charge against the property designated in the statement and that the same is due and collectible as provided by law. In addition to the filing of such lien, or in lieu of filing of such a lien, the City shall have the right to collect these fees by including the fees on the bill for the payment of real and personal property taxes and all other taxes due and owing.

B. A forty-five dollar (\$45.00) inspection fee shall be charged for an inspection to the owner of any residential structure, including a structure containing multiple dwelling units, which has been vacant for six (6) months or more and is in violation of the City's housing codes.

ARTICLE VI. SECTION 510.080. REGISTRATION OF VACANT RESIDENTIAL BUILDINGS

[Ord. No. 8242 §2, 7-11-2016]

A. It is the purpose of this Section to provide for registration of residential buildings that have been vacant for more than six (6) months.

B. Registration of vacant buildings:

1. *Notice of registration.* Notice shall be given to the property owner and managing agent of record that a "Residential Vacant Property Registration Application" is required; however, the obligation to register rests solely with the owner whether or not the owner received notice. If notice is served by mail the notice shall be sent to the owner's and managing agent's last known address and the date of mailing shall be the date of service and anniversary date of vacancy. A "Residential Vacant Property Registration Form" will be provided by the Public Works Department (and can be obtained on line from the City's web site).

2636 **a. *Amount of fee.*** There is hereby established and assessed an annual fee in the amount of two
2637 hundred dollars (**\$200.00**) subject to owners of property to be registered under this Section.

2638 **b. *Owner responsible.*** It shall be the joint and several responsibility of each owner of property
2639 registered pursuant to this Article to pay the annual registration fee.

2640 **c. *Vacant property registration form.*** A "Residential Vacant Property Registration Form" must
2641 be completed and returned with the following information:

2642 (1) Name, street address and telephone numbers of the owner or owners and all other parties with
2643 ownership interest in the property.

2644 (2) Name, street address and telephone numbers of any registered property manager or any other
2645 responsible person so appointed by the owner.

2646 (3) Status of property, vacant or occupied.

2647 (4) Utility status.

2648 (5) A plan or timeline to establish lawful occupancy, rehabilitation, removal or demolition of the
2649 structure.

2650 (6) Renew the vacant property registration each year on the anniversary date of the first filing for
2651 the time the building remains vacant and pay the required fee of two hundred dollars (\$200.00).

2652 **d. *Exemptions.*** "Residential Vacant Property Registration" charges are exempt under the
2653 following circumstances:

2654 (1) A property that is actively listed for sale and/or rent, and has a current approved municipal
2655 housing inspection.

2656 (2) A property that has suffered damage caused by fire, extreme weather (i.e., tornado, flood,
2657 etc.) or other catastrophe which has rendered the property un-occupiable shall be exempt for a
2658 period of ninety (90) days. If at the end of the 90-day period a building permit has been issued
2659 for the repairs the exemption status will remain for an additional ninety (90) days, subject to
2660 receiving approval of a 90-day extension, and subject to consideration for delays caused by the
2661 insurance provider, arson investigation or properly documented extenuating circumstances.

2662 (3) A property that is undergoing rehab or restoration under an approved permit issued by the
2663 City of Florissant.

2664 (4) A property that is occupied/owned/rented by a member of the military who is deployed for
2665 military service and is otherwise maintained and secured.

2666 (5) A property that is occupied only on a seasonal basis (winter residence, etc.) and is otherwise
2667 maintained, secure and in substantial compliance with all applicable codes, regulations and laws.

2668 **e. *Failure to pay fee unlawful.*** It shall be unlawful for any owner of property registered pursuant
2669 to this Article to fail to pay the registration fee imposed for such property. Any person found
2670 guilty of failing to pay any required fee shall be punished as provided in **Section 100.080** of the
2671 Code of Ordinances.

2672 **f.** The fee shall be paid no later than thirty (30) days after the building is found to be vacant for
2673 six (6) months.

2674 **g.** Fees required by this Section shall be paid in full prior to the issuance of any building or
2675 occupancy permit. Fees shall be paid by the owner prior to any transfer of ownership. In the
2676 event a fee is not paid, a lien may be placed on the property, enforceable as are other liens, by
2677 recording in the Office of the Recorder of Deeds in St. Louis County a true copy of a statement
2678 attested to by the Director of Finance stating that the fee has remained unpaid and shall constitute
2679 a lien for principal and interest and shall be in full force and effect until final payment has been
2680 made.

2681

2682 **ARTICLE VII. SECTION 510.090. ABATEMENT OF CONTAMINATION DUE TO**
2683 **PRODUCTION OF METHAMPHETAMINE.**

2684 [Ord. No. 7873 §1, 3-27-2012]

2685 **A. Purpose.** The purposes of this Section are:

- 2686 1. To adopt standards for identifying dangerous levels of toxic chemicals and residue
2687 associated with the presence or production of methamphetamine; and
- 2688 2. To establish protocols whereby the building safety personnel may cooperate with and rely
2689 on law enforcement and emergency agencies when applying property maintenance and
2690 safety standards to order or cause the abatement of contamination in structures due to the
2691 presence or production of methamphetamine.

2692 **B. Definitions.** For purposes of this Section, the words or terms listed below are defined as
2693 follows:

2694 **DEPARTMENT:** The Department of Public Works of the City of Florissant.

2695 **METHAMPHETAMINE:** Dextro methamphetamine, levo methamphetamine, and unidentified
2696 isomers of the same, any racemic mixture of dextro/levo methamphetamine, or any mixture of
2697 unidentified isomers of methamphetamine. The term includes derivatives, conjugates, oxides and
2698 reduced forms of the basic structure associated with the formation of methamphetamine. For the
2699 purposes of this protocol, this term includes amphetamine, ephedrine and pseudoephedrine.

2700 **QUALIFIED COMPANY OR QUALIFIED CONTRACTOR:** A company or contractor that
2701 tests structures for the presence of unsafe contamination and/or abates such unsafe contamination
2702 and that:

- 2703 1. Complies with the guidelines of the U.S. Environmental Protection Agency Voluntary
2704 Guidelines for Methamphetamine Laboratory Cleanup (August 2009);
- 2705 2. Complies with the regulations of the Occupational Safety and Health Administration of
2706 the United States Department of Labor relating to hazardous waste operations and
2707 emergency response, including 29 Code of Federal Regulations Section 1910.120;
- 2708 3. Requires that at least one (1) employee or supervisor assigned to and on duty at any work
2709 site shall have completed the forty (40) hour Hazardous Waste Operations and
2710 Emergency Response (HAWOPER) training [Occupational Safety and Health
2711 Administration (OSHA) 29 CFR 1910]; and
- 2712 4. Requires its personnel to complete a clandestine drug lab assessment and
2713 decontamination course offered by a sponsor acceptable to a regional drug task force
2714 and/or the department.

2715 **UNSAFE CONTAMINATION:** The presence of chemicals in a structure at levels exceeding
2716 the levels for such chemicals as provided in Subsection (D) below.

2717 **D. Unsafe Contamination.** A structure will be considered unsafe for purposes of the Property
2718 Maintenance Code of the City of Florissant if it is found to contain any of the chemicals listed
2719 below at exposure limits above the levels listed below established by the National Institute for
2720 Occupational Safety and Health (NIOSH):

- 2721 1. Red Phosphorus—any amount.
- 2722 2. Iodine Crystals C0.1 ppm (1 mg/m³).
- 2723 3. Sulfuric Acid TWA 1 mg/m³.
- 2724 4. Hydrogen Chloride C 5 ppm (7 mg/m³).
- 2725 5. Hydrochloric Acid (Hcl gas) - C 5 ppm (7 mg/m³).
- 2726 6. Methamphetamine—in a concentration equal to or greater than 1.5 µgram/100 cm².
- 2727 7. Lead and Mercury—If it is determined that the phenyl-2-propanone (P2P) method of
2728 methamphetamine manufacturing was used, surface levels for lead in excess of 20 µ/ft²
2729 and vapor samples for Mercury in excess of 50 ng/m³.

2730 **E. Closure And Abatement Orders Upon Report And Investigation By Law Enforcement**
2731 **or Emergency Agencies.**

- 2732 1. When a law enforcement or emergency agency reports to the department that a structure
2733 in the City has been used for the production of methamphetamine or as a storage facility
2734 for methamphetamine or chemicals used in the manufacturing of methamphetamine, the
2735 department may order that structure closed pursuant to the emergency measures provided
2736 in the City's property maintenance and/or safety codes. The department shall rescind such
2737 an order if the law enforcement or emergency agency later reports that after testing and
2738 investigation it has not found unsafe contamination in that structure.
- 2739 2. When a law enforcement or emergency agency reports to the department that it has found
2740 unsafe contamination in a structure in the City that has been used for the production of
2741 methamphetamine or as a storage facility for methamphetamine or chemicals used in the
2742 manufacturing of methamphetamine, the department shall order that structure closed
2743 pursuant to the emergency measures provided in the City's property maintenance and/or
2744 safety codes.

2745 **F. Supplementary Notice And Instructions.**

- 2746 1. While closure and abatement orders pursuant to the emergency measures provided in the
2747 City's property maintenance and/or safety codes may be posted, the department shall also
2748 attempt to contact the owner of record of the affected property, or the owner's agent, by
2749 personal service, first class mail or by posting on the property or publication if mail is
2750 returned as undelivered.
- 2751 2. Such notice shall direct the owner to contact the department within twenty (20) calendar
2752 days to establish a schedule for decontaminating the structure, and further advise the
2753 owner that failure to contact the department within that time specified may result in a

2754 request to disconnect utility services in order to ensure that the structure is not re-
2755 occupied until it is decontaminated.

2756 3. Such notice shall also inform the owner that if the owner contacts the department within
2757 the time specified in the notice, the owner may request to have the structure retested, but
2758 such retesting must be performed as follows.

2759 a. The owner must employ the services of a qualified company or contractor to perform
2760 sampling and to analyze the samples.

2761 b. An inspector for the department must be present when the qualified company or
2762 contractor takes samples and the owner shall pay an inspection fee of forty dollars
2763 (\$40.00), payment of which must be made prior to the appointment for taking
2764 samples.

2765 c. Sampling and testing shall be performed in accordance with the appropriate sections
2766 of the U.S. Environmental Protection Agency Voluntary Guidelines for
2767 Methamphetamine Laboratory Cleanup (August 2009).

2768 d. The qualified company or contractor engaged by the owners must report the results of
2769 its analysis of the samples taken to the department.

2770 **G. Decontamination.**

2771 1. If unsafe contamination exists in a structure, the owner shall hire a qualified contractor or
2772 company to decontaminate the structure and advise the department of the schedule for
2773 decontamination.

2774 2. The schedule for the work and evidence that the qualified contractor or company meets
2775 the requirements of this Section must be submitted for approval to the department within
2776 twenty (20) calendar days of the receipt of notice. Approval will be based solely on the
2777 timeliness of the schedule and the qualifications of the contractor. Approval or rejection
2778 of the schedule will be provided within a reasonable time of submission. If rejected the
2779 owner will be informed, in writing, of specific reasons for the rejection and will be
2780 required to amend the schedule or the proposed qualified contractor or company.
2781 Decontamination shall be performed in accordance with the appropriate sections of the
2782 U.S. Environmental Protection Agency Voluntary Guidelines for Methamphetamine
2783 Laboratory Cleanup (August 2009).

2784 3. If the owner of property determined to have unsafe contamination fails to voluntarily
2785 abate that contamination, the department may serve a notice of violation and proceed in
2786 accordance with provisions for abatement of unsafe conditions or structures in the City's
2787 property maintenance and/or safety codes. The department may request disconnection of
2788 the utility services until the decontamination is complete.

2789 4. Post decontamination sampling. Following the completion of the work, the owner shall
2790 notify the department that work is complete and the owner must provide written test
2791 results as evidence that the property is compliant with this regulation. The post
2792 remediation sampling and testing must be performed by a qualified contractor or
2793 company other than and independent of the contractor or company that performed the
2794 decontamination, and that sampling and testing must be done in accordance with the

2795 appropriate sections of the U.S. Environmental Protection Agency Voluntary Guidelines
2796 for Methamphetamine Laboratory Cleanup (August 2009).

2797 **H. Final Action.** After the property has been decontaminated and the department is in possession
2798 of evidence that the pertinent chemical levels are below unsafe contamination levels, the
2799 structure will be considered safe and suitable for performance of a full inspection for an
2800 occupancy permit. If utility services have been disconnected, the department will notify the
2801 utilities that the unsafe condition has been mitigated and service can be restored. The property
2802 owner shall be responsible for any reconnection fees.

2803 Section 510.100 through Section 510.190. Reserved.

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ARTICLE VIII. SECTION 510.200. DANGEROUS BUILDINGS

2806

Section 510.210 Purpose and Scope.

2807

It is the purpose of this Chapter to provide a just, equitable and practicable method for the repairing, vacation or demolition of buildings or structures that may endanger the life, limb, health, property, safety or welfare of the occupants of such buildings or the general public, and this Chapter shall apply to all dangerous buildings, as herein defined, that now are in existence or that may hereafter exist in the City of Florissant, Missouri.

2812

Section 510.220 Dangerous Buildings Defined.

2813

A. All buildings or structures that are detrimental to the health, safety or welfare of the residents of the City and that have any or all of the following defects shall be deemed "*dangerous buildings*":

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1. Those with interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.

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2. Those that, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members or fifty percent (50%) damage or deterioration of the non-supporting enclosing or outside walls or covering.

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3. Those that have improperly distributed loads upon the floors or roofs, or in which the same are overloaded, or that have insufficient strength to be reasonably safe for the purpose used.

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4. Those that have been damaged by fire, wind or other causes so as to become dangerous to life, safety or the general health and welfare of the occupants or the people of the City.

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5. Those that are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or welfare of those occupying such building.

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6. Those having light, air and sanitation facilities that are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.

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7. Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other adequate means of evacuation.

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8. Those that have parts thereof that are so attached that they may fall and injure members of the public or property.

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2837

9. Those that because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this City.

2838

2839 **Section 510.230 Dangerous Buildings Declared Nuisance.**

2840 All dangerous buildings or structures, as defined by **Section 510.220** of this Chapter, are hereby
2841 declared to be public nuisances and shall be repaired, vacated or demolished as provided herein.

2842 **Section 510.240 Standards For Repair, Vacation or Demolition.**

2843 A. The following standards shall be followed in substance by the Building Inspector and the
2844 Building Commissioner in ordering repair, vacation or demolition of any dangerous
2845 building.

2846 1. If the dangerous building can reasonably be repaired so that it no longer will exist in
2847 violation of the terms of this Chapter, it shall be ordered repaired.

2848 2. If the dangerous building is in such condition as to make it dangerous to the health,
2849 safety or general welfare of its occupants, it shall be ordered to be vacated and
2850 repaired.

2851 3. In all cases where a building cannot be repaired so that it no longer will exist in
2852 violation of the terms of this Chapter, it shall be demolished.

2853 4. In all cases where a dangerous building is a fire hazard existing or erected in violation
2854 of the terms of this Chapter or any ordinance of this City or Statute of the State of
2855 Missouri, it shall be repaired or demolished.

2856 **Section 510.250 Building Inspector.**

2857 The Code Enforcement Officer and deputies of the *building official* shall be the Building
2858 Inspector(s) within the meaning of this Chapter.

2859 **Section 510.260 Duties of Building Inspector — Procedure and Notice.**

2860 A. The Building Inspector(s) shall have the duty under this Chapter to:

2861 1. Inspect or cause to be inspected, as often as may be necessary, all residential,
2862 institutional, assembly, commercial, industrial, garage, special or miscellaneous
2863 occupancy buildings for the purpose of determining whether any conditions exist that
2864 render such place to be a dangerous building when he/she has reasonable grounds to
2865 believe that any such building is dangerous.

2866 2. Inspect any building, wall or structure about which complaints are filed by any person
2867 to the effect that a building, wall or structure is or may be existing in violation of this
2868 Chapter, and the Building Inspector determines that there are reasonable grounds to
2869 believe that such building is dangerous.

2870 3. Inspect any building, wall or structure reported by the Fire or Police Departments of
2871 this City as probably existing in violation of this Chapter.

2872 4. Notify the owner, occupant, lessee, mortgagee, agent and all other persons having an
2873 interest in the building or structure, as shown by the land records of the Recorder of

2874 Deeds of St. Louis County, of any building or structure found by him/her to be a
 2875 dangerous building or structure within the standards set forth in **Section 510.220**.
 2876 Such notice shall be in writing and shall be given either by personal service or by
 2877 certified mail, return receipt requested, or if service cannot be had by either of these
 2878 modes of service, then service may be had by publication in a newspaper qualified to
 2879 publish legal notices for two (2) consecutive weeks. The notice required shall state
 2880 that:

- 2881 a. The owner must vacate, vacate and repair, or vacate and demolish said
 2882 building and clean up the lot or property on which the building is located in
 2883 accordance with the terms of the notice and this Chapter.
- 2884 b. The occupant or lessee must vacate said building or have it repaired in
 2885 accordance with the notice and remain in possession.
- 2886 c. The mortgagee, agent or other persons having an interest in said building as
 2887 shown by the land records of the Recorder of Deeds of St. Louis County may,
 2888 at his/her own risk, repair, vacate or demolish the building and clean up the
 2889 property or have such work done; provided, that any person notified under this
 2890 Subsection to repair, vacate or demolish any building or clean up the property
 2891 shall be given such reasonable time not exceeding thirty (30) days to
 2892 commence the required work.

2893 5. The notice provided for in this Section shall state a description of the building or
 2894 structure deemed dangerous, a statement of the particulars that make the building or
 2895 structure a dangerous building, a statement indicating that as a dangerous building
 2896 said building or structure constitutes a nuisance, and an order requiring the designated
 2897 work to be commenced within the time provided for in the above Subsection.

2898 6. Report in writing to the City Building Commissioner the non-compliance with any
 2899 notice to vacate, repair, demolish, clean up the property or upon the failure to proceed
 2900 continuously with the work without unnecessary delay.

2901 7. Appear at all hearings conducted by the Building Commissioner and testify as to the
 2902 condition of dangerous buildings.

2903 8. Immediately report to the Building Commissioner concerning any building found by
 2904 him/her to be inherently dangerous and that he/she determined to be a nuisance per
 2905 se. The Building Commissioner may direct that such building be marked or posted
 2906 with a written notice reading substantially as follows: "This building has been found
 2907 to be a dangerous building by the Building Inspector. This notice is to remain on this
 2908 building and/or property until it is repaired, vacated or demolished and the property is
 2909 cleaned up in accordance with the notice that has been given the owner, occupant,
 2910 lessee, mortgagee or agent of this building and all other persons having an interest in
 2911 said building as shown by the land records of the Recorder of Deeds of St. Louis
 2912 County. It is unlawful to remove this notice until such notice is complied with."
 2913 Provided however, that the order by the Building Commissioner and the posting of
 2914 said notice shall not be construed to deprive all persons entitled thereto by this
 2915 Chapter to the notice and hearing prescribed herein.

Section 510.270 Duties of The Building Commissioner. [Ord. No. 7350 §1, 10-26-2006]

A. The Building Commissioner shall have the powers and duties pursuant to this Chapter to:

1. Supervise all inspections required by this Chapter and cause the Building Inspector to make inspections and perform all the duties required of him/her by this Chapter. Upon receiving a complaint or report from any source that a dangerous building exists in the City, the Building Commissioner shall cause an inspection to be made forthwith. If the Building Commissioner deems it necessary to the performance of his/her duties and responsibilities imposed herein, the Building Commissioner may request an inspection and report be made by any other City department or retain services of an expert whenever the Building Commissioner deems such service necessary.
2. Upon receipt of a report from the Building Inspector indicating failure by the owner, lessee, occupant, mortgagee, agent or other persons(s) having an interest in said building to commence work of reconditioning or demolition within the time specified by this Chapter or upon failure to proceed continuously with work without unnecessary delay, hold a hearing giving the affected parties full and adequate hearing on the matter.
3. Give written notice of said hearing, either by personal service or by certified mail, return receipt requested, or if service cannot be had by either of those modes of service, then by publication in a newspaper qualified to publish legal notices, at least ten (10) days in advance of the hearing date, to the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of St. Louis County who may appear before the Director of Public Works on the date specified in the notice to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated or demolished in accordance with the statement of particulars set forth in the Building Inspector's notice as provided herein. Any party may be represented by counsel and all parties shall have an opportunity to be heard.
4. The Director of Public Works will make written findings of fact from the evidence offered at said hearing as to whether or not the building in question is a dangerous building within the terms of **Section 510.220** of this Chapter.
5. If the evidence supports a finding based upon competent and substantial evidence that the building or structure is a dangerous building and a nuisance and detrimental to the health, safety or welfare of the residents of the City, the Director of Public Works shall issue an order based upon its findings of fact commanding the owner, occupant, mortgagee, lessee, agent or other persons(s) having an interest in said building as shown by the land records of the Recorder of Deeds of St. Louis County to repair, vacate or demolish any building found to be a dangerous building and to clean up the property, provided that any person so notified shall have the privilege of either repairing or vacating and repairing said building, if such repair will comply with the ordinances of this City, or may vacate and demolish said dangerous building at his/her own risk to prevent the acquiring by the City of the lien against the land where the dangerous building stands. If the evidence does not support a finding that a

2959 building or structure is a dangerous building or a nuisance or detrimental to the
2960 health, safety or welfare of the residents of the City, no order shall be issued.

2961 6. If the owner, occupant, mortgagee or lessee fails to comply with the order within
2962 thirty (30) days, the Director of Public Works shall cause such building or structure to
2963 be repaired, vacated or demolished and the property cleaned up as the facts may
2964 warrant. If the Director of Public Works or other designated officer or officers issues
2965 an order whereby the building or structure is demolished, secured or repaired, or the
2966 property is cleaned up, the cost of performance shall be certified to the City Clerk or
2967 officer in charge of finance who shall cause a special tax bill or assessment therefor
2968 against the property to be prepared and collected by the City Collector or other
2969 official collecting taxes, unless the building or structure is demolished, secured or
2970 repaired by a contractor pursuant to an order issued by the City and such contractor
2971 files a mechanic's lien against the property where the dangerous building is located.
2972 The contractor may enforce this lien as provided in **Sections 429.010 to 429.360**,
2973 RSMo. Except as provided in **Section 510.180**, at the request of the taxpayer the tax
2974 bill may be paid in installments over a period of not more than ten (10) years. The tax
2975 bill from the date of its issuance shall be deemed a personal debt against the property
2976 owner and shall also be a lien on the property until paid. Said tax bill or assessment
2977 shall bear interest at a rate of eight percent (8%) per annum until paid.

2978 **Section 510.280 Insurance Proceeds — How Handled.**

2979 A. If there are proceeds of any insurance policy based upon a covered claim payment made for
2980 damage or loss to a building or other structure caused by or arising out of any fire, explosion
2981 or other casualty loss, the following procedure is established for the payment of up to twenty-
2982 five percent (25%) of the insurance proceeds as set forth in this Subsection. This Subsection
2983 shall apply only to a covered claim payment that is in excess of fifty percent (50%) of the
2984 face value of the policy covering a building or other structure:

2985 1. The insurer shall withhold from the covered claim payment up to twenty-five percent
2986 (25%) of the covered claim payment and shall pay such monies to the City to deposit
2987 into an interest-bearing account. Any named mortgagee on the insurance policy shall
2988 maintain priority over any obligation under this Chapter.

2989 2. The City shall release the proceeds and any interest that has accrued on such proceeds
2990 received under Subdivision (1) of this Subsection to the insured or as the terms of the
2991 policy and endorsements thereto provide within thirty (30) days after receipt of such
2992 insurance monies, unless the City has instituted legal proceedings under the
2993 provisions of Subsection (6) of **Section 510.270**. If the City has proceeded under the
2994 provisions of Subsection (6) of **Section 510.270**, all monies in excess of that
2995 necessary to comply with the provisions of Subsection (6) of **Section 510.270** for the
2996 removal, securing, repair and clean up of the building or structure and the lot on
2997 which it is located, less salvage value, shall be paid to the insured.

2998 B. If there are no proceeds of any insurance policy as set forth in Subsection (A) of this Section,
2999 at the request of the taxpayer the tax bill may be paid in installments over a period of not
3000 more than ten (10) years. The tax bill from the date of its issuance shall be a lien on the
3001 property and a personal debt against the property owner(s) until paid.

- 3002 C. This Section shall apply to fire, explosion or other casualty loss claims arising on all
3003 buildings and structures.
- 3004 D. This Section does not make the City a party to any insurance contract, and the insurer is not
3005 liable to any party for any amount in excess of the proceeds otherwise payable under its
3006 insurance policy.
- 3007 E. The Building Commissioner may certify that in lieu of payment of all or part of the covered
3008 claim payment under Subsection (A) that it has obtained satisfactory proof that the insured
3009 has removed or will remove the debris and repair, rebuild or otherwise make the premises
3010 safe and secure. In this event, the Building Commissioner shall issue a certificate within
3011 thirty (30) days after receipt of proof to permit covered claim payment to the insured without
3012 the deduction pursuant to Subsection (A) of this Section. It shall be the obligation of the
3013 insured or other person making the claim to provide the insurance company with the written
3014 certificate provided for in this Subsection.

3015 **Section 510.290 Appeal.**

3016 Any owner, occupant, lessee, mortgagee, agent or any other person(s) having an interest in a
3017 dangerous building as shown by the land records of the Recorder of Deeds of St. Louis County
3018 may appeal such decision to the Circuit Court of St. Louis County, as provided for in **Sections**
3019 **536.100 to 536.140**, RSMo., if a proper record as defined in **Section 536.130**, RSMo., is
3020 maintained of the hearing provided for in **Section 510.270** hereof. Otherwise, the appeal shall be
3021 made pursuant to the procedures provided for in **Section 536.150**, RSMo.

3022 **Section 510.300 Emergencies.**

3023 In cases where it reasonably appears that there is immediate danger to the health, life, safety or
3024 welfare of any person unless a dangerous building, as defined herein, is immediately repaired,
3025 vacated or demolished and the property is cleaned up, the Building Inspector shall report such
3026 facts to the Building Commissioner and the Building Commissioner may cause the immediate
3027 repair, vacation or demolition of such dangerous building. The costs of such emergency repair,
3028 vacation or demolition of such dangerous building shall be collected in the same manner as
3029 provided in **Sections 510.270 and 510.280**.

3030 **Section 510.310 Violations — Disregarding Notices or Orders.**

3031 The owner, occupant or lessee in possession of any dangerous building who shall fail to comply
3032 with the order to repair, vacate or demolish said building given by the Building Commissioner or
3033 who shall fail to proceed continuously without unnecessary delay; and any person removing any
3034 notices provided for in this Chapter; and any person violating any other provisions of this
3035 Chapter shall be guilty of an ordinance violation and upon conviction thereof shall be fined not
3036 more than one thousand dollars (\$1,000.00). Each day that a person fails to comply with an order
3037 of the Building Commissioner may be deemed a separate offense

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CHAPTER 515 – DELETE AND RESERVE

Section 2: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this _____ day of _____, 2018.

Jeff Caputa
President of the Council
City of Florissant

Approved this _____ day of _____, 2018.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

Table of Contents

| | |
|--|-----|
| CHAPTER 500 – BUILDING REGULATIONS | 1 |
| CHAPTER 505 - BUILDING CONSTRUCTION CODE | 21 |
| ARTICLE I. BUILDING CODE | 21 |
| ARTICLE II. RESIDENTIAL CODE | 24 |
| ARTICLE III. MECHANICAL CODE | 28 |
| ARTICLE IV. ELECTRICAL CODE | 31 |
| ARTICLE V. PLUMBING CODE | 37 |
| ARTICLE VI. FIRE CODE | 40 |
| ARTICLE VII. FUEL GAS CODE | 41 |
| ARTICLE VIII. ENERGY CONSERVATION CODE | 42 |
| ARTICLE IX. SWIMMING POOL AND SPA CODE | 42 |
| ARTICLE X. PRIVATE SEWAGE DISPOSAL CODE | 44 |
| ARTICLE XI, SECTION 505.035. EXPLOSIVES CODE | 44 |
| ARTICLE XII. SECTION 505.040. LAND DISTURBANCE CODE | 45 |
| ARTICLE XIII. SECTION 505.050. STREAM BUFFER ORDINANCE | 62 |
| CHAPTER 510 - EXISTING STRUCTURES AND PROPERTY MAINTENANCE CODE | 71 |
| ARTICLE I. PROPERTY MAINTENANCE CODE | 72 |
| ARTICLE II. EXISTING BUILDING CODE | 82 |
| ARTICLE III. SECTION 510.050. OCCUPANCY PERMITS AND TRANSFER OF OWNERSHIP | 83 |
| ARTICLE IV. SECTION 510.060. NOTIFICATION OF NEW ELECTRIC CUSTOMERS | 86 |
| ARTICLE V. SECTION 510.070. VACANT RESIDENTIAL STRUCTURE FEE | 87 |
| ARTICLE VI. SECTION 510.080. REGISTRATION OF VACANT RESIDENTIAL BUILDINGS | 87 |
| ARTICLE VII. SECTION 510.090. ABATEMENT OF CONTAMINATION DUE TO PRODUCTION OF METHAMPHETAMINE | 90 |
| ARTICLE VIII. SECTION 510.200. DANGEROUS BUILDINGS | 94 |
| CHAPTER 515 – DELETE AND RESERVE | 100 |

1 INTRODUCED BY COUNCIL AS A WHOLE
2 (DATE)

3
4 BILL NO. (number)

ORDINANCE NO. (number)

5
6 **AN ORDINANCE PROVIDING FOR THE REPEAL OF CHAPTERS 500,**
7 **505 AND 510 OF THE CODE OF ORDINANCES OF THE CITY OF**
8 **FLORISSANT, MISSOURI, AS AMENDED, RELATING TO THE**
9 **BUILDING CODE AND ENACTING IN LIEU THEREOF A NEW**
10 **CHAPTER 500, A NEW CHAPTER 505, AND A NEW CHAPTER 510 ON**
11 **THE SAME SUBJECT WITH CERTAIN MODIFICATIONS AS**
12 **HEREINAFTER SET FORTH.**

13 WHEREAS, certain documents, three (3) copies of which have been placed on file in the
14 office of the City Clerk ninety (90) days prior to this adoption, and said copies being marked and
15 designated as the Building Construction Code, and Existing Structures Code, of the City of
16 Florissant are hereby adopted for the control, maintenance, and construction of structures as
17 herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms
18 of the Building Construction Code, and Existing Structure Code, of the City of Florissant are
19 hereby referred to, adopted and made a part hereof, as if fully set out in these Chapters, with the
20 additions, insertions, deletions and changes prescribed in this Chapter.

21 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**
22 **OF FLORISSANT, MISSOURI,**

23 Section 1: Chapters 500, 505 and 510 of the Code of Ordinances of the City of Florissant,
24 Missouri (the "City") are hereby repealed and a new Chapter 500 Building Regulations, 505
25 Building Construction Code, and a new Chapter 510 Existing Structures Code, of the Municipal
26 Code of the City are hereby enacted in lieu thereof, all to read as follows:

27 **CHAPTER 500 – BUILDING REGULATIONS**

28 **ARTICLE I. Section 500.010. Building Permit and Other Fees.**

29 A. Fees. The permittee of any permit for the erection, alteration, enlargement, repair or
30 removal of any structures or buildings shall pay the City a fee for such permit as set
31 forth in paragraphs (1) and (2) below except as determined by Section **500.020** of
32 this Article.

- 33 1. *Commercial, industrial and multi-family residential construction permit fees.*
34 The fee for a building permit and inspection of commercial, industrial and
35 multi-family construction shall be determined by applying the table of fee
36 rates as set forth below to the total cost of construction as determined by
37 Section **500.020** of this Article. Permit processing, plan review and charges
38 for inspections are included in the fee rate. However, the minimum permit
39 fee shall be the first-tier entry of ninety-six dollars ~~(\$95.00)~~ where no plan
40 review is required. A building permit and inspection fee for commercial,

41 industrial, or multiple-family residential construction, with a total
 42 estimated cost of construction in excess of fifty million dollars
 43 (\$50,000,000.00) shall be computed at the rate of three dollars and sixty
 44 cents (\$3.60) per thousand dollars of the total estimated cost of
 45 construction.

| Construction Cost | Permit Cost |
|-------------------|-------------|
| \$1,000 | \$95 |
| \$2,000 | \$124 |
| \$3,000 | \$143 |
| \$4,000 | \$163 |
| \$5,000 | \$197 |
| \$6,000 | \$223 |
| \$7,000 | \$233 |
| \$8,000 | \$256 |
| \$9,000 | \$267 |
| \$10,000 | \$270 |
| \$11,000 | \$270 |
| \$12,000 | \$270 |
| \$13,000 | \$270 |
| \$14,000 | \$270 |
| \$15,000 | \$270 |
| \$16,000 | \$271 |
| \$17,000 | \$271 |
| \$18,000 | \$280 |
| \$19,000 | \$294 |
| \$20,000 | \$294 |
| \$21,000 | \$294 |
| \$22,000 | \$294 |
| \$23,000 | \$294 |
| \$24,000 | \$305 |
| \$25,000 | \$305 |
| \$26,000 | \$317 |
| \$27,000 | \$317 |
| \$28,000 | \$329 |
| \$29,000 | \$329 |
| \$30,000 | \$329 |
| \$31,000 | \$340 |
| \$32,000 | \$340 |
| \$33,000 | \$340 |
| \$34,000 | \$352 |
| \$35,000 | \$352 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$36,000 | \$363 |
| \$37,000 | \$364 |
| \$38,000 | \$376 |
| \$39,000 | \$378 |
| \$40,000 | \$389 |
| \$42,000 | \$400 |
| \$44,000 | \$412 |
| \$46,000 | \$422 |
| \$48,000 | \$437 |
| \$50,000 | \$447 |
| \$52,000 | \$460 |
| \$54,000 | \$482 |
| \$56,000 | \$483 |
| \$58,000 | \$494 |
| \$60,000 | \$508 |
| \$62,000 | \$519 |
| \$64,000 | \$531 |
| \$66,000 | \$542 |
| \$68,000 | \$555 |
| \$70,000 | \$567 |
| \$72,000 | \$579 |
| \$74,000 | \$590 |
| \$76,000 | \$603 |
| \$78,000 | \$614 |
| \$80,000 | \$626 |
| \$82,000 | \$638 |
| \$84,000 | \$650 |
| \$86,000 | \$662 |
| \$88,000 | \$674 |
| \$90,000 | \$697 |
| \$92,000 | \$709 |
| \$94,000 | \$722 |
| \$96,000 | \$733 |
| \$98,000 | \$746 |
| \$100,000 | \$756 |
| \$105,000 | \$781 |
| \$110,000 | \$816 |
| \$115,000 | \$839 |
| \$120,000 | \$876 |
| \$125,000 | \$899 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$130,000 | \$937 |
| \$135,000 | \$960 |
| \$140,000 | \$995 |
| \$145,000 | \$1,019 |
| \$150,000 | \$1,054 |
| \$155,000 | \$1,078 |
| \$160,000 | \$1,103 |
| \$165,000 | \$1,158 |
| \$170,000 | \$1,161 |
| \$175,000 | \$1,198 |
| \$180,000 | \$1,222 |
| \$185,000 | \$1,245 |
| \$190,000 | \$1,281 |
| \$195,000 | \$1,304 |
| \$200,000 | \$1,328 |
| \$210,000 | \$1,388 |
| \$220,000 | \$1,447 |
| \$230,000 | \$1,502 |
| \$240,000 | \$1,555 |
| \$250,000 | \$1,614 |
| \$260,000 | \$1,661 |
| \$270,000 | \$1,722 |
| \$280,000 | \$1,769 |
| \$290,000 | \$1,829 |
| \$300,000 | \$1,874 |
| \$310,000 | \$1,897 |
| \$320,000 | \$1,985 |
| \$330,000 | \$2,029 |
| \$340,000 | \$2,088 |
| \$350,000 | \$2,137 |
| \$360,000 | \$2,196 |
| \$370,000 | \$2,245 |
| \$380,000 | \$2,291 |
| \$390,000 | \$2,351 |
| \$400,000 | \$2,399 |
| \$420,000 | \$2,495 |
| \$440,000 | \$2,602 |
| \$460,000 | \$2,697 |
| \$480,000 | \$2,804 |
| \$500,000 | \$2,899 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$520,000 | \$2,995 |
| \$540,000 | \$3,103 |
| \$560,000 | \$3,196 |
| \$580,000 | \$3,293 |
| \$600,000 | \$3,386 |
| \$620,000 | \$3,482 |
| \$640,000 | \$3,578 |
| \$660,000 | \$3,673 |
| \$680,000 | \$3,768 |
| \$700,000 | \$3,864 |
| \$720,000 | \$3,959 |
| \$740,000 | \$4,054 |
| \$760,000 | \$4,149 |
| \$780,000 | \$4,244 |
| \$800,000 | \$4,341 |
| \$820,000 | \$4,435 |
| \$840,000 | \$4,517 |
| \$860,000 | \$4,613 |
| \$880,000 | \$4,707 |
| \$900,000 | \$4,803 |
| \$920,000 | \$4,887 |
| \$940,000 | \$4,981 |
| \$960,000 | \$5,076 |
| \$980,000 | \$5,161 |
| \$1,000,000 | \$5,255 |
| \$1,100,000 | \$5,683 |
| \$1,200,000 | \$6,120 |
| \$1,300,000 | \$6,559 |
| \$1,400,000 | \$6,986 |
| \$1,500,000 | \$7,412 |
| \$1,600,000 | \$7,838 |
| \$1,700,000 | \$8,254 |
| \$1,800,000 | \$8,669 |
| \$1,900,000 | \$9,084 |
| \$2,000,000 | \$9,497 |
| \$2,100,000 | \$9,899 |
| \$2,200,000 | \$10,303 |
| \$2,300,000 | \$10,707 |
| \$2,400,000 | \$11,109 |
| \$2,500,000 | \$11,512 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$2,600,000 | \$11,904 |
| \$2,700,000 | \$12,292 |
| \$2,800,000 | \$12,683 |
| \$2,900,000 | \$13,076 |
| \$3,000,000 | \$13,467 |
| \$3,100,000 | \$13,859 |
| \$3,200,000 | \$14,237 |
| \$3,300,000 | \$14,617 |
| \$3,400,000 | \$15,009 |
| \$3,500,000 | \$15,387 |
| \$3,600,000 | \$15,758 |
| \$3,700,000 | \$16,132 |
| \$3,800,000 | \$16,512 |
| \$3,900,000 | \$16,881 |
| \$4,000,000 | \$17,259 |
| \$4,200,000 | \$17,993 |
| \$4,400,000 | \$18,738 |
| \$4,600,000 | \$19,463 |
| \$4,800,000 | \$20,198 |
| \$5,000,000 | \$20,919 |
| \$5,200,000 | \$21,644 |
| \$5,400,000 | \$22,353 |
| \$5,600,000 | \$23,065 |
| \$5,800,000 | \$23,775 |
| \$6,000,000 | \$24,473 |
| \$6,200,000 | \$25,184 |
| \$6,400,000 | \$25,885 |
| \$6,600,000 | \$26,559 |
| \$6,800,000 | \$27,270 |
| \$7,000,000 | \$27,957 |
| \$7,200,000 | \$28,644 |
| \$7,400,000 | \$29,331 |
| \$7,600,000 | \$30,012 |
| \$7,800,000 | \$30,694 |
| \$8,000,000 | \$31,370 |
| \$8,200,000 | \$32,046 |
| \$8,400,000 | \$32,720 |
| \$8,600,000 | \$33,396 |
| \$8,800,000 | \$34,060 |
| \$9,000,000 | \$34,722 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$9,200,000 | \$35,387 |
| \$9,400,000 | \$36,051 |
| \$9,600,000 | \$36,713 |
| \$9,800,000 | \$37,377 |
| \$10,000,000 | \$38,029 |
| \$10,500,000 | \$39,663 |
| \$11,000,000 | \$41,287 |
| \$11,500,000 | \$42,898 |
| \$12,000,000 | \$44,510 |
| \$12,500,000 | \$46,097 |
| \$13,000,000 | \$47,686 |
| \$13,500,000 | \$49,260 |
| \$14,000,000 | \$50,836 |
| \$14,500,000 | \$52,400 |
| \$15,000,000 | \$53,952 |
| \$15,500,000 | \$55,794 |
| \$16,000,000 | \$57,593 |
| \$16,500,000 | \$59,390 |
| \$17,000,000 | \$61,190 |
| \$17,500,000 | \$62,987 |
| \$18,000,000 | \$64,786 |
| \$18,500,000 | \$66,585 |
| \$19,000,000 | \$68,383 |
| \$19,500,000 | \$70,181 |
| \$20,000,000 | \$71,859 |
| \$20,500,000 | \$73,656 |
| \$21,000,000 | \$75,450 |
| \$21,500,000 | \$77,249 |
| \$22,000,000 | \$79,040 |
| \$22,500,000 | \$80,838 |
| \$23,000,000 | \$82,631 |
| \$23,500,000 | \$84,429 |
| \$24,000,000 | \$86,222 |
| \$24,500,000 | \$88,020 |
| \$25,000,000 | \$89,802 |
| \$25,500,000 | \$91,611 |
| \$26,000,000 | \$93,404 |
| \$26,500,000 | \$95,202 |
| \$27,000,000 | \$96,994 |
| \$27,500,000 | \$98,792 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$28,000,000 | \$100,585 |
| \$28,500,000 | \$102,383 |
| \$29,000,000 | \$104,176 |
| \$29,500,000 | \$105,974 |
| \$30,000,000 | \$107,584 |
| \$30,500,000 | \$109,376 |
| \$31,000,000 | \$111,170 |
| \$31,500,000 | \$112,962 |
| \$32,000,000 | \$114,755 |
| \$32,500,000 | \$116,547 |
| \$33,000,000 | \$118,338 |
| \$33,500,000 | \$120,131 |
| \$34,000,000 | \$121,923 |
| \$34,500,000 | \$123,715 |
| \$35,000,000 | \$125,508 |
| \$35,500,000 | \$127,301 |
| \$36,000,000 | \$129,093 |
| \$36,500,000 | \$130,886 |
| \$37,000,000 | \$132,678 |
| \$37,500,000 | \$134,469 |
| \$38,000,000 | \$136,262 |
| \$38,500,000 | \$138,054 |
| \$39,000,000 | \$139,846 |
| \$39,500,000 | \$141,640 |
| \$40,000,000 | \$143,189 |
| \$40,500,000 | \$144,981 |
| \$41,000,000 | \$146,767 |
| \$41,500,000 | \$148,559 |
| \$42,000,000 | \$150,345 |
| \$42,500,000 | \$152,138 |
| \$43,000,000 | \$153,925 |
| \$43,500,000 | \$155,717 |
| \$44,000,000 | \$157,503 |
| \$44,500,000 | \$159,296 |
| \$45,000,000 | \$161,082 |
| \$45,500,000 | \$162,875 |
| \$46,000,000 | \$164,660 |
| \$46,500,000 | \$166,453 |
| \$47,000,000 | \$168,239 |
| \$47,500,000 | \$170,032 |

| Construction Cost | Permit Cost |
|--------------------------|--------------------|
| \$48,000,000 | \$171,819 |
| \$48,500,000 | \$173,610 |
| \$49,000,000 | \$175,397 |
| \$49,500,000 | \$177,190 |
| \$50,000,000 | \$178,671 |

2. *Residential construction permit fees.* The fee for a building permit and inspections of residential construction or new structures, alterations and additions on one- or two-family residential structures and all other miscellaneous residential construction shall be determined by applying the table of fee rates set forth below to the total estimated cost of construction as determined in Section **500.020** of this Article. Permit processing, plan review and inspection charges are included in the fee rate. However, the minimum permit fee shall be ninety-six dollars (**\$95.00**) where no plan review is required. A building permit and inspection fee for residential construction, with a total estimated cost of construction in excess of six hundred and eighty thousand dollars (\$680,000) shall be computed at the rate of three dollars and sixty cents (\$3.60) per thousand dollars of the total estimated cost of construction.

| Construction Cost | Permit Fee |
|--------------------------|-------------------|
| \$1,000 | \$95 |
| \$2,000 | \$105 |
| \$3,000 | \$116 |
| \$4,000 | \$129 |
| \$5,000 | \$147 |
| \$6,000 | \$160 |
| \$7,000 | \$166 |
| \$8,000 | \$183 |
| \$9,000 | \$188 |
| \$10,000 | \$191 |
| \$11,000 | \$191 |
| \$12,000 | \$191 |
| \$13,000 | \$191 |
| \$14,000 | \$191 |
| \$15,000 | \$191 |
| \$16,000 | \$192 |
| \$17,000 | \$197 |
| \$18,000 | \$197 |
| \$19,000 | \$205 |
| \$20,000 | \$205 |
| \$21,000 | \$205 |

| Construction Cost | Permit Fee |
|--------------------------|-------------------|
| \$22,000 | \$205 |
| \$23,000 | \$205 |
| \$24,000 | \$213 |
| \$25,000 | \$213 |
| \$26,000 | \$223 |
| \$27,000 | \$223 |
| \$28,000 | \$227 |
| \$29,000 | \$227 |
| \$30,000 | \$227 |
| \$31,000 | \$236 |
| \$32,000 | \$236 |
| \$33,000 | \$236 |
| \$34,000 | \$245 |
| \$35,000 | \$245 |
| \$36,000 | \$252 |
| \$37,000 | \$253 |
| \$38,000 | \$258 |
| \$39,000 | \$260 |
| \$40,000 | \$268 |
| \$42,000 | \$276 |
| \$44,000 | \$284 |
| \$46,000 | \$290 |
| \$48,000 | \$299 |
| \$50,000 | \$306 |
| \$52,000 | \$313 |
| \$54,000 | \$329 |
| \$56,000 | \$329 |
| \$58,000 | \$338 |
| \$60,000 | \$344 |
| \$62,000 | \$352 |
| \$64,000 | \$359 |
| \$66,000 | \$369 |
| \$68,000 | \$376 |
| \$70,000 | \$383 |
| \$72,000 | \$391 |
| \$74,000 | \$400 |
| \$76,000 | \$407 |
| \$78,000 | \$414 |
| \$80,000 | \$421 |
| \$82,000 | \$431 |

| Construction Cost | Permit Fee |
|--------------------------|-------------------|
| \$84,000 | \$438 |
| \$86,000 | \$444 |
| \$88,000 | \$453 |
| \$90,000 | \$469 |
| \$92,000 | \$477 |
| \$94,000 | \$483 |
| \$96,000 | \$492 |
| \$98,000 | \$500 |
| \$100,000 | \$508 |
| \$105,000 | \$522 |
| \$110,000 | \$546 |
| \$115,000 | \$561 |
| \$120,000 | \$585 |
| \$125,000 | \$599 |
| \$130,000 | \$624 |
| \$135,000 | \$638 |
| \$140,000 | \$662 |
| \$145,000 | \$677 |
| \$150,000 | \$699 |
| \$155,000 | \$716 |
| \$160,000 | \$731 |
| \$165,000 | \$755 |
| \$170,000 | \$772 |
| \$175,000 | \$794 |
| \$180,000 | \$810 |
| \$185,000 | \$824 |
| \$190,000 | \$845 |
| \$195,000 | \$863 |
| \$200,000 | \$879 |
| \$210,000 | \$918 |
| \$220,000 | \$957 |
| \$230,000 | \$992 |
| \$240,000 | \$1,026 |
| \$250,000 | \$1,065 |
| \$260,000 | \$1,095 |
| \$270,000 | \$1,133 |
| \$280,000 | \$1,166 |
| \$290,000 | \$1,203 |
| \$300,000 | \$1,235 |
| \$310,000 | \$1,274 |

| Construction Cost | Permit Fee |
|-------------------|------------|
| \$320,000 | \$1,304 |
| \$330,000 | \$1,335 |
| \$340,000 | \$1,372 |
| \$350,000 | \$1,405 |
| \$360,000 | \$1,442 |
| \$370,000 | \$1,473 |
| \$380,000 | \$1,503 |
| \$390,000 | \$1,545 |
| \$400,000 | \$1,575 |
| \$420,000 | \$1,637 |
| \$440,000 | \$1,705 |
| \$460,000 | \$1,781 |
| \$480,000 | \$1,838 |
| \$500,000 | \$1,899 |
| \$520,000 | \$1,961 |
| \$540,000 | \$2,030 |
| \$560,000 | \$2,094 |
| \$580,000 | \$2,155 |
| \$600,000 | \$2,216 |
| \$620,000 | \$2,279 |
| \$640,000 | \$2,340 |
| \$660,000 | \$2,401 |
| \$680,000 | \$2,465 |

3. A fifty-dollar (**\$50.00**) fee shall apply for each additional or extra inspection, as defined herein, including inspections for compliance with approved development or site plans. An "*additional inspection*" is defined as an inspection which is required as a result of unusual or complicated construction. An "*extra inspection*" is defined as an inspection which is made as a result of non-compliance, not ready, lock out or similar circumstances.
4. *Electrical permit fees.* Electrical permit fees shall follow the rates set forth in Section 500.010(A) except as set forth in **Section 500.020**.
5. *Mechanical permit fees.* Mechanical permit fees shall follow the rates set forth in Section 500.010(A) except as set forth in **Section 500.020**.
6. *Plumbing and sewer permit fees.* Plumbing permit fees shall follow the rates set forth in Section 500.010(A) except as set forth in **Section 500.020**.
7. Miscellaneous fees.

- a. *Permit Amendments* - **\$40.00**
- b. *Refund Service Charge* - **\$40.00**
- c. *Permit Extension* - **\$40.00**
- d. *Plan Revision* - **\$40.00**
- e. *Permit Processing* - **\$40.00**
- f. *Additional Inspection* - **\$50.00**
 - 1. An "additional inspection" is defined as an inspection which is required as a result of unusual or complicated construction.
- g. *Extra Inspection* - **\$50.00**
 - 1. An "extra inspection" is defined as an inspection which is made as a result of non-compliance, not ready, lock out or similar circumstances.
- h. *Stop Work Order Fee* - **\$50.00**
- i. *Electrical inspection to verify safety (required by utility)* - **\$50.00**
- j. *Land Disturbance Permit Fees.*
 - 1. Major - **\$500.00**
 - 2. Ordinary - **\$250.00**
 - 3. Additional Inspections - **\$50.00**
- k. *Exterior Accessibility Ramp Permit Fee: Upon approval from the Building Commissioner the permit fee for an exterior accessibility ramp may be waived for one (1) required means of egress in single-family residential homes.*
- l. *Processing of annual backflow preventer inspection report.* - **\$40.00**
- m. *Portable On Demand Storage Container Permit (P.O.D.)* - **\$75.00**
- n. *Roll Off Dumpster Permit* - **\$75.00**

B. *General.*

- 1. The number and type of building inspections shall be as required by the Building Official.

2. It shall be the responsibility of the permit holder to maintain proper records of partial permit fee payment.
3. Applicants for additional permits involving previously installed rough-in installations shall produce records of payment regarding partial permit claims.
4. Failure to produce payment and permit records shall result in the full fee being charged for any installation performed under a previously issued partial permit.
5. Permits issued for partial installations shall be considered completed when the segment issued is inspected and approved.
6. Permits shall be issued on the merit of the plans, specifications and documentation submitted in support of the permit application.
7. The estimated amount to cover general inspection fees set forth in the above schedule shall be paid when a permit is issued. Extra or additional inspection fees shall be paid upon completion of the work prior to a final approval.

C. *Administration Costs.*

1. Administration costs shall also be charged to the owner, his/her developer and/or agent(s) for any major development. Administration's cost shall include, but shall not be limited to, the current hourly rate for the Director of Public Works, City Engineer, Building Commissioner, City Attorney, Building Inspectors, secretaries, clerk typists, draftsman, copy equipment operators or any other City employee(s) and shall also include the current duplicating charge(s) as set by ordinance. Major developments shall include subdivision projects, special permit projects and all non-residential rezoning projects.
2. Prior to reviewing building plans and issuing building permits for any major development, the Director of Public Works or his/her designee shall estimate the administration costs and shall require the owner, his/her developer and/or agent(s) to deposit with the City this estimated amount for their particular project. All administration costs associated with a particular project (including all preliminary and subsequent consultations prior to Planning and Zoning and City Council approvals) will be charged against the funds on deposit on a monthly basis. During the course of a particular project, if funds are not adequate to cover administration costs, then the owner (his/her developer and/or agents) will be required to deposit an additional estimated amount with the City. If at the end of a particular project there are excess funds and all administration costs have been covered, then these excess funds will be returned to the owner, his/her developer and/or agents.
3. If the owner, his/her developer and/or agents(s) fails to deposit adequate funds required to cover actual (not estimated) administration costs, then an occupancy

permit(s) will be withheld (where applicable) or revoked until the matter is resolved.

D. *Administrative Fees For Various Zoning Applications And Permits.*

1. *Planning and Zoning Plan Review Fees.*

a. Residential - **\$50.00**

b. Commercial or Multi-Family Residential - **\$100.00**

c. The filing fee for the review by the Planning and Zoning Commission of all plans submitted to ensure that all buildings comply with the minimum standards shall be fifty dollars (**\$50.00**) for residential buildings and one hundred (**\$100.00**) for multi-family and non-residential projects.

2. The filing fee for a petition for change of zoning district, boundaries, district classification or special permit shall be three hundred dollars (**\$300.00**);

3. The application fee for a residential designed development permit shall be three hundred dollars (**\$300.00**);

4. The application fee for a planned environmental unit permit shall be three hundred dollars (**\$300.00**);

5. The application fee for a commercial industrial design permit shall be three hundred dollars (**\$300.00**)

6. No application fee shall be charged for an application under the density development procedure other than the normal fees required for processing of the subdivision under the Subdivision Regulations (see Chapter **410** of this Code) and other ordinances.

7. The aforementioned fees to be charged for the various procedures are not refundable, except where petitions or applications are withdrawn before substantial processing has been undertaken, and then only be order of the City Council. In addition to all other fees set out herein, the petitioner for a change of zoning district, district boundaries, district classification, or special permit shall pay to the City any and all costs of publication necessary to comply with the provisions of the Florissant Zoning Ordinance. Such fees shall be paid prior to the time any permit is issued under the Zoning Ordinance.

Section 500.020 Calculation of Estimated Value of Construction for Determining Permit Fee.

[Code 1980 § 6-5; CC 1990 § 5-3; Ord. No. 5409, 10-26-1992; Ord. No. 7122 § 1, 1-25-2005]

A. The Code Official is authorized to estimate the total cost of construction of a structure, building or project, by multiplying the total floor area of the structure in square feet by an appropriate square foot cost rate as published by the International Code Council. Structures or projects for which it is impractical to estimate the total construction cost by said square foot cost method shall be estimated by applying current, commonly accepted unit cost figures to the various components in a commonly accepted manner. In lieu of determining the total cost of construction as outlined above, the Code Official may accept a bona fide contract or any affidavit of the owner of the building structure or project, in which the total cost of construction, including site improvements related to the permit, is verified by applicant and owner.

B. The method to be used for calculating the estimated value for the construction of any building for the purpose of a building permit fee calculation shall be by one (1) of the following methods in which the highest figure shall be used:

1. The construction cost may be taken as that cost which was submitted on the permit application.
2. The construction cost and permit fee may be calculated using the most recent building valuation data report as published by the International Code Council (ICC). This cost shall be determined by using one hundred percent (100%) of the square footage cost given in the table. The calculation shall be required in writing provided by applicant.

Section 500.030 Maintenance of Unoccupied Freestanding Commercial or Industrial Buildings.

[Code 1980 § 6-7; CC 1990 § 5-4]

A. Any freestanding commercial or industrial building which remains unoccupied for one hundred twenty (120) days shall be maintained in accordance with the following provisions:

1. All exterior openings shall be boarded up with not less than one-quarter (1/4) inch tempered Masonite or three-eighths (3/8) inch plywood, cut to fit within the openings, fastened in place as securely as possible and suitably coated with an appropriate neutral color harmonizing with the exterior colors of the building as inconspicuously as possible. Such work shall be performed in a neat and workmanlike manner.

2. All signs and signposts, other than real estate signs, relating to such premises shall be removed.

3. Every window, glazed exterior door, exterior transom or exterior sidelight of an unoccupied building shall be provided with properly installed glass or other approved glazing material and in the event of breakage the owner shall immediately remove all broken glass and temporarily board up with suitable materials.

B. Any such building which had been used as a service station shall have all above ground pumps and pump islands removed and all underground tanks shall be filled with sand.

C. The owner of any building or structure subject hereto who shall fail to comply with these requirements, ten (10) days after written notice thereof from the Building Commissioner, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties provided for violation of City ordinances.

D. The provisions of this Section shall not apply to any building or structure designated as a landmark under the provisions of Sections 120.280 and Article XII of Chapter 405 of this Code (Sections 405.425 et seq.).

Section 500.040 Frame Construction in "R-6", "B-1", "B-2", "B-3", "B-4", "B-5", "M-1", "M-2" and "M-3" Zoning Districts.

[Code 1980 § 6-8; CC 1990 § 5-5; Ord. No. 4926 § 1, 7-11-1988; Ord. No. 5318, 1-27-1992; Ord. No. 6224, 1-25-1999; Ord. No. 7437 § 1, 8-20-2007; Ord. No. 7671 § 1, 1-13-2010]

A. Any building as defined in the Building Code, as adopted by Chapter 505, which is located in an "R-6", "B-1", "B-2", "B-3", "B-4", "B-5", "M-1", "M-2" or "M-3" zoning district shall have exterior finished walls composed of one hundred percent (100%) masonry on all sides of structure, except as otherwise permitted by this Section. There shall be no exposed non-masonry surfaces in the first (1st) three (3) feet above grade except doors and windows.

B. Exceptions:

1. Accessory buildings if otherwise permitted by ordinance and approved by the planning and zoning commission;
2. Buildings specifically excepted from such requirement under provisions of a special permit or a "B-5" zoning ordinance granted by the Council in accordance with provisions of Chapter 405 of the Code;
3. Tilt-up construction is allowed on buildings of twenty thousand (20,000) square feet or greater provided that the front tilt-up face of the building shall be constructed with traditional masonry material unless otherwise determined by the City Council. "Traditional masonry" is defined as hand-laid in place traditional block back-up, brick, stone or any other masonry material as a face. Decorative and/or embossed tilt-up panels may be required on all other portions of the building. Tilt-up construction is the process of forming, pouring and curing Portland cement concrete panels on the job site and tilting/raising them up into place usually as the exterior wall of a building or structure. Tilt-up is different than pre-cast panels which are constructed off site.
4. Any buildings legally existing on or for which building permits have been legally issued prior to March 1, 1992, or any reconstruction thereof or any alterations and expansion thereof if approved by the Planning and Zoning Commission.

C. "Masonry", as used in this Section, shall be defined as exposed face brick or natural building stone which is used as a facing component which is applied over exterior wall back-up construction. Face brick shall be prismatic units in a variety of sizes, colors and shapes. Brick shall be manufactured from clay, shale or similar naturally occurring earthy substances and subjected to firing in a kiln. Brick shall be solid masonry units, having a minimum thickness of three and five-eighths (3 5/8) inches and meeting all the requirements of ASTM Designation C-216, Standard Specification for Facing Brick. Ceramic glazed facing brick are specifically

267 excluded. Natural building stone shall include stone that is sawed, cut, split or
268 otherwise finished or shaped having a minimum thickness of one (1) inch. Natural
269 building stone shall include granite, limestone, marble, slate, soapstone, sandstone
270 or other natural stones of similar characteristics and physical properties. Molded,
271 cast or otherwise artificially aggregated units composed of fragments are
272 specifically excluded. Materials specifically excluded from the definition of exposed
273 masonry construction shall include, but shall not be limited to: all hollow masonry
274 units (i.e., structural clay tile, facing tile, customized architectural concrete masonry
275 units, hollow brick units, etc.), all concrete masonry units, glass blocks, plastic
276 and/or composite blocks, metal panels, plastic panels, plaster exterior insulation-
277 finish system, precast concrete panels or any composition and all cast-in-place
278 concrete walls, tilt-up concrete panels.

279 D. Restrictions On Use Of Masonry.

- 280 1. Masonry shall not be painted, but clear sealers may be applied if approved
281 by the Building Commissioner.
- 282 2. Any masonry that was lawfully painted may only be repainted for
283 maintenance purposes and only with written permission from the Director of
284 Public Works. In cases where there is a need to perform maintenance on a
285 painted area, the Director of Public Works or their designee may review and
286 approve any repainting for maintenance reasons, provided that there is no
287 change in color or texture.
- 288 3. Repainting for reasons other than for maintenance of current painted surfaces
289 upon the approval of the Director of Public Works and requests to change
290 the color or texture of the existing brick or masonry surface may not be done
291 without the review and recommendation from Planning and Zoning
292 Commission and approval of City Council.
- 293 4. Nothing contained herein shall excuse or authorize the unlawful painting or
294 repainting of brick or masonry surfaces.
- 295 5. Exemption for Landmark and Historic Homes: All buildings listed on the
296 National Register of Historic Places, designated Florissant landmarks or
297 structures eligible to be designated Florissant landmarks which were painted
298 prior to the adoption of this Section would be excluded from its provisions.

Section 500.050 Washroom and Lavatory Facilities in Business Establishments.

[Code 1980 § 6-9; CC 1990 § 5-6]

1. "Business" Defined. For the purpose of this Section, the term "business" means and includes any person, firm, partnership or corporation engaged in the carrying out of any commercial activity.
2. Cleanliness—Supplies. All business establishments which are open to the general public and which provide washroom and lavatory facilities for customer usage shall keep such facilities in a clean, neat and orderly manner and shall keep same equipped at all times with an adequate supply of toilet tissue, soap, towels and containers for disposable items.
3. Lighting—Ventilation—Plumbing. All washroom and lavatory facilities provided by business establishments shall be adequately lighted and ventilated and shall meet all plumbing requirements of the Plumbing Code.
4. Penalties. Any person violating any of the provisions of this Section shall be subject to the penalties provided for violation of City ordinances. In addition thereto the Director of Public Works shall be empowered to close such business establishment upon twenty-four (24) hours written notice of violation of such provisions and any business establishment closed pursuant thereto shall remain closed until full compliance with the terms of such provisions shall be achieved.

320

CHAPTER 505 - BUILDING CONSTRUCTION CODE

321 The Building Construction Code of the City of Florissant shall consist of the following code
322 sections and articles along with all appendixes, additions, insertions, deletions and changes to
323 each International and National Code, along with the additional City of Florissant code sections
324 as set out under its related Article or Section below.

325 **Section 505.010 Jurisdictional Titles.**

326 [Code 1980 §6-2(b); CC 1990 §5-27; Ord. No. 4877 §3, 2-8-1988; Ord. No. 5319, 1-27-
327 1992; Ord. No. 5805, 1-8-1996; Ord. No. 6246, 4-12-1999; Ord. No. 6950, 12-8-2003; Ord. No.
328 7678 §3, 2-10-2010]

329 Throughout the City of Florissant Building Construction Code, wherever the terms "Name of
330 Jurisdiction" or "Local Jurisdiction" appear, it shall be deemed to mean "City of Florissant";
331 likewise wherever the term "Department of Building Inspection", "department of building
332 safety", "the applicable governing authority", "department of property maintenance", or
333 "authority having jurisdiction" appears, it shall be deemed to mean "City of Florissant Building
334 Department". The terms "code official", "building official", "fire code official" or "supervisor
335 of electrical inspection" shall refer to the Building Commissioner of the City of Florissant.

336 **Section 505.020 Penalties.**

337 Any person, firm, corporation, Limited Liability Company or other business entity who shall
338 violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code
339 of Ordinances of the City of Florissant.

340 **Section 505.030 International Codes Adopted.** The following codes described in Articles I
341 through XII, are hereby adopted.

342

ARTICLE I. BUILDING CODE

343 **Section 505.040 International Building Code Adopted**

344 The International Building Code, 2018 Edition, including appendixes C, E, F, and I as published
345 by the International Code Council, Inc., one (1) copy of which was on file in the office of the
346 City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for
347 public use, inspection and examination, and a copy of which is attached hereto and incorporated
348 by this reference as if fully set forth herein, is hereby adopted as the Building Code of the City of
349 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
350 out in Section 500.050 of this Chapter.

351 **Section 505.050 Additions, Insertions, Deletions and Amendments**

352 The following numbered Sections and Subsections of the International Building Code, 2018
353 Edition, including appendixes C, E, F, and I as published by the International Code Council, Inc.,

are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended): These regulations shall be known as the Building Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

Section 103.1 Creation of enforcement agency (Amended): The Building Department, a Division of the Department of Public Works shall be the department in charge of the enforcement of this code.

Section 105.2 Work exempt from permit (Amended).

Building:

1. *(Deleted)*
2. *(Amended)* Fence repairs if total linear feet of repair is 25% or less than the total fence length added together.
3. *(Unchanged from code text)*
4. *(Amended)* Retaining walls that are not over two (2) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge load.
5. *(Unchanged from code text)*
6. *(Amended)* Sidewalks and driveways not more than thirty (30) inches above grade and not over any basement or story above. However, any excavation in a public right-of-way requires an approval and/or **excavation** permit from the City of Florissant.
7. *(Amended)* Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work, unless it interferes with another required system, component, safety condition or requirement.
8. *(Unchanged from code text)*
9. *(Unchanged from code text)*
10. *(Unchanged from code text)*
11. *(Amended)* Swings, playground equipment and other recreational structures or equipment accessory to detached one- and two-family dwellings.
12. *(Unchanged from code text)*
13. *(Unchanged from code text)*
14. *(Added)* Removal and installation of exterior coverings provided the work does not interfere with other required systems or components. All newly installed exterior

coverings and roofing materials must match the existing in appearance and color, texture and profile so as not to promote visual blight and shall be constructed in a workmanlike manner.

Section 105.2.1 Emergency Repairs (Amended). Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 105.2.4 Fences (Added). The finished side of fences shall face all neighboring properties including streets and alleys so as to prohibit the view of fence posts and support rails from adjoining properties.

Exception: In cases where both sides of a fence are intended to be finished, i.e. shadowbox or basket weave construction, etc.

Section 105.3.3 Integrated permits (Added). The Code Official shall be permitted to issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application. The integrated permit primary applicant shall be responsible for providing the Department of Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit shall result in the assessment of a transfer or revision fee in the amount specified in this Code.

Section 105.7 Placement of Permit (Amended). The building permit authorization card and stamped approved plans shall be kept on the construction site until completion of the work. The authorization card shall be placed in a window visible from the street upon which the structure or structures face or located on the exterior of the structure facing the street in a clear waterproof container.

Section 113.1 General (Deleted and Replaced). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in Section 11.1.

Section 114.4 Violation penalties (Amended). Any person, firm, corporation, Limited Liability Company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 114.5 Method of Service (Added). Such notice shall be deemed to be properly served upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof is:

1. Delivered personally by leaving the notice with a responsible party of suitable age and discretion;

2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent known address or the mailing address according to the real estate property records of St. Louis County Missouri.
3. A copy thereof may be posted in a conspicuous place in or about the structure affected by such notice.

Section 3107.2 Permits required (Added). A sign shall not be erected, constructed or altered except as herein provided and not until any applicable fees are paid by the applicant and the sign permit has been issued by the *building official*.

Section 3308.3 Storage containers (Added). No dumpster or construction storage unit or portable on demand storage container (P.O.D.) may be placed without first receiving a permit from the City's Public Works Department per City Code **Section 210.1280**.

ARTICLE II. RESIDENTIAL CODE

Section 505.060 International Residential Code Adopted.

The International Residential Code, **2018** Edition, including appendixes A, B, C, D, G, H, and K as published by the International Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this reference as if fully set forth herein, is hereby adopted as the Residential Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in **Section 505.070** of this Chapter.

Section 505.070 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the International Residential Code, **2018** Edition, including appendixes A, B, C, D, G, H, and K as published by the International Code Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended). These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Florissant and shall be cited as such and will be referred to herein as "this code".

Section 105.2 Work exempt from permit (Amended). Exemption 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 this jurisdiction. Permits shall not be required for the following:

Building:

1. (*Deleted*)

2. *(Amended)* Fence repairs if total linear feet of repair is 25% or less than the total cumulative fence length on the parcel.
3. *(Amended)* - Retaining walls that are not over two (2) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge load.
4. *(Unchanged from code text)*
5. *(Amended)* - Sidewalks and driveways not more than thirty (30) inches above grade and not over any basement or story above. However, any excavation in a public right-of-way requires an approval and/or **excavation** permit from the City of Florissant.
6. *(Amended)* Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work, unless it interferes with another required system, component, safety condition or requirement.
7. *(Amended)* **Swimming pools that are less than twenty-four (24) inches deep. (See International Swimming Pool and Spa Code as adopted)**
8. *(Amended)* *Swings, playground equipment and other recreational structures or equipment accessory to detached one- and two-family dwellings.*
9. *(Unchanged from code text)*
10. *(Deleted)*
11. *(Added)* Removal and installation of exterior coverings provided the work does not interfere with other required systems or components. All newly installed exterior coverings and roofing materials must match the existing in appearance and color, texture and profile so as not to promote visual blight and shall be constructed in a workmanlike manner.
12. *(Added)* Re-roofing provided the scope of work does not include installation of more than 25% of roof decking. All applicable code sections still apply and may be enforced if found to be installed contrary to this code. All newly installed exterior coverings and roofing materials must match the existing in appearance and color, texture and profile so as not to promote visual blight and shall be constructed in a workmanlike manner.

Electrical: *(Unchanged from code text)*

Gas: *(Unchanged from code text)*

Mechanical: *(Unchanged from code text)*

Plumbing: (*Unchanged from code text*)

3. (*Added*) Installation of fixtures if water supply valve does not fall within the scope of work.

4. (*Added*) Installation, modification or replacement of under sink tailpiece, trap or drain if not concealed behind finished surfaces.

Section 105.2.1 Emergency Repairs (*Amended*): Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 105.3.3 Integrated permits (*Added*). The Code Official shall be permitted to issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application. The integrated permit primary applicant shall be responsible for providing the Department of Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit shall result in the assessment of a transfer or revision fee in the amount specified in this Code.

Section 105.7 Placement of Permit (*Amended*): The building permit authorization card and stamped approved plans shall be kept on the construction site until completion of the work. The authorization card shall be placed in a window visible from the street upon which the structure or structures face or located on the exterior of the structure facing the street in a clear waterproof container.

Section 112.1 General (*Deleted and replaced*). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in Section 11.1. The *building official* shall be an *ex officio* member of the board when hearing building code appeals but shall not have a vote on any matter before the board.

Section R113.4 Violation penalties (*Amended*). Any person, firm, corporation, Limited Liability Company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 113.5 Method of Service (*Added*): Such notice shall be deemed to be properly served upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof is:

1. Delivered personally by leaving the notice with a responsible party of suitable age and discretion;

2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent

521 known address or the mailing address according to the real estate property records of St.
522 Louis County Missouri.

523 3. A copy thereof may be posted in a conspicuous place in or about the structure affected by
524 such notice.

525 **Table R301.2(1)** (*Amended to have the following values inserted*):

526 Ground Snow Load – **Twenty (20) Pounds Per Square Foot**

527 Wind Speeds – **One Hundred Fifteen (115) Miles Per Hour**

528 Topographic Effects - **NO**

529 Special Wind Region - **NO**

530 Wind-Borne Debris Zone – **NO**

531 Seismic Design Category – **C**

532 Weathering – **Severe**

533 Front In Line Depth – **Thirty (30) Inches**

534 Termite – **Moderate to Heavy**

535 Winter Design Temperature – **Five (5) Degrees Fahrenheit**

536 Ice Shield Underlayment Required – **YES, At Valleys and Eaves**

537 Flood Hazard – **See Chapter 415 of the Florissant Code of Ordinances**

538 Air Freezing Index – **1500**

539 Mean Annual Temperature – **53.3 Degrees Fahrenheit**

540 **Section 312.1.5 Retaining wall protection** (*Added*). Guards shall be provided where retaining
541 walls with differences in grade level on either side of the wall in excess of 30 inches are located
542 closer than 2 feet to a walk, path, parking lot or driveway on the high side of the retaining wall.

543 **Section 313.2 One- and two-family dwellings automatic fire systems** (*Amended*). Any builder of
544 single-family dwellings or residences or multifamily dwellings of four or fewer units shall offer,
545 in writing, to any purchaser the option to install or equip such dwellings or residences with a fire
546 sprinkler system at the purchaser's cost in accord with the requirements of State of Missouri law,
547 Section 67.281, RSMo. Supp. 2009.

548 **Section 327 FENCES WALLS AND SCREENS** (*Added*).

Section 327.1 Fences general (Added). All fences, walls and screens must be constructed in accordance with the zoning code of the City of Florissant. It shall be unlawful to erect any division, fence or screen, in whole or in part, of cloth, canvas or similar non-durable material.

Section 327.2 Finished side (Added). The finished side of fences shall face all neighboring properties including streets and alleys so as to prohibit the view of fence posts and support rails from adjoining properties.

Exception: In cases where both sides of a fence are intended to be finished, i.e. shadowbox or basket weave construction, etc.

Section 401.1 Application (Amended). The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC PWF.

Exceptions:

1. The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

a. In buildings that have not more than two floors and a roof.

b. Where interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15240mm).

Wood foundations in Seismic Design Category D₀, D₁ or D₂ shall be designed in accordance with accepted engineering practice.

2. (Added) The provisions of this chapter shall not be required for detached accessory structure foundations under two hundred (200) square feet.

Section 2603.5.1 Sewer depth (Amended). Building sewers that connect to private sewage disposal systems shall be not less than 30 inches (762mm) below finished grade at the point of septic tank connection. Building sewers shall not be less than 30 inches (762mm) below grade at any point.

ARTICLE III. MECHANICAL CODE

Section 505.080 International Mechanical Code Adopted.

The International Mechanical Code, 2018 Edition including appendix A as published by the International Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this

reference as if fully set forth herein, is hereby adopted as the Mechanical Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in Section 505.090 of this Chapter.

Section 505.090 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the International Mechanical Code, 2018 Edition, including appendix A as published by the International Code Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended). These regulations shall be known as the Mechanical Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

Section 106.1.3 License Required (Added). No person who is not licensed by the St. Louis County Department of Public Works as a Mechanical Contractor shall engage in or perform the work of installing, altering or repairing mechanical facilities unless permitted by sections **106.1.4** or **106.1.5** below.

Section 106.1.4 Homeowner Mechanical Permit (Added). A homeowner permit may be issued for an addition to or repair, modification or reconstruction of an existing mechanical system on the premises of a detached single-family dwelling including accessory structures to the owner or to a member of his/her or her immediate family residing with him/her. A homeowner permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Homeowner Mechanical Permit is subject to the following conditions:

1. The dwelling shall be designed and used solely for living purposes.
2. The dwelling shall be occupied by or vacant and intended for immediate occupancy by the owner and his/her family and no other person.
3. The permittee shall personally perform all required work.
4. The applicant must present proof of current **Section 608 Technician Certification** as set forth by the United States Environmental Protection Agency.
5. The permit shall not apply to the portion of the system that is used for gas line.
6. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in mechanical work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
7. This Section does not authorize a waiver or modification of any provision of the Code relating to the material, design, installation or practice of mechanical work or to the preparation and approval of plans or to required fees for permits or inspections.

8. If the test is failed, the homeowner must wait a minimum of thirty (30) days to retake the test.
9. A fee for testing shall be according to fee schedule established by the City of Florissant, Missouri.

Section 106.1.5 Multi-Family Technician Mechanical Permit (Added). A Multi-Family Technician Mechanical Permit may be issued for an addition to or repair, modification or reconstruction of an existing mechanical system on the premises of a multi-family building including accessory structures. A permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Multi-Family Technician Mechanical Permit is subject to the following conditions:

1. The building shall be designed and used solely for living purposes.
2. The permittee shall personally perform all required work.
3. The applicant must be currently employed at the location of the permitted work and must present authorization by the management to obtain such an authorization.
4. The applicant must present proof of current **Section 608 Technician Certification** as set forth by the United States Environmental Protection Agency.
5. The permit shall not apply to the portion of the system that is used for gas line except to reconnect with an approved gas line connector.
6. Prior to issuance of a permit under this Section, the building official may require an affidavit or other reasonable proof, such as a test to assure competency in mechanical work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
7. This Section does not authorize a waiver or modification of any provision of the Code relating to the material, design, installation or practice of mechanical work or to the preparation and approval of plans or to required fees for permits or inspections.
8. If the test is failed, the applicant must wait a minimum of thirty (30) days to retake the test.
9. A fee for testing shall be according to fee schedule established by the City of Florissant, Missouri.

Section 106.5.2 Permit fees (Amended). The permit fees for the installation, extension, repair or alteration of heating, air handling, and refrigeration equipment shall be in accordance with the fee schedule as established by the City of Florissant, Missouri.

Section 106.5.3 (Deleted).

Section 106.6 Emergency Repairs (Added). Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 108.4 Violation penalties (Amended). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 108.5 Stop work order (Amended). The “**amount**” referred to in this Section shall be the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed in Section 500.010.

Section 109.2 Membership of board (Amended). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

Sections 109.2.1 through 109.7 (Deleted).

Section 303.6.1 Location (Added). Mechanical equipment, air conditioning condensing units, pool pumps, geothermal borings and/or piping and other mechanical appliances and equipment located outdoors shall be located according to the zoning ordinance of the City of Florissant.

Section 404.1 Enclosed parking garages (Amended). Mechanical ventilation systems for enclosed parking garages shall be permitted to operate intermittently where the system is arranged to operate automatically upon detection of vehicle operation or the presence of occupants by approved automatic detection devices. The mechanical ventilation system shall have means to operate manually for a remote device. The location and installation shall be approved by the *building official*.

ARTICLE IV. ELECTRICAL CODE

Section 505.100 National Electrical Code Adopted.

The National Electrical Code, **2017** Edition as published by the National Fire Protection Association, one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this reference as if fully set forth herein, is hereby adopted as the Electrical Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in **Section 505.110** of this Chapter.

Section 505.110 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the National Electrical Code, **2017** Edition as published by the National Fire Protection Association, are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 89.1 Title (Added). This code shall be known as the Electrical Code of the City of Florissant, Missouri, and shall be cited as such. It is referred to herein as "this code".

Section 89.2 Permits Required (Added). Electrical permits must be obtained from the City of Florissant Public Works Department prior to any construction, alteration, addition, or modification to any system supplying or transferring electrical power, alarms, data transmission, or low voltage electricity. The permit fees for electrical permits shall be in accordance with the permit fee schedule as established by the City of Florissant, Missouri. No permit issued under these provisions of the Code shall be assignable or transferable or be used to aid or abet any unlicensed or unauthorized person, firm or corporation in the performance of electrical work. A true copy of the electrical permit shall be kept on the construction site, open to public inspection during the entire time of prosecution of the work and until the completion of the same.

Section 89.3 Violation penalties (Added). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant. Each day a violation continues after actual notice to either the responsible individual, person, firm, institution, corporation or organization or representative thereof to whom the permit was issued or to the owner or both or to the legally authorized representative of the permit holder, owner or both shall constitute a separate violation.

Section 89.4 Stop work orders (Added). Any person found to be in violation of the Electrical Code of the City of Florissant shall be subject to the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed in **Section 500.010**.

Section 89.5 Licenses required (Added). No person who is not licensed by the St. Louis County Department of Public Works as a Master Electrician or a Licensed Journeyman Electrician or a Registered Electrician or a Registered Electrician Apprentice working under the direction of a licensed Electrical Contractor shall engage in or perform the work of installing, altering or repairing electrical facilities in a building for the supply and distribution of electrical power, or alarm or data systems. No person who is not licensed by the St. Louis County Department of Public Works as a Licensed Electrician, Licensed Low Voltage Contractor or Journeyman Low Voltage Electrician shall engage in or perform the work of installing or modifying low voltage, data transmission, or alarm systems.

Section 89.6 Electrical Code Appeals Board (Added). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

Section 89.7 Electrical Inspection Generally (Added). Upon completion of any electrical installation for which a permit has been issued, the permittee shall notify the office of the *building official* and a final inspection shall be made. The *building official* shall cause to be made as many interim inspections as he/she deems necessary. No installation shall be covered or concealed until inspected.

Section 89.7.1 Third Party Inspections (Added). The *building official* may accept reports of inspection by authoritative and recognized services or individuals. Such services or individuals must be proven experience in the electrical field as it relates to the work being inspected. All reports of such inspection shall be in writing and certified by a responsible officer of such authoritative service or by the responsible individual.

Section 89.7.2 Additional Inspections (Added). The *building official* may engage such services or individuals as may be deemed necessary to report on unusual technical issues that may arise and such services shall be at the expense of the permit holder.

Section 89.7.4 Doing Electrical Business Without a License (Added). It shall be unlawful for any person to engage in the business of electrical or communication work within the City without having been duly licensed as required by the provisions of this Section.

Section 89.7.5 Use of Licensee's Name By Another — Office of Building Official to be Notified of Business Name and Address (Added). No person having obtained a license under the provisions of this Section shall allow his/her name to be used by another person, either for the purpose of obtaining permits or for doing business or work under the license. Every person licensed shall notify the office of the *building official* of the address of his/her place of business and the name under which such business is carried on and shall give immediate notice to the office of the *building official* of any change in either.

Section 89.7.4 Homeowner Electrical Permit (Added). A homeowner permit may be issued for an addition to or repair, modification or reconstruction of an existing electrical system on the premises of a detached single-family dwelling including accessory structures to the owner or to a member of his/her or her immediate family residing with him/her. A homeowner permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Homeowner Electrical Permit is subject to the following conditions:

1. The dwelling shall be designed and used solely for living purposes.
2. The dwelling shall be occupied by or vacant and intended for immediate occupancy by the owner and his/her family and no other person.
3. The permittee shall personally perform all required work.
4. The homeowner permit shall not apply to the main service(s), service entrance conductors, meter box or main electrical panel.
5. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in electrical work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.

6. This Section does not authorize a waiver or modification of any provision of the Electrical Code relating to the material, design, installation or practice of electrical work or to the preparation and approval of plans or to required fees for permits or inspections.

7. If the test is failed, the homeowner must wait a minimum of thirty (30) days to retake the test.

8. A fee for testing will be according to fee schedule established by the City of Florissant, Missouri.

Section 89.7.5 Emergency Repairs (Added). In the case of a catastrophic event (i.e., earthquake, tornado, etc.) work may proceed to eliminate hazards and restore the electrical system to a safe and functional condition prior to obtaining a permit, however, a permit shall be applied for as soon as circumstances reasonably allow.

Section 89.7.6 Suspension of Permit (Added). 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.

Section 89.7.7 Extension of Permits (Added). Electrical permits may be extended at any time up to thirty (30) days prior to the date of abandonment or expiration date of the specific permit.

Section 89.7.8 Revocation of Permit (Added). The Code Official shall revoke a permit or approval issued under the provisions of this Code in case of any false statement or misrepresentation of fact in the application or on the construction documents upon which the permit or approval was based.

Section 89.7.9 Separate Permits (Added). Permit applicants may submit separate applications for building, mechanical, electrical or plumbing permits. As a condition of approval, the owner or owner's agent shall agree to assume full responsibility for the coordination of all applicable code requirements relating to these permits.

Section 89.7.10 Integrated permits (Added). The Code Official shall be permitted to issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application.

Section 89.7.11 Applicant Responsibility (Added). The integrated permit applicant shall be responsible for the return to the Department of Public Works copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit shall result in the assessment of a transfer fee in the amount specified in this Code.

Section 89.7.12 Plans and Specifications (Added). The application for a building permit shall describe in detail the nature of such work, shall give the location by street and number thereof, shall be accompanied by at least two (2) sets of plans and specifications bearing the seal of an engineer authorized to perform engineering work in the State of Missouri and shall contain an accurate description and account of electrical fixtures to be installed. The *building official* may

waive the need for such plans when the work involved is of a minor nature or can be described adequately by other means. If in the course of the work it is found necessary to make any change from the approved plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and, if approved, a supplementary permit shall be issued to cover the change after the same conditions required to secure the original permit have been satisfied. If the change is minor in nature and does not require further plan review, the *building official* may waive the need for a supplemental permit and may amend the original permit subject to fees as set forth in the Florissant City Code of Ordinances.

Section 89.7.13 Notice of Violations (Added). The *building official* or designated representatives shall serve a notice of violation for the installation, extension, alteration, repair or maintenance of electrical systems which are in violation of the provisions of this Code or in violation of a detailed statement or a plan approved thereunder or in violation of a permit issued under the provisions of this Code to the permittee or the owner of the building, structure or premises. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered to the owner, individual performing the work, contractor or permit holder personally by leaving the notice with a responsible party of suitable age and discretion;
2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent known address or the mailing address according to the real estate property records of St. Louis County Missouri.
3. A copy thereof may be posted in a conspicuous place in or about the structure affected by such notice.

Section 89.7.14 Stop Work Order (Added). Upon notice from the *building official* that work on any building, structure or premises is proceeding contrary to the provisions of this Code in an unsafe and dangerous manner, such work shall immediately be stopped. The *building official* shall issue a stop work order in writing to the owner of the property involved or to the person doing the work. The stop work order shall state the conditions under which the work may resume. The building or premises on which a stop work is placed shall be posted as such.

Section 89.7.15 Unlawful Continuance of Work (Added). Any person who shall continue any work in or about the building, structure or premise after the issuance of a stop work order that is directed to be performed to remove a violation or unsafe condition shall be guilty of a violation of this Code and subject to the penalties set out in **Section 100.080** of the Code of the City of Florissant, Missouri and shall be subject to the fees listed in **Section 500.010**.

Section 89.7.16 Unsafe Condition (Added). All electrical systems regardless of type which constitute a hazard to human life, health or welfare are hereby declared illegal and shall be abated by repair and rehabilitation or removal.

Section 89.7.17 Emergency Measures (Added). When in the opinion of the *building official* there is a real and present danger or hazard which would endanger human life, the *building official* is hereby authorized and empowered to order and require the occupants to vacate a

structure forthwith. The *building official* shall post each entrance to such structure as unsafe and unoccupiable.

Section 89.7.18 Existing Electrical Systems (Added). The legal use and occupancy of any structure existing on the date of the adoption of this Code or for which it had been heretofore approved may be continued without change except as may be specifically covered in this Code or deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

Section 89.7.19 Alteration or Repair of Existing Electrical Systems (Added). Incidental repairs, replacements or alterations to an existing system generally recognized as being part of normal household or normal maintenance activities with regard to such systems shall not require a permit and may be made in the same manner and arrangement as in the existing system provided such repairs, replacements or alterations are made in a safe manner. Minor repairs, replacements or alterations to an existing system may be made in the same manner and arrangement as in the existing system provided such repairs or replacements are made in a safe manner and are approved by the electrical official.

Section 89.7.20 Alteration or Substantial Repairs (Added). Alteration or substantial repairs may be made to any existing electrical system without requiring the system to comply with all the requirements of this Code provided such work conforms to that required for a new electrical system. Alterations or repairs shall not cause an existing electrical system to become unsafe or adversely affect the performance of the system.

Section 89.7.21 Additional Loads On Existing Electrical System (Added). Where additions or alterations subject parts of existing systems to loads exceeding those permitted herein, such parts shall be made to comply with this Code. The licensed and permitted electrician shall provide a complete load calculation to the Electrical Inspection Official.

Section 89.7.22 Maintenance of Electrical Systems (Added). All electrical systems, both existing and new, shall be maintained in a safe condition. All service equipment, devices and safeguards which are required by this Code or which were required in the building or structure by previous Statute or ordinance shall be maintained in good working order when installed, altered or repaired.

Section 89.7.23 Owner Responsibility (Added). The owner or a designated agent shall be responsible for the safe maintenance of the electrical systems in any building, structure or premises at all times.

Section 89.7.24 Moved Structures (Added). Buildings and structures moved into or within the jurisdiction shall comply with the provisions of this Code for new buildings or structures.

Section 89.7.25 Modifications (Added). Where there are practical difficulties involved in carrying out the provisions of this Code, the Code Official shall have the right to vary or modify such provisions upon application of the owner or the owner's representative, provided that the spirit and intent of the law is observed and that the public health, safety and welfare is assured.

Section 89.7.26 Records (Added). The application for modification and the final decision of the Code Official shall be in writing and shall be officially recorded with the application for the permit in the permanent records of the office of electrical inspection.

Section 89.7.27 Material and Equipment Reuse (Added). Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved by the building official.

Section 89.7.28 Alternative Materials and Equipment (Added). The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the Code Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire-resistance, durability and safety. Research and investigation-sufficient technical data shall be submitted to substantiate the proposed installation of any material or assembly. If it is determined that the evidence submitted is satisfactory proof of performance for the proposed installation, the Code Official shall approve such alternative subject to the requirements of this Code. The costs of all tests, reports and investigations required under these provisions shall be paid for by the applicant.

ARTICLE V. PLUMBING CODE.

Section 505.150 International Plumbing Code Adopted.

The International Plumbing Code, 2018 Edition, including appendix E as published by the International Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this reference as if fully set forth herein, is hereby adopted as the Plumbing Code of the City of Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in Section 505.160 of this Chapter.

Section 505.160 Additions, Insertions, Deletions and Amendments.

The following numbered Sections and Subsections of the International Plumbing Code, 2018 Edition, including appendix E as published by the International Code Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that such Sections and Subsections shall read as follows:

Section 101.1 Title (Amended). These regulations shall be known as the Plumbing Code of the City of Florissant Missouri, hereinafter referred to as "this code".

Sections 106.1.1 and 106.1.2 (Deleted).

Section 106.6.2 Fee Schedule (Amended). The fees for all plumbing work shall be paid in accordance with the fee schedule as established by the City of Florissant, Missouri.

Section 106.6.3 (Deleted).

Section 106.7 Emergency Repairs (Added). Where equipment or system replacements and/or repairs must be performed in an emergency situation, the permit application shall be submitted within forty-eight (48) working hours of said repair or replacement.

Section 108.4 Violation penalties (Amended). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code, or who shall erect, install, alter, or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificated issued by the code official, shall be subject to the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

Section 108.5 Stop Work Orders (Amended). Upon notice from the code official, work on any plumbing system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be delivered according to Section 114.5 of the Building Code of the City of Florissant. Any person who shall continue any work in or about the building after having been served with a stop work order, except such work as is directed by the Code Official to remove a violation or unsafe condition, shall be subject to the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed in **Section 500.010**.

Section 106.4.1 Licenses required (Added). No person who is not licensed by the St. Louis County Department of Public Works as a Master Plumber or a licensed Journeyman Plumber or a Registered Plumber or a Registered Plumber Apprentice working under the direction of a licensed Master Plumber shall engage in or perform the work of installing, altering or repairing facilities in a building for the supply and distribution of water for ordinary drinking, culinary and domestic purposes of facilities or for the removal therefrom of waterborne wastes except as set forth in **Section 106.4.2**. No person who is not licensed by the St. Louis County Department of Public Works as a Master or Journeyman Drainlayer shall engage in or perform the work of installing sanitary or storm sewer.

Section 106.4.2 Homeowner Plumbing Permit (Added). A homeowner permit may be issued for an addition to or repair, modification or reconstruction of an existing plumbing system on the premises of a detached single-family dwelling including accessory structures to the owner or to a member of his/her or her immediate family residing with him/her. A homeowner permit issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section. Upon revocation, the property owner may be required by the building official to proceed immediately to procure a licensed professional to correct or complete the work. A Homeowner Plumbing Permit is subject to the following conditions:

1. The dwelling shall be designed and used solely for living purposes.

2. The dwelling shall be occupied by or vacant and intended for immediate occupancy by the owner and his/her family and no other person.
3. The permittee shall personally perform all required work.
4. The homeowner permit shall not apply to the portion of the system that is used for gas line or located underground, under a concrete slab or outside the building envelope except to reconnect with an approved gas line connector.
5. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in plumbing work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
6. This Section does not authorize a waiver or modification of any provision of the Plumbing Code relating to the material, design, installation or practice of plumbing work or to the preparation and approval of plans or to required fees for permits or inspections.
7. If the test is failed, the homeowner must wait a minimum of thirty (30) days to retake the test.
8. A fee for testing will be according to fee schedule established by the City of Florissant, Missouri.

Section 106.4.3 Multi-Family Maintenance Technician Water Heater Permit (Added). Authorization to apply for water heater installation permits may be issued to a maintenance technician who is not a St. Louis County licensed plumber subject to the following conditions:

1. The applicant must be currently employed at the location of the permitted work and must present authorization by the management to obtain such an authorization.
2. The permit shall not apply to the portion of the system that is used for gas line except to reconnect with an approved gas line connector.
3. Prior to issuance of a permit under this Section, the *building official* may require an affidavit or other reasonable proof, such as a test to assure competency in plumbing work, that the request for a permit complies with the foregoing provisions and that the applicant has the necessary knowledge and ability to perform the proposed work.
4. This Section does not authorize a waiver or modification of any provision of the Plumbing Code relating to the material, design, installation or practice of plumbing work or to the preparation and approval of plans or to required fees for permits or inspections.
5. Permits issued pursuant to this Section may be revoked by the building official if he/she determines that the work under the permit is not properly performed or that the application did not comply or no longer complies with this Section
6. If the test is failed, the technician must wait a minimum of thirty (30) days to retake the test.
7. A fee for testing will be according to fee schedule established by the City of Florissant, Missouri.

Section 109.2 Membership of board (Amended). In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and

992 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
993 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

994 ***Sections 109.2.1 through 109.7 (Deleted).***

995 ***Section 903.1 Roof extension (Amended).*** All open vent pipes that extend through a roof shall be
996 terminated at least 12 inches above the roof, except that where a roof is to be used for any other
997 purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm)
998 above the roof.

999 **ARTICLE VI. FIRE CODE.**

1000 **Section 505.180 International Fire Code Adopted.**

1001 The International Fire Code, 2018 Edition, including appendixes B, E, F, G, and H, as published
1002 by the International Code Council, Inc., one (1) copy of which was on file in the office of the
1003 City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for
1004 public use, inspection and examination, and a copy of which is attached hereto and incorporated
1005 by this reference as if fully set forth herein, is hereby adopted as the Fire Code of the City of
1006 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1007 out in Section 505.190 of this Chapter.

1008 **Section 505.190 Additions, Insertions, Deletions and Amendments.**

1009 The following numbered Sections and Subsections of the International Fire Code, 2018 Edition,
1010 including appendixes B, E, F, G, and Has published by the International Code Council, Inc., are
1011 hereby amended by additions, insertions, deletions and amendments so that such Sections and
1012 Subsections shall read as follows:

1013 ***Section 101.1 Title (Amended).*** This code shall be known as the Fire Code of the City of
1014 Florissant, Missouri, and shall be cited as such. It is referred to herein as "this code".

1015 ***Section 106.2 Schedule of permit fees (Amended).*** A fee for each permit shall be paid as
1016 required in the schedule of fees as established in the Building Regulations established by the City
1017 of Florissant, Missouri.

1018 ***Section 109.3 Qualifications (Amended).*** In order to hear and decide appeals of orders,
1019 decisions, or determinations made by the *building official* relative to the application and
1020 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1021 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

1022 ***Section 110.4 Violation penalties (Amended).*** Any person, firm, corporation, limited liability
1023 company or other business entity who shall violate a provision of this code or shall fail to
1024 comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in
1025 violation of the approved construction documents or directive of the fire code official, or of a

1026 permit or certificate used under provisions of this code, be subject to the penalties of Section
1027 **100.080** of the Code of Ordinances of the City of Florissant.

1028 **Section 112.4 Failure to comply** (Amended) is amended by inserting in the spaces shown as
1029 “(AMOUNT)” the following language “*the penalties set forth in Section 100.080 of the Code of*
1030 *Ordinances of the City of Florissant*” and shall be subject to the fees listed in **Section 500.010**.

1031 **ARTICLE VII. FUEL GAS CODE**

1032 **Section 505.200 International Fuel Gas Code Adopted.**

1033 The International Fuel Gas Code, **2018** Edition, including appendixes A, B, and C as published
1034 by the International Code Council, Inc., one (1) copy of which was on file in the office of the
1035 City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for
1036 public use, inspection and examination, and a copy of which is attached hereto and incorporated
1037 by this reference as if fully set forth herein, is hereby adopted as the Fuel Gas Code of the City of
1038 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1039 out in **Section 505.210** of this Chapter.

1040 **Section 505.210 Additions, Insertions, Deletions and Amendments.**

1041 The following numbered Sections and Subsections of the International Fuel Gas Code, **2018**
1042 Edition, including appendixes A, B, and C as published by the International Code Council, Inc.,
1043 are hereby amended by additions, insertions, deletions and amendments so that such Sections
1044 and Subsections shall read as follows:

1045 **Section 101.1 Title** (Amended). These regulations shall be known as the Fuel Gas Code of the
1046 City of Florissant, Missouri, hereinafter referred to as "this code".

1047 **Section 106.6.2 Fee Schedule** (Amended). Permit fees shall be in accordance with the fee
1048 schedule as established by the City of Florissant, Missouri.

1049 **Section 106.6.3 Fee refunds** (Deleted)

1050 **Section 108.4 Violation penalties** (Amended). Any person, firm, corporation, Limited Liability
1051 Company or other business entity who shall violate any provision of this code shall be subject to
1052 the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

1053 **Section 108.5 Stop work order** (Amended). Any person who shall continue any work in or about
1054 the building after having been served with a stop work order, except such work as is directed by
1055 the Code Official to remove a violation or unsafe conditions, shall be liable to punishment as
1056 provided in **Section 100.080** of the Code of Ordinances as defined in **Section 108.4** and shall be
1057 subject to the fees listed in **Section 500.010**.

1058 **Section 109.2 Membership of board** (Amended). In order to hear and decide appeals of orders,
1059 decisions, or determinations made by the *building official* relative to the application and

1060 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1061 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

1062 ***Sections 109.2 through 109.7 (Deleted).***

1063 **ARTICLE VIII. ENERGY CONSERVATION CODE.**

1064 **Section 505.220 International Energy Conservation Code Adopted.**

1065 The International Energy Conservation Code, 2018 Edition as published by the International
1066 Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period
1067 of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection
1068 and examination, and a copy of which is attached hereto and incorporated by this reference as if
1069 fully set forth herein, is hereby adopted as the Energy Conservation Code of the City of
1070 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1071 out in Section 505.230 of this Chapter.

1072 **Section 505.230 Additions, Insertions, Deletions and Amendments.**

1073 The following numbered Sections and Subsections of the Energy Conservation Code, 2018
1074 Edition as published by the International Code Council, Inc., are hereby amended by additions,
1075 insertions, deletions and amendments so that such Sections and Subsections shall read as
1076 follows:

1077 ***Section 101.1 Title (Amended).*** This code shall be known as the International Energy
1078 Conservation Code of the City of Florissant, Missouri, and shall be cited as such. It is referred to
1079 herein as "this code".

1080 ***Section 109.1 Membership of board (Amended).*** In order to hear and decide appeals of orders,
1081 decisions, or determinations made by the *building official* relative to the application and
1082 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1083 as established by the Code of Ordinances of the City of Florissant in Section 11.1.

1084 ***Section 110.0 Violation penalties (Added).*** Any person, firm, corporation, Limited Liability
1085 Company or other business entity who shall violate any provision of this code shall be subject to
1086 the penalties of Section 100.080 of the Code of Ordinances of the City of Florissant.

1087 **ARTICLE IX. SWIMMING POOL AND SPA CODE.**

1088 **Section 505.260 International Swimming Pool And Spa Code Adopted.**

1089 The International Swimming Pool And Spa Code, 2018 Edition as published by the International
1090 Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period
1091 of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection
1092 and examination, and a copy of which is attached hereto and incorporated by this reference as if
1093 fully set forth herein, is hereby adopted as the Swimming Pool And Spa Code of the City of

1094 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
1095 out in **Section 505.270** of this Chapter.

1096 **Section 505.270 Additions, Insertions, Deletions and Amendments.**

1097 The following numbered Sections and Subsections of the International Swimming Pool And Spa
1098 Code, **2018** Edition as published by the International Code Council, Inc., are hereby amended by
1099 additions, insertions, deletions and amendments so that such Sections and Subsections shall read
1100 as follows:

1101 **Section 101.1 Title (Amended).** This code shall be known as the Swimming Pool and Spa Code
1102 of the City of Florissant, Missouri, and shall be cited as such. It is referred to herein as "this
1103 code".

1104 **Section 104.13 Water Purity (Added).** Water contamination and any other health concern
1105 related to water quality of public swimming pools or spas must be reported within 24 hours to
1106 the *building official*.

1107 **Section 105.1 When required (Amended).** Any owner, or owner's authorized agent who desires
1108 to construct, enlarge, alter, repair, move, or demolish a pool or spa or to erect, install, enlarge,
1109 alter, repair, remove, convert or replace any system, the installation of which is regulated by this
1110 code, or to cause any such work to be performed, shall first make application to the code official
1111 and obtain the required permit for the work.

1112 **Exemptions:**

- 1113 **1. Pools and spas up to twenty-four (24) inches in depth or,**
1114 **2. A potential surface area of two hundred and fifty (250) square feet or fewer.**
1115 **3. Bodies of water not intended for swimming or bathing, purely decorative, or for**
1116 **landscaping purposes only including those which do not use recirculation / filtration**
1117 **systems such as fishponds and lily ponds.**

1118 **Section 105.6.2 Permit fees (Amended).** The permit fees for the installation, extension, repair or
1119 alteration of swimming pools and spas or their equipment shall be in accordance with the fee
1120 schedule as established by the City of Florissant, Missouri.

1121 **Section 105.6.3 Fee refunds (Deleted).**

1122 **Section 107.4 Violation penalties (Amended).** Any person, firm, corporation, limited liability
1123 company or other business entity who shall violate any provision of this code shall be subject to
1124 the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant.

1125 **Section 107.5 Stop work orders, is amended by inserting in the spaces shown as**
1126 **"(AMOUNT)" the following language "the penalties of Section 100.080 of the Code of**
1127 **Ordinances of the City of Florissant and shall be subject to the fees listed in Section 500.010."**

1128 **Section 108.2 Membership of Board (Amended).** In order to hear and decide appeals of orders,
1129 decisions, or determinations made by the *building official* relative to the application and
1130 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1131 as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

1132 **Sections 108.2.1 through 108.2.6 (Deleted).**

1133 **ARTICLE X. PRIVATE SEWAGE DISPOSAL CODE.**

1134 **Section 505.300 International Private Sewage Disposal Code Adopted.**

1135 The International Private Sewage Disposal Code, **2018** Edition, including appendixes A and B as
1136 published by the International Code Council, Inc., one (1) copy of which was on file in the office
1137 of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and
1138 available for public use, inspection and examination, and a copy of which is attached hereto and
1139 incorporated by this reference as if fully set forth herein, is hereby adopted as the Private Sewage
1140 Disposal Code of the City of Florissant, Missouri, subject to the amendments, additions,
1141 insertions, deletions and changes set out in **Section 505.310** of this Chapter.

1142 **Section 500.310 Additions, Insertions, Deletions and Amendments.**

1143 The following numbered Sections and Subsections of the International Private Sewage Disposal
1144 Code, **2018** Edition, including appendixes A and B as published by the International Code
1145 Council, Inc., are hereby amended by additions, insertions, deletions and amendments so that
1146 such Sections and Subsections shall read as follows:

1147 **Section 101.1 Title (Amended).** These regulations shall be known as the Private Sewage Disposal
1148 Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

1149 **Section 109.2 Membership of Board (Amended).** In order to hear and decide appeals of orders,
1150 decisions, or determinations made by the *building official* relative to the application and
1151 interpretation of this code, The Board of Appeals shall be the Planning and Zoning Commission
1152 as established by the Code of Ordinances of the City of Florissant in **Section 11.1**.

1153 **Section 109.2.1 through 109.2.6 (Deleted)**

1154 **ARTICLE XI, SECTION 505.035. EXPLOSIVES CODE.**

1155 **Section 505.035.1 Explosives Code Adopted (Added).** The Explosives Code of St. Louis
1156 County, adopted as Ordinance No. 25931 on December 2, 2014, is hereby adopted as the
1157 Explosives Code of the City of Florissant, as amended by ordinances of the City. All
1158 amendments of the St. Louis County Explosives Code as adopted by the City prior to February
1159 13, 1989, are hereby reaffirmed in their entirety to apply to the codes herein adopted.

1160 **Section 505.035.2 Penalties (Added).** Any person, firm, corporation, Limited Liability
1161 Company or other business entity who shall violate any provision of this code shall be subject to
1162 the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant.

1163 **ARTICLE XII. SECTION 505.040. LAND DISTURBANCE CODE.**

1164 **Section 505.401. Title.** [Ord. No. 7358 §1, 11-29-2006]

1165 These regulations shall be known as the "Land Disturbance Code" of Florissant, Missouri,
1166 hereinafter referred to as "this code".

1167 **Section 505.401. Introduction.** [Ord. No. 7358 §1, 11-29-2006]

1168 On construction or land disturbance sites, soil is highly vulnerable to erosion by wind and water.
1169 Eroded soil endangers water resources by reducing water quality and causing the siltation of
1170 aquatic habitat for fish and other desirable species. Deposits of eroded soil also necessitate
1171 maintenance of sewers and ditches and the dredging of lakes, in addition, clearing and grading
1172 during construction cause the loss of native vegetation necessary for terrestrial and aquatic
1173 habitat. Construction activities also utilize materials and generate wastes which, if not properly
1174 controlled, can pollute receiving waters.

1175 **Section 505.402. Purpose.** [Ord. No. 7358 §1, 11-29-2006]

1176 The purpose of this code is to safeguard persons, protect property and prevent damage to the
1177 environment in the City of Florissant. This code will also promote the public welfare by guiding,
1178 regulating and controlling the design, construction, use and maintenance of any development or
1179 other activity that disturbs or breaks the topsoil or results in the movement of earth on land in
1180 Florissant, Missouri.

1181 **Section 505.403. Scope.** [Ord. No. 7358 §1, 11-29-2006]

1182 This code provides for the safety, health and welfare of the public by regulating and controlling
1183 the design, construction, use and maintenance of any development or other activity that disturbs
1184 land surfaces or results in the movement of earth in Florissant, Missouri.

1185 **Section 505.404. Definitions.** [Ord. No. 7358 §1, 11-29-2006]

1186 For the purpose of this code, the following terms, phrases, words and their derivations shall have
1187 the meanings given herein. Where terms are not defined by this Section, such terms shall have
1188 ordinarily accepted meanings such as the context implies.

1189 **BEST MANAGEMENT PRACTICES OR BMP:** Practices, procedures or a schedule of
1190 activities to reduce the amount of sediment and other pollutants in storm water discharges
1191 associated with construction and land disturbance activities.

1192 **BUILDING CODE BOARD OF APPEALS:** The appeals board as described in the City of
 1193 Florissant Building Code.

1194 **BUILDING DIVISION:** The Florissant Building Division, acting through its Director or the
 1195 Building Commissioner.

1196 **CITY:** City of Florissant.

1197 **CLEARING:** Any activity that removes the vegetative surface cover.

1198 **CODE OR THIS CODE:** The "Land Disturbance Code" of Florissant.

1199 **CONSTRUCTION SITE OR LAND DISTURBANCE SITE:** A parcel or contiguous parcels
 1200 where land disturbance activities are performed as part of a proposed development.

1201 **COUNTY:** St. Louis County, Missouri.

1202 **DEPARTMENT OF HIGHWAYS AND TRAFFIC:** The applicable highway or street
 1203 department (City of Florissant, St. Louis County Department of Highways and Traffic, Missouri
 1204 Department of Transportation) acting through its Director or his/her duly authorized designee.

1205 **DEPARTMENT OF PUBLIC WORKS:** The Florissant Public Works, acting through its
 1206 Director or his/her duly authorized designee.

1207 **DRAINAGE WAY:** Any channel that conveys surface runoff through a site.

1208 **ENGINEERING DIVISION:** The Florissant Engineering Division acting through its Director
 1209 and the City Engineer.

1210 **EROSION:** The wearing away of land surface through the action of wind or water.

1211 **EROSION CONTROL:** Any Best Management Practices (BMP) that prevents or minimizes
 1212 erosion.

1213 **GRADING:** Reshaping the ground surface through excavation and/or fill of material.

1214 **LAND DISTURBANCE ACTIVITIES:** Clearing, grading or any related work which results in
 1215 removal of the natural site vegetation and destruction of the root zone or otherwise results in
 1216 leaving the ground surface exposed to soil erosion through the action of wind or water.

1217 **LAND DISTURBANCE, MAJOR:** Any land disturbance activity involving one (1) acre or
 1218 more of land or a site involving less than one (1) acre that is part of a proposed development that
 1219 will ultimately disturb one (1) acre or more.

1220 **LAND DISTURBANCE, ORDINARY:** Any land disturbance activity involving less than one
 1221 (1) acre of land.

1222 **LAND DISTURBANCE PERMIT:** A permit issued by the authority having jurisdiction
 1223 authorizing a land disturbance activity at a specific site subject to conditions stated in the permit.
 1224 A permit may be for either major or ordinary land disturbance activities.

1225 **PERIMETER CONTROL:** A barrier that prevents sediment from leaving a site by filtering
 1226 sediment- laden runoff or diverting it to a sediment trap or basin.

1227 **PHASING:** Clearing a parcel of land in distinct stages, with the stabilization of each phase
 1228 substantially completed before the clearing of the next.

1229 **QUALIFIED PROFESSIONAL:** A Missouri licensed professional engineer or other person or
1230 firm knowledgeable in the principles and practices of erosion and sediment control, including the
1231 Best Management Practices described in this code.

1232 **RUNOFF COEFFICIENT:** The fraction of total rainfall that exits at the outfalls from a site.
1233 This depends not only on the surface cover and soil types, but also on the recurrence interval,
1234 antecedent moisture content, rainfall intensity, drainage area, slope and fraction of
1235 imperviousness.

1236 **SEDIMENT CONTROL:** Any Best Management Practices (BMP) that prevents eroded
1237 sediment from leaving a site.

1238 **STABILIZATION:** The use of Best Management Practices (BMP) that prevent exposed soil
1239 from eroding from a land disturbance site.

1240 **START OF CONSTRUCTION:** The first (1st) land disturbance activity associated with a
1241 development.

1242 **STORM WATER POLLUTION PREVENTION PLAN (SWPPP):** A management plan, the
1243 purpose of which is to ensure the design, implementation, management and maintenance of Best
1244 Management Practices (BMP) in order to reduce the amount of sediment and other pollutants in
1245 storm water discharges associated with land disturbance activities, comply with the standards of
1246 the City of Florissant and ensure compliance with the terms and conditions of the applicable
1247 State permits, including adherence to the land disturbance program contained in Missouri MS4
1248 NPDES permits.

1249 **WATERCOURSE:** A natural or artificial channel or body of water including, but not limited to,
1250 lakes, ponds, rivers, streams, ditches and other open conveyance, that carries surface runoff
1251 water either continuously or intermittently.

1252 **Section 505.405. Applicability.** [Ord. No. 7358 §1, 11-29-2006]

1253 The provisions of this code shall not be deemed to nullify any provisions of City of Florissant,
1254 State or Federal law.

1255 **Section 505.406. Enforcement.** [Ord. No. 7358 §1, 11-29-2006]

1256 **A. Department Of Public Works.** The Department of Public Works shall have the authority and
1257 responsibility to perform the following functions related to the enforcement of this code as
1258 associated with land disturbance permits:

1259 **1.** Receive applications for land disturbance permits;

1260 **2.** Coordinate the review of permit applications and accompanying documents with the City's
1261 Building Division and the Metropolitan St. Louis Sewer District (MSD).

1262 **3.** Clear issuance of major land disturbance permits with the applicable Department of Highways
1263 and Traffic and the Metropolitan St. Louis Sewer District (MSD) and issue such permits.

1264 4. Administer the determination, collection and release of site development escrows required by
1265 this code.

1266 5. Inspection of land disturbance activities;

1267 6. Inspection of land disturbance activities within or abutting areas designated 100-year
1268 floodplain; and

1269 7. Plan review, inspection and issuance of permits for ordinary land disturbance activities
1270 relating to Best Management Practices (BMP) to be utilized to control erosion and sedimentation
1271 from leaving the site during construction and other land disturbance activities.

1272 **B. Engineering Division.** The Engineering Division shall have the authority and responsibility
1273 to perform the following functions related to the enforcement of this code:

1274 1. Plan review of major land disturbance activities;

1275 2. Plan review and inspection of land disturbance activities related to construction, repair,
1276 maintenance or condition of roadways and roadway right-of-ways which are maintained by the
1277 City; and

1278 3. Plan review of Land Disturbance Activities within or abutting areas designated 100-year
1279 floodplain or 500-year floodplain.

1280 **Section 505.407. Rule Making Authority.** [Ord. No. 7358 §1, 11-29-2006]

1281 City and County departments having enforcement authority and responsibilities described in
1282 **Section 505.106** of this code shall have the authority, as necessary in the interest of public
1283 health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and
1284 implement the provisions of this code in order to secure the intent thereof and to designate
1285 requirements applicable because of local climatic or other conditions. Such rules and regulations
1286 shall not have the effect of waiving requirements specifically provided for in this code or of
1287 violating accepted engineering practices involving the purpose of this code.

1288 **Section 505.408. Violations.** [Ord. No. 7358 §1, 11-29-2006]

1289 **A. Unlawful Acts.** It shall be unlawful for any person, firm or corporation to perform any land
1290 disturbance activities or cause or allow same to be done in conflict with or in violation of any of
1291 the provisions of this code.

1292 **B. Notices Of Violations.** When the Department of Public Works determines that a violation of
1293 this code exists, the respective Director shall notify the violator. The notification shall be in
1294 writing and shall be delivered to the violator or his/her legally authorized representative or
1295 mailed to his last known address via first class mail postage prepaid. Any person having been
1296 notified that a violation exists and who fails to abate the violation within ten (10) days after
1297 notification shall be subject to the penalties enumerated in Sections 505.408(D) and 505.408(E).

1298 **C. Prosecution Of Violation.** If the violator does not abate the violation promptly, the
1299 Department of Public Works shall request the appropriate prosecuting attorney to institute the
1300 appropriate proceeding at law or in equity to restrain, correct or abate such violation.

1301 Any person, firm or corporation who shall violate any provision of this code or who shall fail to
1302 comply with any of the requirements thereof or who shall perform work in violation of the
1303 approved construction documents or the Storm Water Pollution Prevention Plan or any directive
1304 of the Department of Public Works and Traffic or of a permit or certificate issued under the
1305 provisions of this code or shall start any work requiring a permit without first obtaining a permit
1306 therefore or who shall continue any work in or about a structure after having been served a stop
1307 work order, except for such work which that person, firm or corporation has been directed to
1308 perform to remove a violation or unsafe conditions, or any owner of a property or any other
1309 person who commits, takes part or assists in any violation of this code or who maintains any
1310 property on which such violation shall exist shall be guilty of a misdemeanor punishable by a
1311 fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty
1312 (30) days, or both such fine and imprisonment. Each day that a violation continues shall be
1313 deemed a separate offense.

1314 **E. No Permit Penalty.** In addition to the penalties set out above, the following procedure shall
1315 be followed where a City department identified in Section 505.406 determines that work has
1316 been started prior to the acquisition of a permit required by this Code:

1317 **1.** The Department of Public Works shall issue a stop work order.

1318 **2.** The department Director shall notify the violator of his/her assessment regarding the
1319 appropriate penalty amount to be assessed against the violator, which shall not exceed one
1320 thousand dollars (\$1,000.00) for each day that work occurs without a permit. In making the
1321 assessment, the department shall consider whether the violator has previously violated this code
1322 and whether the occupation or experience of the violator indicates that he/she knew or should
1323 have known that a permit was required. In no case will a no permit penalty be assessed against a
1324 property owner unless he/she actually performed the work involved.

1325 **3.** At the violator's option, he/she may deposit the assessed penalty amount in escrow (certified
1326 check or cash only) with the Department of Public Works, in which case the violator's right to a
1327 hearing will be preserved.

1328 **4.** No permit penalties are appealable to the Building Code Board of Appeals in the same manner
1329 as other decisions of the department. The department may revise its assessment upon notice to
1330 both the Board of Appeals and the violator at any time prior to the hearing. Likewise, at any time
1331 prior to the hearing, the violator may accept and pay the recommended penalty amount and the
1332 hearing will be canceled.

1333 **5.** At the hearing before the Building Code Board of Appeals, said Board of Appeals shall afford
1334 both the department and the alleged violator an opportunity to present any evidence or make any
1335 statements they wish to have considered.

1336 **6.** Following the hearing the Building Code Board of Appeals shall determine whether a permit
1337 was required.

1338 **a.** If the Board determines that a permit was required, an appropriate penalty amount shall be
1339 assessed, taking into account the same considerations as noted above. The stop work order shall
1340 remain in full force and effect until such time as the penalty amount is paid and the violator has
1341 complied with all other regulations pertaining to the issuance of permits.

1342 **b.** If the Board determines that no permit was required, the department shall immediately cancel
1343 the stop work order.

1344 **F. Abatement Of Violation.** The imposition of the penalties herein prescribed shall not preclude
1345 the Florissant prosecuting attorney from instituting appropriate action to prevent unlawful
1346 construction or to restrain, correct or abate a violation or to prevent illegal use of a property or to
1347 stop an illegal act.

1348 **G. Permit Suspension Or Revocation.** When a land disturbance activity is conducted in
1349 violation of the requirements of this code or the terms of the permit in such a manner as to
1350 materially adversely affect the safety, health or welfare of persons or materially be detrimental or
1351 injurious to property or improvements, the Department of Public Works or the Department of
1352 Highways and Traffic may suspend or remove such permit.

1353 **H. Unlawful Continuance.** Whenever the Department of Public Works or the Department of
1354 Highways and Traffic finds that any land disturbance activity is being prosecuted contrary to the
1355 provisions of this code or in an unsafe and dangerous manner, the owner or the person
1356 performing such activity shall immediately stop such activity. The stop work order shall be in
1357 writing and shall be given to the owner of the property involved or to the owner's agent or to the
1358 person doing the work and shall state the conditions under which work will be permitted to
1359 resume. Any person who shall continue any work in or about the property after having been
1360 served with a stop work order, except such work as that person is directed to perform to remove
1361 a violation or unsafe condition, shall be subject to penalties as specified in Sections 505.108(D)
1362 or 505.108(E) of this code.

1363 **Section 505.409. Appeals.** [Ord. No. 7358 §1, 11-29-2006]

1364 **A. Application For Appeal.** Any person shall have the right to appeal a decision of the
1365 Department of Public Works or the Department of Highways and Traffic to the Florissant
1366 Building Code Board of Appeals. An application for appeal shall be based on a claim that the
1367 intent of this code or the rules or regulations adopted thereunder have been incorrectly
1368 interpreted or the provisions of this code do not apply.

1369 **B. Filing Procedure.** All appeals shall be filed in writing with the Department of Public Works.
1370 All appeals shall be filed within thirty (30) days after the decision to be appealed is rendered by
1371 the departments identified in this Section.

1372 **C. Filing Fee.** All appeals must be accompanied by a fee in the amount of one hundred dollars
1373 (\$100.00).

1374 **D. Notice Of Meeting.** The Board shall meet upon notice from the Chairman within ten (10)
1375 days of the filing of an appeal or at stated periodic meetings.

1376 **E. Open Hearing.** All hearings before the Board shall be open to the public. The appellant, the
1377 appellant's representative, the department(s) having enforcement authority and responsibilities
1378 described in Section 505.106 of this code and any person whose interests are affected shall be
1379 given an opportunity to be heard.

1380 **F. Procedure.** The Board shall adopt and make available to the public through the Secretary
1381 procedures under which a hearing will be conducted. The procedures shall not require
1382 compliance with strict rules of evidence but shall mandate that only relevant information be
1383 received.

1384 **G. Commission Decision.** Decisions by the Board to reverse or modify a decision by a
1385 department requires a minimum vote of three (3) members.

1386 **H. Resolution.** The decision of the Board shall be in writing. Copies shall be furnished to the
1387 appellant and to the department(s) having enforcement authority and responsibilities described in
1388 Section 505.406 of this code.

1389 **I. Administration.** The applicable department identified in this Section of the code shall take
1390 immediate action in accordance with the decision of the Board.

1391 **J. Court Review.** A party adversely affected by a decision of the Board may appeal to an
1392 appropriate court from such decision. Application for review shall be made in the manner and
1393 time required by law following the filing of the decision.

1394 **Section 505.410.Land Disturbance Permits Required.** [Ord. No. 7358 §1, 11-29-2006]

1395 **A. City Permit Required.** Any person who intends to conduct any land disturbance activity
1396 must obtain a permit prior to beginning the activity. The type of permit shall be as required by
1397 this Section unless specified otherwise within this Section.

1398 **B. Major Land Disturbance Permit.** No person shall perform any major land disturbance
1399 activity prior to receipt of a major land disturbance permit. Applications for major land
1400 disturbance permits shall be filed with the Department of Public Works.

1401 **C. Ordinary Land Disturbance Permit.** No person shall perform any ordinary land disturbance
1402 activity prior to receipt of an ordinary land disturbance permit. Applications for ordinary land
1403 disturbance permits shall be filed with by the Department of Public Works.

1404 **D. City Building Permit And Related Ordinary Land Disturbance Activities.** The
1405 Department of Public Works may include ordinary land disturbance activities associated with the

1406 construction of a building, structure or parking lot authorized by a permit issued under the
1407 Building Code as an integrated permit for the proposed construction.

1408 **E. Limitation On Transfer Of Land Disturbance Permits.** Any person who buys land from a
1409 person who has been issued a land disturbance permit under Section of this code must obtain a
1410 separate land disturbance permit from the City. Exceptions:

1411 **1.** Major land disturbance permits may be transferred to a new landowner provided the original
1412 permit holder obtains the approval of the Department of Public Works to retain responsibility for
1413 the land disturbance activities on such property.

1414 **2.** Ordinary land disturbance permits may be transferred to a new landowner provided the
1415 original permit holder obtains the approval of the Department of Public Works to retain
1416 responsibility for the land disturbance activities on such property.

1417 **F. Exceptions — Land Disturbance Required.** Land disturbance permits are not required for
1418 the activities identified as items (1) and (8) in this Subsection, nor are such permits required for
1419 the activities identified in items (2), (3), (4), (5), (6) and (7), provided the activity does not alter
1420 or cause to be altered the present surface of the ground:

1421 **1.** By any cut or fill at the property;

1422 **2.** By any cut or fill that would permanently divert one drainage area to another drainage area;

1423 **3.** By any cut or fill which would deposit mud or harmful silt or create erosion or damage to
1424 adjoining properties; or

1425 **4.** By any cut or fill that would block or affect an existing swale or drainage path in a manner to
1426 cause damming and ponding.

1427 **a.** Any emergency activity that is immediately necessary for the protection of life, property or
1428 natural resources.

1429 **b.** Existing farming, nursery and agricultural operations conducted as a permitted or accessory
1430 use.

1431 **c.** Excavation of fill of less than thirty (30) cubic yards provided the land disturbance activity is
1432 for the improvement of the property. Erosion and sediment control measures shall be provided,
1433 when necessary, until grass or other vegetation is established or other approved means of ground
1434 cover means are used.

1435 **d.** Land disturbance activities associated with additions to and accessory structures for one- and
1436 two-family dwellings.

1437 **e.** Land disturbance activities less than two thousand (2,000) square feet in area.

1438 **f.** Removal of existing or dying grass or similar vegetation by disturbing not more than ten
1439 thousand (10,000) square feet and resodding or reseeded with new landscaping to include
1440 preparation of the seedbed; provided erosion and sediment control measures are provided until
1441 grass or other vegetation is established. Any cut or fill in conjunction with the preparation of the
1442 seedbed shall not exceed thirty (30) cubic yards.

1443 **g.** Gardening and similar activities on property occupied by one- or two-family dwellings.

1444 **h.** Land disturbance activities by any public utility for the installation, inspection, repair or
1445 replacement of any of its equipment or for its collection or distribution lines or piping systems;
1446 provided erosion and sediment control measures are provided until the grass or other vegetation
1447 is established or other approved ground cover means are used. This exception does not apply to
1448 any land disturbance activity associated with work that requires a building permit.

1449 **G. State of Missouri Permits Required.** The permit applicant must obtain a land disturbance
1450 permit from the State of Missouri Department of Natural Resources for any site where one (1)
1451 acre or more of land will be disturbed, before beginning any site work authorized by a City
1452 permit. This requirement applies to sites of less than one (1) acre that are part of a proposed
1453 development that will ultimately disturb one (1) acre or more.

1454 **Section 505.411. Land Disturbance Permit Applications.** [Ord. No. 7358 §1, 11-29-2006]

1455 **A. Permit Applications.** Applications for land disturbance permits required by this code shall be
1456 in the form prescribed by and accompanied by the site plans and documents determined
1457 necessary by the department responsible for issuing the permit. Such applications shall include
1458 proof that proposed land uses have received zoning approvals from the City.

1459 **B. Storm Water Pollution Prevention Plan Required (SWPPP) For Major Land**
1460 **Disturbance Permits.** All applications for major land disturbance permits shall be accompanied
1461 by a Storm Water Pollution Prevention Plan, prepared for the specific site by or under the
1462 direction of a qualified professional. The application shall contain a statement that any land
1463 clearing, construction or development involving the movement of earth shall be in accordance
1464 with the Storm Water Pollution Prevention Plan and the applicant will assume and acknowledge
1465 responsibility for compliance with this code and the Storm Water Pollution Prevention Plan at
1466 the site of the permitted activity.

1467 **C. Required Site Development Escrows For Major Land Disturbance Permits.** Applicants
1468 for major land disturbance permits shall file a site development escrow in the form of a letter of
1469 credit or other improvement security in an amount deemed sufficient by the Department of
1470 Public Works to cover all costs of improvements, landscaping and maintenance of improvements
1471 for such period as specified by the Department of Public Works. The site development escrow
1472 shall include engineering and inspection costs sufficient to cover the cost of failure or repair of
1473 improvements installed on the site.

1474 **D. Release Of Escrows — Project Closure.** Any site development escrow will not be fully
1475 released to the property owner, site operator or permit holder until all of the following have been
1476 completed:

1477 **1.** All temporary storm water controls Best Management Practices (BMPs) have been removed
1478 and the site has been fully stabilized.

1479 **2.** All permanent storm water controls Best Management Practices (BMPs) have been completed.

1480 **3.** All final inspections/certifications have been completed by each of the government
1481 jurisdictions involved in authorizing the project.

1482 **Section 505.412. Fees.** [Ord. No. 7358 §1, 11-29-2006]

1483 **A. Issuance Of Permits.** Land disturbance permits shall not be issued until the fees associated
1484 with the permit are paid to the Department of Public Works specified in this code.

1485 Exception: Individual City departments may defer all or parts of fees to a later stage of site
1486 development. Individual City departments are exempt from fees.

1487 **B. Department Of Public Works.** Fees for the activities of the Department of Public Works
1488 related to land disturbance permits shall be in accordance with the fee rates set forth in Section
1489 500.010 of Florissant City Code of Ordinances. In applying the code enforcement fee schedule,
1490 the total estimated cost of land disturbance activities shall include applicable grubbing, site
1491 clearing, rough grading, sediment and erosion control measures, excavating, backfill, final
1492 grading, concrete flatwork, asphalt pavement and final landscaping. The Department of Public
1493 Works may require a bona fide contract(s) or any affidavit of the owner of the project, in which
1494 the applicant and owner verify the total cost of the site improvements related to the permit. The
1495 Department of Public Works is authorized to establish the fee by determining the plan review
1496 cost and estimating the total number of inspections required when, in the opinion of the
1497 Department of Public Works, the fee resulting from this method more closely relates to the cost
1498 of enforcing the requirements of this code.

1499 **C. Department Of Highways And Traffic.** Fees for the activities of the Department of
1500 Highways and Traffic related to land disturbance permits shall be in accordance with the
1501 applicable department's regulations.

1502 **Section 505.413. Storm Water Pollution Prevention Plan (SWPPP).** [Ord. No. 7358 §1, 11-
1503 29-2006]

1504 **A. Content — Storm Water Pollution Prevention Plan (SWPPP).** The design requirements in
1505 Section 505.414 of this code shall be complied with when developing the Storm Water Pollution
1506 Prevention Plan and the plan shall include the following:

- 1507 **1.** Name, address and telephone number of the site owner and the name, address and telephone
1508 number of the individual who will be in overall responsible charge of construction/development
1509 activities at the site.
- 1510 **2.** Site address or location description and parcel identification number(s).
- 1511 **3.** A site map showing the outlines of the total project area, the areas to be disturbed, existing
1512 land uses, locations and names of surface water bodies, locations of flood plains, locations of
1513 temporary and permanent Best Management Practices (BMP) and such other information as may
1514 be required by the department(s) having enforcement authority and responsibilities described in
1515 Section 505.406 of this code.
- 1516 **4.** Existing contours of the site and adjoining strips of off-site property and proposed contours
1517 after completion of the proposed land disturbance and development, based on United States
1518 Geological Survey datum, with established elevations at buildings, walks, drives, street and
1519 roads; and information on necessary clearing and grubbing, removal of existing structures,
1520 excavating, filling, spreading and compacting.
- 1521 **5.** A natural resources map identifying soils, forest cover and resources protected under other
1522 provisions of City ordinances.
- 1523 **6.** An estimate of the runoff coefficient of the site prior to disturbance and the runoff coefficient
1524 after the construction addressed in the permit application is completed.
- 1525 **7.** Estimated quantity of land to be disturbed.
- 1526 **8.** Details of the site drainage pattern both before and after major land disturbance activities.
- 1527 **9.** Access to construction site.
- 1528 **10.** Description of Best Management Practices (BMP) to be utilized to control erosion and
1529 sedimentation during the period of land disturbance.
- 1530 **11.** Description of Best Management Practices (BMP) to be utilized to prevent other potential
1531 pollutants such as construction wastes, toxic or hazardous substances, petroleum products,
1532 pesticides, herbicides, site litter, sanitary wastes and other pollutants from entering the natural
1533 drainage ways during the period of construction and land disturbance.
- 1534 **12.** Description of Best Management Practices (BMP) that will be installed during land
1535 disturbance to control pollutants in storm water discharges that will occur after land disturbance
1536 activity has been completed.
- 1537 **13.** Location of temporary off-street parking and wash down area for related vehicles.
- 1538 **14.** Sources of off-site borrow material or spoil sites and all information relative to haul routes,
1539 trucks and equipment.

1540 **15.** The anticipated sequence of construction and land disturbance activities, including
1541 installation of Best Management Practices (BMP), removal of temporary Best Management
1542 Practices (BMP), stripping and clearing; rough grading; construction utilities, infrastructure and
1543 buildings; and final grading and landscaping. Sequencing shall identify the expected date(s) on
1544 which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing,
1545 installation of temporary erosion and sediment control measures and establishment of permanent
1546 vegetation.

1547 **16.** All erosion and sediment control measures necessary to meet the objectives of this code
1548 throughout all phases of construction and after completion of site development. Depending upon
1549 the complexity of the project, the drafting of intermediate plans may be required at the close of
1550 each season.

1551 **17.** Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding
1552 dates, type and rate of lime and fertilizer application and kind and quantity of mulching for both
1553 temporary and permanent vegetative control measures.

1554 **18.** Provisions for maintenance of control facilities, including easements and estimates of the
1555 cost of maintenance.

1556 **19.** Plans for responding to any loss of contained sediment to include the immediate actions the
1557 permit holder will take in case of a containment failure. This plan must include documentation of
1558 actions and mandatory reporting to the Department of Public Works.

1559 **20.** Schedules and procedures for routine inspections of any structures provided to prevent
1560 pollution of storm water or to remove pollutants from storm water and of the site in general to
1561 ensure all Best Management Practices (BMP) are continually implemented and are effective.

1562 **B. Required Plan Amendments — Storm Water Pollution Prevention Plan (SWPPP).** The
1563 permit holder shall amend the Storm Water Pollution Prevention Plan whenever:

1564 **1.** Design, operation or maintenance of Best Management Practices (BMP) is changed;

1565 **2.** Design of the construction project is changed that could significantly affect the quality of the
1566 storm water discharges;

1567 **3.** Site operator's inspections indicate deficiencies in the Storm Water Pollution Prevention Plan
1568 (SWPPP) or any Best Management Practices (BMP);

1569 **4.** Inspections by City or by the Missouri Department of Natural Resources indicate deficiencies
1570 in the Storm Water Pollution Prevention Plan (SWPPP) or any Best Management Practices
1571 (BMP);

1572 **5.** The Storm Water Pollution Prevention Plan (SWPPP) is determined to be ineffective in
1573 significantly minimizing or controlling erosion or excessive sediment deposits in streams or
1574 lakes;

1575 6. The Storm Water Pollution Prevention Plan (SWPPP) is determined to be ineffective in
1576 preventing pollution of waterways from construction wastes, chemicals, fueling facilities,
1577 concrete truck washouts, toxic or hazardous materials, site litter or other substances or wastes
1578 likely to have an adverse impact on water quality;

1579 7. Total settleable solids from a storm water outfall exceeds one-half (0.5) ml/L/hr if the
1580 discharge is within the prescribed proximity of a "Valuable Resource Water" as defined by the
1581 Missouri Department of Natural Resources;

1582 8. Total settleable solids from a storm water outfall exceeds two and one-half (2.5) ml/L/hr for
1583 any other outfall; or

1584 9. The City or County or the Missouri Department of Natural Resources determines violations of
1585 water quality standards may occur or have occurred.

1586 C. Permit Holder Responsibilities For Administration Of Storm Water Pollution Prevention Plan
1587 (SWPPP). The permit holder shall:

1588 1. Notify all contractors and other entities (including utility crews, City employees or their
1589 agents) that will perform work at the site of the existence of the Storm Water Pollution
1590 Prevention Plan (SWPPP) and what actions or precautions shall be taken while on site to
1591 minimize the potential for damaging any Best Management Practices (BMP);

1592 2. Determine the need for and establish training programs to ensure that all site workers have
1593 been trained, at a minimum, in erosion control, material handling and storage and housekeeping;

1594 3. Provide copies of the Storm Water Pollution Prevention Plan (SWPPP) to all parties who are
1595 responsible for installation, operation or maintenance of any Best Management Practices (BMP);
1596 and

1597 4. Maintain a current copy of the Storm Water Pollution Prevention Plan (SWPPP) on the site at
1598 all times.

1599 **Section 505.414. General.** [Ord. No. 7358 §1, 11-29-2006]

1600 A. **Design.** The design of erosion and settlement controls required for land disturbance activities
1601 shall comply with the following minimum requirements:

1602 1. Land disturbance, erosion and sediment control practices and watercourse crossings shall be
1603 adequate to prevent transportation of sediment from the site.

1604 2. Materials brought to any site or property under a permit issued under this code, where said
1605 material is intended to be utilized as fill material at the site for land disturbance, erosion or
1606 sediment control, shall consist of clean uncontaminated earth, soil, dirt, sand, rocks, gravel or
1607 masonry materials only.

1608 3. Cut and fill slopes shall be no greater than three to one (3:1) except as approved by the
1609 Department of Public Works or the applicable Department of Highways and Traffic to meet
1610 other community or environmental objectives.

1611 4. Clearing and grading of natural resources, such as forest and wetlands, shall not be permitted,
1612 except when in compliance with all other City ordinances.

1613 5. Clearing techniques that retain existing vegetation to the maximum extent practicable shall be
1614 used and the time period for disturbed areas to be without vegetative cover shall be minimized to
1615 the extent practicable.

1616 6. Clearing, except that necessary to establish sediment control devices, shall not begin until all
1617 sediment control devices have been installed and have been stabilized.

1618 7. Phasing shall be required on all sites disturbing greater than thirty (30) acres of land. The size
1619 of each phase will be established by the Department of Public Works at the time of plan review
1620 for the issuance of a major land disturbance permit.

1621 **B. Erosion Control Design.** Erosion control requirements shall include the following:

1622 1. Soil stabilization shall be completed within five (5) days of clearing or inactivity in
1623 construction.

1624 2. If seeding or another vegetative erosion control method is used, it shall become established
1625 within two (2) weeks or the site shall be reseeded or a non-vegetative option employed.

1626 3. Techniques shall be employed to ensure stabilization on steep slopes and in drainage ways.

1627 4. Soil stockpiles must be stabilized or covered at the end of each workday or perimeter controls
1628 must be in place to prevent silt from the stockpile from leaving the site.

1629 5. The entire site must be stabilized, using a heavy mulch layer or another method that does not
1630 require germination to control erosion, at the close of the construction season.

1631 6. Techniques shall be employed to prevent the blowing of dust or sediment from the site.

1632 7. Techniques shall be employed to divert upland runoff past disturbed slopes.

1633 **C. Sediment Control Design.** Sediment control requirements shall include:

1634 1. Settling basins, sediment traps or tanks and perimeter controls.

1635 2. Settling basins shall be provided for each drainage area within ten (10) or more acres disturbed
1636 at one time and shall be sized to contain one-half (0.5) inch of sediment from the drainage area
1637 and be able to contain a 2-year, 24-hour storm. If the provision of a basin this size is impractical,

1638 other similarly effective Best Management Practices (BMP), as evaluated and specified in the
1639 Storm Water Pollution Prevention Plan (SWPPP), shall be provided.

1640 **3.** Settling basins shall be designed in a manner that allows adaptation to provide long-term
1641 storm water management as required by the City or enforcement authority and responsibilities
1642 described in Section 505.406 of this code.

1643 **4.** Settling basins shall have stabilized spillways to minimize the potential for erosion of the
1644 spillway or basin embankment.

1645 **5.** Protection for adjacent properties by the use of a vegetated buffer strip in combination with
1646 perimeter controls.

1647 **D. Watercourse Design.** Watercourse protection requirements shall include:

1648 **1.** Encroachment into or crossings of active watercourses/riparian areas and wetlands shall be
1649 avoided to the maximum extent practicable. All City, State and Federal permits and approvals
1650 shall be obtained by a permit holder prior to beginning work authorized by a City of Florissant
1651 land disturbance permit.

1652 **2.** Stabilization of any watercourse channels before, during and after any in-channel work.

1653 **3.** If a defined watercourse is to be realigned or reconfigured, clearing and grubbing activities
1654 within fifty (50) feet of the watercourse shall not begin until all materials and equipment
1655 necessary to protect the watercourse and complete the work are on site. Once started, work shall
1656 be completed as soon as possible. Areas within fifty (50) feet of the watercourse shall be
1657 recontoured and revegetated, seeded or otherwise protected within five (5) working days after
1658 land disturbance activities have ceased.

1659 **4.** All storm water conveyances shall be designed according to the criteria of the St. Louis
1660 Metropolitan Sewer District (MSD) and the necessary MSD permits obtained.

1661 **5.** Stabilization adequate to prevent erosion shall be provided at the outlets of all pipes and paved
1662 channels.

1663 **E. Construction Site Access Design.** Construction site access requirements for major land
1664 disturbance activities shall include:

1665 **1.** A temporary access road provided at all land disturbance sites including a wash down area
1666 supporting all active sites.

1667 **2.** The applicable Department of Highways and Traffic may require other measures to ensure that
1668 construction vehicles do not track sediment onto public streets or be washed with wash effluent
1669 channeled directly into storm drains.

1670 **F. Control of Construction Materials and Waste.** Control requirements for construction
1671 materials, construction wastes and other wastes generated on site at land disturbance sites shall
1672 include provisions satisfactory to the City department(s) having enforcement authority and
1673 responsibilities described in Section 505.406 of the code for:

1674 **1.** Spill prevention and control facilities for materials such as paint, solvents, petroleum products,
1675 chemicals, toxic or hazardous substances, substances regulated under the Resource Conservation
1676 and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation and
1677 Liability Act (CERLA) and any wastes generated from the use of such materials and substances,
1678 including their containers. Any containment systems employed to meet this requirement shall be
1679 constructed of materials compatible with the substances contained and shall be adequate to
1680 protect both surface and ground water.

1681 **2.** Collection and disposal of discarded building materials and other construction site wastes,
1682 including those listed in Section 505.414(F)(1) above.

1683 **3.** Litter control.

1684 **4.** Control of concrete truck washouts.

1685 **5.** Assurance that on-site fueling facilities will adhere to applicable Federal and State regulations
1686 concerning storage and dispensers.

1687 **6.** Provision of sufficient temporary toilet facilities to serve the number of workers on major land
1688 disturbance sites.

1689 **Section 505.415 Inspections.** [Ord. No. 7358 §1, 11-29-2006]

1690 **A. General.**

1691 **1. Department of Public Works — General.** The City department(s) having enforcement
1692 authority and responsibilities described in Section 505.106 of this code shall make inspections as
1693 herein required and shall either approve that portion of the work completed or shall notify the
1694 permit holder wherein the work fails to comply with the land disturbance, erosion and sediment
1695 control plan as approved. Plans for land disturbance, stripping, excavating and filling work
1696 bearing the stamp of approval of the department issuing the permit shall be maintained at the site
1697 during the progress of the work. To obtain inspections, a permit holder shall notify the
1698 Department of Public Works at least two (2) working days before the following:

1699 **a.** Start of construction.

1700 **b.** Installation of sediment and erosion measures.

1701 **c.** Completion of site clearing.

1702 **d.** Completion of rough grading.

1703 e. Completion of final grading.

1704 f. Close of the construction season.

1705 g. Completion of final landscaping.

1706 Exception: Inspections conducted by the Department of Highways and Traffic related to
1707 construction and maintenance of County highways and roadways.

1708 **2. Extra inspections.** In addition to the inspections otherwise required, the Department of Public
1709 Works is authorized to perform and charge fees for extra inspections or reinspections which in
1710 their judgment are reasonably necessary due to non-compliance with the requirements of this
1711 code or work not ready or accessible for inspection when requested.

1712 **3. Permit holder inspection and report responsibilities — major land disturbances.** The
1713 holder of a major land disturbance permit or his/her agent shall cause regular inspection of land
1714 disturbance sites, including all erosion and sediment and other pollutant control measures,
1715 outfalls and off-site receiving waters in accordance with the inspection schedule outlined in the
1716 approved Storm Water Pollution Prevention Plan (SWPPP). Inspections must be scheduled at
1717 least once per week and no later than seventy-two (72) hours after heavy rain. The purpose of
1718 such inspections will be to ensure proper installation, operation and maintenance of Best
1719 Management Practices (BMP) and to determine the overall effectiveness of the Storm Water
1720 Pollution Prevention Plan (SWPPP) and the need for additional control measures. All inspections
1721 shall be documented in written form on weekly reports with copies submitted to the Department
1722 of Public Works at the time interval specified in the permit. Permit holder inspection reports
1723 must include the following minimum information:

1724 a. Inspector's name and signature;

1725 b. Date of inspection;

1726 c. Observations relative to the effectiveness of the Best Management Practices (BMPs);

1727 d. Actions taken or necessary to correct deficiencies; and

1728 e. A listing of areas where land disturbance operations have permanently or temporarily stopped.

1729 The permit holder shall notify the site contractor(s) responsible for any deficiencies identified so
1730 that deficiencies can be corrected within seven (7) calendar days of the weekly inspection report.

1731 **4. Verification of permit holder's reports.** The Department of Public Works may make extra
1732 inspections as deemed necessary to ensure the validity of the reports filed under this Section or to
1733 otherwise ensure proper installation, operation and maintenance of storm water Best
1734 Management Practices (BMP) and to determine the overall effectiveness of the Storm Water
1735 Pollution Prevention Plan (SWPPP) and the need for additional control measures.

1736 **Section 505.416 Implementation — Effective Date of Code Provisions.** [Ord. No. 7358 §1,
1737 11-29-2006]

1738 The provisions of this code shall become effective thirty (30) days after its adoption by the
1739 Florissant City Council.

1740 **ARTICLE XIII. SECTION 505.050. STREAM BUFFER ORDINANCE**

1741 **Section 505.051 Title.** [Ord. No. 7533 §1, 8-15-2008]

1742 This Article shall be known as the "Florissant Stream Buffer Protection Ordinance".

1743 **Section 505.052 Introduction.** [Ord. No. 7533 §1, 8-15-2008]

1744 A. The City of Florissant finds that buffers adjacent to stream systems provide numerous
1745 environmental protection and resource management benefits which can include the
1746 following:

1747 1. Protection, restoring and maintaining the chemical, physical and biological integrity of
1748 streams and their water resources;

1749 2. Removing pollutants delivered in urban stormwater;

1750 3. Reducing erosion and controlling sedimentation;

1751 4. Protection and stabilizing stream banks;

1752 5. Providing for infiltration of stormwater runoff;

1753 6. Maintaining base flow of streams;

1754 7. Contributing the organic matter that is a source of food and energy for the aquatic
1755 ecosystem;

1756 8. Providing tree canopy to shade streams and promote desirable aquatic habitat;

1757 9. Providing riparian wildlife habitat;

1758 10. Furnishing scenic value and recreational opportunity;

1759 11. Providing opportunities for the protection and restoration of green space.

1760 **Section 505.053 Purpose.** [Ord. No. 7533 §1, 8-15-2008]

1761 The purpose of this Article is to establish minimal acceptable requirements for the design of
1762 buffers to protect the streams, wetlands and floodplains of the City of Florissant; to protect the

1763 water quality of watercourses, reservoirs, lakes and other significant water resources within the
1764 City of Florissant; to protect Florissant's riparian and aquatic ecosystems; and to provide for the
1765 environmentally sound use of Florissant's land resources.

1766 **Section 505.054 Definitions.** [Ord. No. 7533 §1, 8-15-2008]

1767 The following words, terms and phrases, when used in this Article, shall have the meanings
1768 ascribed to them in this Section, except where the context clearly indicates a different meaning:

1769 **BUFFER:** With respect to a stream, a natural or enhanced vegetated area (established by Section
1770 **505.506** below) lying adjacent to the stream.

1771 **FLOODPLAIN:** Any land area susceptible to flooding, which would have at least a one percent
1772 (1%) probability of flooding occurrence in any calendar year based on the basin being fully
1773 developed as shown on the current land use plan, i.e., the regulatory flood. This pertains to the
1774 100-year flood plain only.

1775 **IMPERVIOUS COVER:** Any manmade paved, hardened or structural surface regardless of
1776 material. Impervious cover includes, but is not limited to, rooftops, buildings, streets, roads,
1777 decks, swimming pools and any concrete or asphalt, unless such asphalt or concrete is designed
1778 to allow the saturation of water into the ground and is approved by the Director of Public Works
1779 as a pervious surface.

1780 **LAND DEVELOPMENT:** Any land change including, but not limited to, clearing, grubbing,
1781 stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land,
1782 construction, paving and any other installation of impervious cover.

1783 **LAND DEVELOPMENT ACTIVITY:** Those actions or activities which comprise, facilitate or
1784 result in land development.

1785 **LAND DISTURBANCE:** Any land or vegetation change, including, but not limited to, clearing,
1786 grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and
1787 filling of land, that do not involve construction, paving or any other installation of impervious
1788 cover.

1789 **LAND DISTURBANCE ACTIVITY:** Those actions or activities which comprise, facilitate or
1790 result in land disturbance.

1791 **PARCEL:** Any plot, lot or acreage shown as a unit on the latest County tax assessment records.

1792 **PERMIT:** The permit issued by the Building Division required for undertaking any land
1793 development activity.

1794 **PERSON:** Any individual, partnership, firm, association, joint venture, public or private
1795 corporation, trust, estate, commission, board, public or private institution, utility, cooperative,

1796 City, County or other political subdivision of the State, any interstate body or any other legal
1797 entity.

1798 **PROTECTION AREA OR STREAM PROTECTION AREA:** With respect to a stream, the
1799 combined areas of all required buffers and setbacks applicable to such stream.

1800 **RIPARIAN:** Belonging or related to the bank of a river, stream, lake, pond or impoundment.

1801 **SETBACK:** With respect to a stream, the area established by Section **505.122** extending beyond
1802 any buffer applicable to the stream.

1803 **STREAM:** Any stream, beginning at:

1804 1. All natural watercourses depicted by a solid or dashed blue line on the most current United
1805 States Geological Survey (U.S.G.S.) 7.5 Minute Series (Topographic) Maps for Missouri; or

1806 2. A point in the stream channel with a drainage area of twenty-five (25) acres or more.

1807 **STREAM BANK:** The sloping land that contains the stream channel and the normal flows of
1808 the stream. Where no established top-of-bank can be determined, the stream bank will be the
1809 "ordinary high water mark" as defined by the Corps of Engineers in Title 33 of the Code of
1810 Federal Regulation, Part 3283.3.

1811 **STREAM CHANNEL:** The portion of the watercourse that contains the base flow of the
1812 stream.

1813 **Section 505.055 Applicability.** [Ord. No. 7533 §1, 8-15-2008]

1814 A. This Article shall apply to all land development activity on property containing a stream
1815 protection area as defined in Section **505.054** of this Article. These requirements are in
1816 addition to, and do not replace or supersede, any other applicable buffer or floodplain
1817 requirements established under State or local law and approval or exemption from these
1818 requirements do not constitute approval or exemption from buffer requirements established
1819 under State law or from other applicable local, State or Federal regulations.

1820 B. ***Legal Non-Conforming Provisions.*** The following shall not apply to this Article:

1821 1. Work consisting of the repair or maintenance of any lawful use of land that is zoned and
1822 approved for such use on or before the effective date of this Article.

1823 2. Existing development and ongoing land disturbance activities including, but not limited to,
1824 existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that
1825 new development or land disturbance activities on such properties will be subject to all
1826 applicable buffer requirements.

- 1827 3. Any land development activity that is under construction, fully approved for development,
1828 scheduled for permit approval or has been submitted for approval as of the effective date of
1829 this Article.
- 1830 4. Land development activity that has not been submitted for approval but that is part of a
1831 larger master development plan, such as for an office park or other phased development that
1832 has been previously approved within two (2) years of the effective date of this Article.
- 1833 C. **Exemptions.** The following specific activities are exempt from this Article. Exemption of
1834 these activities does not constitute an exemption for any other activity proposed on a
1835 property.
- 1836 1. Activities for the purpose of building one (1) of the following:
- 1837 a. A stream crossing by a driveway (bridge), transportation route or utility line;
- 1838 b. Public water supply intake or public wastewater structures or stormwater outfalls;
- 1839 c. Intrusions necessary to provide access to a property;
- 1840 d. Public access facilities that must be on the water including boat ramps, docks, foot trails,
1841 leading directly to the river, fishing platforms and overlooks;
- 1842 e. Foot trails and paths, pervious or impervious, approved only by the Director of Public
1843 Works;
- 1844 f. Activities to restore and enhance stream bank stability, vegetation, water quality and/or
1845 aquatic habitat, so long as native vegetation and bioengineering techniques are used and
1846 said work is approved by the Director of Public Works.
- 1847 2. **Public line easements.** This includes such impervious cover as is necessary for the
1848 operation and maintenance of the utility including, but not limited to, manholes, vents and
1849 valve structures. This exemption shall not be construed as allowing the construction of
1850 roads, bike paths or other transportation routes in such easements, regardless of paving
1851 material, except for access for the uses specifically cited in item (1) above.
- 1852 3. Land development activities within a right-of-way existing at the time this Article takes
1853 effect or approved under the terms of this Article.
- 1854 4. Within an easement of any utility existing at the time this Article takes effect or approved
1855 under the terms of this Article, land disturbance activities and such impervious cover as is
1856 necessary for the operation and maintenance of the utility including, but not limited to,
1857 manholes, vents and valve structures.
- 1858 5. Emergency work necessary to preserve life or property. However, when emergency work is
1859 performed under this Section, the person performing it shall report such work to the

1860 Director of Public Works on the next business day after commencement of the work. Within
1861 ten (10) days thereafter, the person shall apply for a permit and perform such work within
1862 such time period as may be determined by the review and permitting authority to be
1863 reasonably necessary to correct any impairment such emergency work may have caused to
1864 the water conveyance capacity, stability or water quality of the protection area.

1865 6. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or
1866 agricultural uses and are not incidental to other land development activity. If such activity
1867 results in land disturbance in the buffer that would otherwise be prohibited, then no other
1868 land disturbing activity other than normal forest management practices will be allowed on
1869 the entire property for three (3) years after the end of the activities that intruded on the
1870 buffer.

1871 7. Any activities approved under a 404 permit issued by the Corps of Engineers and 401 water
1872 quality certification issued by the Missouri Department of Natural Resources. After the
1873 effective date of this Article, the requirements herein shall apply to new subdivisions and
1874 platting activities. Any land development activity within a buffer established hereunder or
1875 any impervious cover within a setback established hereunder is prohibited unless a variance
1876 is granted pursuant to Section **505.506** of this Article.

1877 **Section 505.056 Land Development Requirements.** [Ord. No. 7533 §1, 8-15-2008]

1878 A. ***Buffer And Setback Requirements.*** All land development activity subject to this Article
1879 shall meet the following requirements:

1880 1. For streams depicted as a solid blue line on the U.S.G.S. map, an undisturbed natural
1881 vegetative buffer shall be maintained for fifty (50) feet, measured horizontally, on both
1882 banks (as applicable) of the stream as measured from the top of the stream bank. For all
1883 other streams subject to this Article, an undisturbed natural vegetative buffer shall be
1884 maintained for twenty-five (25) feet, measured horizontally, on both banks (as applicable)
1885 of the stream as measured from the top of the stream bank.

1886 2. An additional setback shall be maintained for twenty-five (25) feet, measured horizontally,
1887 beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be
1888 prohibited, except pervious paving shall be allowed when reviewed and approved by the
1889 Director of Public Works. Grading, filling and earthmoving shall be minimized within the
1890 setback.

1891 3. No septic tanks or septic tank drain fields shall be permitted within the buffer or the
1892 setback.

1893 B. ***Variance Procedures.*** Variances from the above buffer and setback requirements may be
1894 granted in accordance with the following provisions:

1895 1. Where a parcel was platted prior to the effective date of this Article, and its shape,
1896 topography or other existing physical condition prevents land development consistent with

1897 this Article, and the Director of Public Works finds and determines that the requirements of
1898 this Article prohibit the otherwise lawful use of the property by the owner, the City Council
1899 may grant a variance from the buffer and setback requirements hereunder, provided such
1900 variance requires mitigation measures to offset the effects of any proposed land
1901 development on the parcel.

1902 2. Except as provided above, the City Council shall grant no variance from any provision of
1903 this Article without first conducting a public hearing on the application for variance and
1904 authorizing the granting of the variance by an affirmative vote of the City Council. The City
1905 of Florissant shall give public notice of each such public hearing in a newspaper of general
1906 circulation within the City of Florissant. The City of Florissant shall require that the
1907 applicant post a sign giving notice of the proposed variance and the public hearing. The sign
1908 shall be of a size and posted in such a location on the property as to be clearly visible from
1909 the primary adjacent road right-of-way.

1910 C. Variances will be considered only in the following cases:

1911 1. When a property's shape, topography or other physical conditions existing at the time of the
1912 adoption of this Article prevents land development unless a buffer variance is granted.

1913 2. Unusual circumstances when strict adherence to the minimal buffer requirements in this
1914 Article would create an extreme hardship. Variances will not be considered when, following
1915 adoption of this Article, actions of any property owner of a given property have created
1916 conditions of a hardship on that property.

1917 3. At a minimum, a variance request shall include the following information:

1918 a. A site map that includes locations of all streams, wetlands, floodplain boundaries and other
1919 natural features as determined by field survey;

1920 b. A description of the shape, size, topography, slope, soils, vegetation and other physical
1921 characteristics of the property;

1922 c. A detailed site plan that shows the locations of all existing and proposed structures and
1923 other impervious cover, the limits of all existing and proposed land disturbance, both inside
1924 and outside the buffer and setback. The exact area of the buffer to be affected shall be
1925 accurately and clearly indicated;

1926 d. Documentation of unusual hardship should the buffer be maintained;

1927 e. At least one (1) alternative plan, which does not include a buffer or setback intrusion, or an
1928 explanation of why such a site plan is not possible;

1929 f. A calculation of the total area and length of the proposed intrusion;

1930 g. A stormwater management site plan, if applicable; and

1931 h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must
1932 include an explanation of why none is being proposed.

1933 **D. The following factors will be considered in determining whether to issue a variance:**

1934 1. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the
1935 property;

1936 2. The locations of all streams on the property, including along property boundaries;

1937 3. The location and extent of the proposed buffer or setback intrusion;

1938 4. Whether alternative designs are possible which require less intrusion or no intrusion;

1939 5. The long-term and construction water-quality impacts of the proposed variance;

1940 6. Whether issuance of the variance is at least as protective of natural resources and the
1941 environment.

1942 **Section 505.057 Compatibility With Other Regulations and Requirements.** [Ord. No. 7533
1943 §1, 8-15-2008]

1944 This Article is not intended to interfere with, abrogate or annul any other ordinance, rule or
1945 regulation, Statute or other provision of law. The requirements of this Article should be
1946 considered minimum requirements and where any provision of this Article imposes restrictions
1947 different from those imposed by any other ordinance, rule, regulation or other provision of law,
1948 whichever provisions are more restrictive or impose higher protective standards for human health
1949 or the environment shall be considered to take precedence.

1950 **Section 505.058 Additional Information Requirements For Development On Buffer Zone**
1951 **Properties.** [Ord. No. 7533 §1, 8-15-2008]

1952 A. Any permit applications for property requiring buffers and setbacks hereunder must include
1953 the following:

1954 1. A site plan showing:

1955 a. The location of all streams on the property;

1956 b. Limits of required stream buffers and setbacks on the property;

1957 c. Buffer zone topography with contour lines at no greater than five (5) foot intervals;

1958 d. Delineation of forested and open areas in the buffer zone; and

1959 e. Detailed plans of all proposed land development in the buffer and of all proposed
1960 impervious cover within the setback.

1961 2. A description of all proposed land development within the buffer and setback; and

1962 3. Any other documentation that the Director of Public Works may reasonably deem necessary
1963 for review of the application and to insure that the Buffer Zone Ordinance is addressed in
1964 the approval process. All buffer and setback areas must be recorded on the final plat of the
1965 property following plan approval. A note to reference the vegetated buffer shall state:
1966 "There shall be no clearing, grading, construction or disturbance of vegetation except as
1967 permitted by Stream Buffer Protection Ordinance of the City of Florissant".

1968 **Section 505.059 Responsibility.** [Ord. No. 7533 §1, 8-15-2008]

1969 Neither the issuance of a development permit nor compliance with the conditions thereof, nor
1970 with the provisions of this Article shall relieve any person from any responsibility otherwise
1971 imposed by law for damage to persons or property; nor shall the issuance of any permit
1972 hereunder serve to impose any liability upon the City of Florissant, its officers or employees for
1973 injury or damage to persons or property.

1974 **Section 505.060 Inspection.** [Ord. No. 7533 §1, 8-15-2008]

1975 A. The Director of Public Works may cause inspections of the work of the buffer or setback to
1976 be made periodically during the course thereof and shall make a final inspection following
1977 completion of the work. The permittee shall assist the Director of Public Works in making
1978 such inspections. The City of Florissant shall have the authority to conduct such
1979 investigations as it may reasonably deem necessary to carry out its duties as prescribed in
1980 this Article and for this purpose to enter at reasonable time upon any property, public or
1981 private, for the purpose of investigating and inspecting the sites of any land development
1982 activities within the protection area.

1983 B. No person shall refuse entry or access to any authorized representative or agent who
1984 requests entry for purposes of inspection and who presents appropriate credentials, nor shall
1985 any person obstruct, hamper or interfere with any such representative while in the process
1986 of carrying out official duties.

1987 **Section 505.061 Violations, Enforcement and Penalties.** [Ord. No. 7533 §1, 8-15-2008]

1988 A. Any action or inaction which violates the provisions of this Article or the requirements of
1989 an approved site plan or permit may be subject to the enforcement actions outlined in this
1990 Section. Any such action or inaction which is continuous with respect to time is deemed to
1991 be a public nuisance and may be abated by injunctive or other equitable relief. The
1992 imposition of any of the penalties described below shall not prevent such equitable relief.

1993 1. **Notice of violation.** If the Director of Public Works determines that an applicant or other
1994 responsible person has failed to comply with the terms and conditions of a permit, an

1995 approved site plan or the provisions of this Article, a written notice of violation shall be
 1996 issued to such applicant or other responsible person. Where a person is engaged in activity
 1997 covered by this Article without having first secured the appropriate permit thereof, the
 1998 notice of violation shall be served on the owner or the responsible person in charge of the
 1999 activity being conducted on the site. The notice of violation shall contain:

2000 a. The name and address of the owner or the applicant or the responsible person;

2001 b. The address or other description of the site upon which the violation is occurring;

2002 c. A statement specifying the nature of the violation;

2003 d. A description of the remedial measures necessary to bring the action or inaction into
 2004 compliance with the permit, the approved site plan or this Article and the date for the
 2005 completion of such remedial action;

2006 e. A statement of the penalty or penalties that may be assessed against the person to whom the
 2007 notice of violation is directed; and

2008 f. A statement that the determination of violation may be appealed to the Director of Public
 2009 Works by filing a written notice of appeal within thirty (30) days after the notice of
 2010 violation (except that in the event the violation constitutes an immediate danger to public
 2011 health or public safety, twenty-four (24) hours' notice shall be sufficient).

2012 2. ***Penalties.*** In the event the remedial measures described in the notice of violation have not
 2013 been completed by the date set forth for such completion in the notice of violation, any one
 2014 (1) or more of the following actions or penalties may be taken or assessed against the person
 2015 to whom the notice of violation was directed. Before taking any of the following actions or
 2016 imposing any of the following penalties, the Director of Public Works shall first notify the
 2017 applicant or other responsible person in writing of its intended action and shall provide a
 2018 reasonable opportunity of not less than ten (10) days (except that in the event the violation
 2019 constitutes an immediate danger to public health or public safety, twenty-four (24) hours'
 2020 notice shall be sufficient) to correct such violation. In the event the applicant or other
 2021 responsible person fails to correct such violation after such notice and corrective action
 2022 period, the Director of Public Works may take any one (1) or more of the following actions
 2023 or impose any one (1) or more of the following penalties.

2024 a. ***Stop work order.*** The Director of Public Works may issue a stop work order which shall be
 2025 served on the applicant or other responsible person. The stop work order shall remain in
 2026 effect until the applicant or other responsible person has taken the remedial measures set
 2027 forth in the notice of violation or has otherwise corrected the violation or violations
 2028 described therein, provided the stop work order may be withdrawn or modified to enable the
 2029 applicant or other responsible person to take necessary remedial measures to correct such
 2030 violation or violations.

2031 b. ***Withhold certificate of occupancy.*** The Director of Public Works may refuse to issue a
2032 certificate of occupancy for the building or other improvements constructed or being
2033 constructed on the site until the applicant or other responsible person has taken the remedial
2034 measures set forth in the notice of violation or has otherwise corrected the violations
2035 described therein.

2036 c. ***Suspension, revocation or modification of permit.*** The Director of Public Works may
2037 suspend, revoke or modify the permit authorizing the land development project. A
2038 suspended, revoked or modified permit may be reinstated after the applicant or other
2039 responsible person has taken the remedial measures set forth in the notice of violation or has
2040 otherwise corrected the violations described therein, provided such permit may be reinstated
2041 (upon such conditions as the Director of Public Woks may deem necessary) to enable the
2042 applicant or other responsible person to take the necessary remedial measures to correct
2043 such violations.

2044 d. ***Penalties.*** For violations of this Article, the Director of Public Works may issue a citation to
2045 the applicant or other responsible person, requiring such person to appear in the Florissant
2046 Municipal Court to answer charges for such violation. Upon conviction, such person shall
2047 be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for
2048 ninety (90) days or both. Each act of violation and each day upon which any violation shall
2049 occur shall constitute a separate offense.

2050 **Section 505.062 Administrative Appeal and Judicial Review.** [Ord. No. 7533 §1, 8-15-2008]

2051 A. ***Administrative Appeal.*** Any person aggrieved by a decision or order of the Director of
2052 Public Works may appeal in writing within seven (7) days after the issuance of such
2053 decision or order to the Mayor of Florissant and shall be entitled to a hearing before the City
2054 Council of Florissant within thirty (30) days of receipt of the written appeal.

2055 B. ***Judicial Review.*** Any person aggrieved by a decision or order of City Council, after
2056 exhausting all administrative remedies, shall have the right to appeal de novo to the Circuit
2057 Court of St. Louis County, Missouri.

2058 **CHAPTER 510 - EXISTING STRUCTURES AND PROPERTY MAINTENANCE CODE**

2059 The Existing Structures Code of the City of Florissant is for the purpose of controlling existing
2060 property conditions, ensuring the quality of Florissant neighborhoods, and controlling changes to
2061 existing structures including additions, remodeling, changes of use, changes of occupancy, and
2062 control of nuisances. The Existing Structures Code shall consist of the following codes, as
2063 published by the International Code Council, under these organizational Articles and Sections:
2064 Article I, Section 510.010 the Property Maintenance Code; Article II, Section 510.025 the
2065 Existing Buildings Code; Article III, Section 510.040 Occupancy Permits and Transfer of
2066 Ownership; Article IV, Section 510.090 Notification Of New Electric Customers; Article V,
2067 Section 510.070 Vacant Residential Structure Fee; Article VI, Section 510.080 Registration Of
2068 Vacant Residential Buildings; and Article VII, Section 510.060 Abatement of Contamination

2069 Due To Production of Methamphetamine. All appendices, additions, insertions, deletions and
2070 changes to each code section are set out under its related Article or Section below.

2071 **Section 510.005 Jurisdictional Titles.**

2072 Throughout the City of Florissant Existing Structures Code, wherever the terms "Name of
2073 Jurisdiction" or "Local Jurisdiction" appear, it shall be deemed to mean "City of Florissant";
2074 likewise wherever the term "Department of Building Inspection", "department of building
2075 safety", "the applicable governing authority", "department of property maintenance", or
2076 "authority having jurisdiction" appears, it shall be deemed to mean "City of Florissant Building
2077 Department". The terms "code official", "building official", "fire code official" or "supervisor
2078 of electrical inspection" shall refer to the Building Commissioner of the City of Florissant.

2079 **Section 510.008 Penalties.**

2080 Any person, firm, corporation, Limited Liability Company or other business entity who shall
2081 violate any provision of this code shall be subject to the penalties of **Section 100.080** of the Code
2082 of Ordinances of the City of Florissant.

2083 **ARTICLE I. PROPERTY MAINTENANCE CODE.**

2084 **Section 510.010 International Property Maintenance Code Adopted.**

2085 The International Property Maintenance Code, **2018** Edition, as published by the International
2086 Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period
2087 of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection
2088 and examination, and a copy of which is attached hereto and incorporated by this reference as if
2089 fully set forth herein, is hereby adopted as the Property Maintenance Code of the City of
2090 Florissant, Missouri, subject to the amendments, additions, insertions, deletions and changes set
2091 out in **Section 510.020** of this Chapter.

2092 **Section 510.020 Additions, Insertions, Deletions and Amendments.**

2093 The following numbered Sections and Subsections of the International Property Maintenance
2094 Code, **2018** Edition, as published by the International Code Council, Inc., are hereby amended by
2095 additions, insertions, deletions and amendments so that such Sections and Subsections shall read
2096 as follows:

2097 **Section 101.1 Title (Amended):** These regulations shall be known as the Property Maintenance
2098 Code of the City of Florissant, Missouri, hereinafter referred to as "this code".

2099 **Section 102.3 Application of Other Codes (Amended):** Repairs, additions or alterations to a
2100 structure, or changes of occupancy, shall be done in accordance with the procedures and
2101 provisions of the International Building Code, International Existing Building Code,
2102 International Energy Conservation Code, International Fire Code, International Fuel Gas Code,
2103 International Mechanical Code, International Residential Code, International Plumbing Code and

2104 NFPA 70. Repairs, additions, or alterations to a structure, or changes of occupancy or use, shall
2105 be done in accordance with the procedures and provisions of the Code of Ordinances of the City
2106 of Florissant.

2107 **Section 103.1 General (Amended):** The Building Department, a division of the Public Works
2108 Department, shall be responsible for the administration of this code under the supervision of the
2109 Building Commissioner and Director of Public Works.

2110 **Section 103.2 (Deleted).**

2111 **Section 103.5 Fees (Amended):** The fees for activities and services performed by the department
2112 in carrying out its responsibilities under this code shall be in accordance with the fee schedule as
2113 established by the City of Florissant, Missouri. Fees for occupancy permits and inspections shall
2114 be according to **Section 500.040** of the City of Florissant Code of Ordinances. Fees for vacant
2115 residential structures shall be according to **Section 500.070** of the City of Florissant Code of
2116 Ordinances.

2117 **Section 104.6 Department Records (Amended):** The *building official* or his designee shall keep
2118 records of all business and activities of the department specified in the provisions of this code,
2119 for the length of time required by the State of Missouri. Such records shall be available to public
2120 inspection at all appropriate times after receipt by the City Clerk of a written request for
2121 information.

2122 **Section 106.4 Penalty (Amended):** Any person, firm, corporation, Limited Liability Company or
2123 other business entity who shall violate any provision of this code shall be subject to the penalties
2124 of **Section 100.080** of the Code of Ordinances of the City of Florissant.

2125 **Section 107.3 Method of Service (Amended).** Such notice shall be deemed to be properly served
2126 upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof
2127 is:

2128 1. Delivered personally by leaving the notice with a responsible party of suitable age and
2129 discretion;

2130 2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service,
2131 UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent
2132 known address or the mailing address according to the real estate property records of St.
2133 Louis County Missouri.

2134 3. A copy thereof may be posted in a conspicuous place in or about the structure affected by
2135 such notice.

2136 **Section 107.6.1 Condominium conversion (Added):** It shall be unlawful for the owner of any
2137 rental building containing two or more units to convert an existing rental building or unit into a
2138 condominium unless the owner has received authorization from the building official and
2139 complied with all applicable regulations.

2140 **Section 108.1.6 Utilities (Added).** Each dwelling and/or dwelling unit shall have all the basic
2141 continuous utility services as a matter of public health and safety which shall include electrical
2142 service, natural or propane gas service (or other acceptable heating ability), potable drinking
2143 water service, sanitary sewer service or a fully functional septic sewer system, and solid waste
2144 (garbage, rubbish, trash) collection service for an approved occupancy.

2145 **Section 108.4 Placarding (Amended).** Upon failure of the *owner*, owner's authorized agent or
2146 person responsible to comply with the notice provisions within the time given, the *code official*
2147 shall post on the *premises* or on defective equipment a placard bearing appropriate wording as
2148 designated by the code official and a statement of the penalties provided for occupying the
2149 premises, operating the equipment or removing the placard.

2150 **Section 109.1 Imminent Danger (Amended).** When, in the opinion of the *code official*, there is
2151 *imminent danger* of failure or collapse of a building or structure that endangers life, or when any
2152 structure or part of a structure has fallen and life is endangered by the occupation of the structure,
2153 or when there is actual or potential danger to the building *occupants* or those in the proximity of
2154 any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes,
2155 gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby
2156 authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith.
2157 The *code official* shall cause to be posted at each entrance to such structure a notice limiting the
2158 structure's use and occupancy bearing appropriate wording as designated by the *code official*. It
2159 shall be unlawful for any person to enter such structure except for the purpose of securing the
2160 structure, making the required repairs, removing the hazardous condition or of demolishing the
2161 same.

2162 **Section 110 Demolition (Deleted).**

2163 **Sections 111.1 through Section 111.6.2 (Deleted)**

2164 **Section 111.1 Property Maintenance Code Board of Appeals (Added).** The Property
2165 Maintenance Code Board shall consist of five (5) members, all of whom shall be residents of the
2166 City and appointed by the City Council, shall not be employees of the City of Florissant, and
2167 who are qualified by experience and training to pass on matters related to the Property
2168 Maintenance Code. The term of office of the members of the Board shall be three (3) years and
2169 those presently in office shall serve the remaining time of their particular appointment.
2170 Vacancies shall be filled for the unexpired term only. The board shall elect its own Chairman and
2171 Secretary who shall serve for one (1) year. The Board shall adopt from time to time such rules
2172 and regulations as it may deem necessary to carry into effect the provisions of this Chapter.

2173 **A.** The Board shall have the jurisdiction to:

2174 **1.** Hear and decide appeals where it is alleged that there is error in any order,
2175 requirement, decision or determination made by the building official;

2176 **2.** Authorize a variance from the strict application of any provision of this code where a
2177 property owner can show that this would result in exceptional practical difficulties and

2178 particular hardship, if such relief can be granted without substantial detriment to the
2179 public welfare and without substantially impairing the general purpose and intent of this
2180 Chapter.

2181 **B.** Any person claiming to be aggrieved by any order, requirement, decision or determination
2182 made by the Enforcement Official hereunder or seeking a variance from the provisions of this
2183 Chapter shall have the right to appeal to the Board. Such appeal shall be initiated within thirty
2184 (30) calendar days after receipt of notice of non-compliance. Upon the filing of a notice of
2185 appeal or request for variance, the Enforcement Official shall forthwith submit to the Board all
2186 papers constituting the record upon which the action appealed from or request for variance was
2187 taken. An appeal stays all proceedings in furtherance of the action appealed from unless the
2188 Enforcement Official certifies to the Board that, by reason of facts stated in the certificate, a stay
2189 would, in his/her opinion, cause imminent peril to life or property. In such case, the proceeding
2190 shall not be stayed. The board shall fix a reasonable time for the hearing of the appeal or request
2191 for variance, give public notice thereof, as well as due notice to the parties in interest and decide
2192 same within a reasonable time. At such hearing, any party may appear in person or by agent or
2193 attorney.

2194 **C.** All hearings of the Board shall be open to the public. The Board shall keep minutes of its
2195 proceedings, showing the vote of each member on each question or if absent or failing to vote,
2196 indicating such fact and shall keep records of its examinations and other official actions, all of
2197 which shall be immediately filed with the City Clerk and shall be a public record.

2198 **D.** In exercising its authority, the Board may reverse or affirm, in whole or part, or may modify
2199 the order, requirement, decision or determination appealed from and may make such order,
2200 requirement, decision or determination as ought to be made.

2201 ***Section 112.4 Failure to comply (Amended).*** Any person who shall continue any work after
2202 having been served with a stop work order, except such work as that person is directed to
2203 perform to remove a violation or unsafe condition, shall be liable to the penalties of **Section**
2204 **100.080** of the Code of Ordinances of the City of Florissant and shall be subject to the fees listed
2205 in **Section 500.010**.

2206 ***Section 202 GENERAL DEFINITIONS (Amended):***

2207 ***CHANGE OF OCCUPANCY (Added).*** Any circumstances wherein the composition of the
2208 residents or tenants of a building changes either through the sale, lease, rental, or other provision
2209 for the transfer of any structure.

2210 ***FAMILY (Added):***

- 2211 **1.** An individual living as a single non-profit, housekeeping unit in a dwelling unit; orAn
2212 individual living as a single non-profit, housekeeping unit in a dwelling unit; or
- 2213 **2.** Two (2) individuals or married couple and the children thereof, including adopted
2214 children, foster children and grandchildren, and no more than two (2) other persons

- 2215 related to the individuals or married couple by blood or marriage and no more than two
2216 (2) other individuals; or
- 2217 3. A group of not more than four (4) persons not related by blood or marriage and not living
2218 as a group home but living together as a single housekeeping unit in a dwelling unit as
2219 distinguished from a boarding house; or
- 2220 4. A group of nine (9) or fewer unrelated mentally or physically handicapped persons
2221 (group home), excluding supervisory persons acting as house parents or guardians, who
2222 need not be related to each other or to any of the mentally or physically handicapped
2223 individuals residing in a dwelling unit as distinguished from a boarding house.

2224 **PUBLIC NUISANCE:** A public nuisance includes:

- 2225 1. The physical condition or use of any premises regarded as a public nuisance at common
2226 law; or
- 2227 2. Any physical condition, use or occupancy of any premises or its appurtenances
2228 considered an attractive nuisance to children including, but not limited to, abandoned
2229 wells, shafts, basements, excavations and unsafe fences or structures; or
- 2230 3. Any premises which have unsanitary sewerage or plumbing facilities; or
- 2231 4. Any premises designated as unsafe for human habitation or use; or
- 2232 5. Any premises which are manifestly capable of being a fire hazard or are manifestly
2233 unsafe or unsecure as to endanger life, limb or property; or
- 2234 6. Any premises from which the plumbing, heating and/or facilities required by this Code
2235 have been removed or from which utilities have been disconnected, destroyed, removed
2236 or rendered ineffective or the required precautions against trespassers have not been
2237 provided; or
- 2238 7. Any premises which are unsanitary or which are littered with rubbish or garbage or which
2239 have an uncontrolled growth of weeds; or
- 2240 8. Any structure or building that is in a state of dilapidation, deterioration or decay; faulty
2241 construction; overcrowded, open, vacant or abandoned; damaged by fire to the extent as
2242 to not provide shelter, in danger of collapse or failure and is dangerous to anyone on or
2243 near the premises.
- 2244 9. All trees or parts thereof in a dead or dying condition or living trees which are hazardous.

2245 **Section 302.4 Weeds. (Amended).** Premises and exterior property shall be maintained free from
2246 weeds or plant growth in excess of **eight (8) inches**. Noxious weeds shall be prohibited. Weeds
2247 shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided:
2248 however, this term shall not include cultivated flowers and gardens.

2249 Upon failure of the owner or agent having charge of a property to cut and destroy weeds
2250 after service of a notice of violation, they shall be subject to prosecution in accordance with

2251 **Section 106.3 and 106.4** of this code and as prescribed by the authority having jurisdiction,
2252 Upon failure to comply with the notice of violation, any duly authorized employee of the
2253 jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the
2254 weeds growing thereon, and the costs of such removal shall be paid by the owner or agent
2255 responsible for the property.

2256 **Section 302.10 Maintenance of Trees (Added).** All trees or parts thereof in a dead or dying
2257 condition or living trees which are hazardous are hereby declared to be public nuisances and no
2258 person owning, in control of, or occupying property wherein such trees are located shall possess
2259 or keep such trees.

2260 **Section 303.2 Enclosures (Amended).** Private swimming pools, hot tubs and spas, containing
2261 water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or
2262 barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on
2263 the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing
2264 and self-latching. Where the self-latching device is not less than 54 inches (1372 mm) above the
2265 bottom of gate, the release mechanism shall be located on the pool side of the gate. Self-closing
2266 and self-latching gates shall be maintained such that the gate will positively close and latch when
2267 released from an open position of 6 inches (152 mm) from the gatepost. An existing pool
2268 enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a
2269 safety barrier.

2270 **Exceptions:**

- 2271 1. Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt
2272 from the provisions of this section.
- 2273 2. Pools, spas, and hot tubs which were properly installed under a Florissant building permit
2274 shall be required to be surrounded by a fence or guard at least 42" in height according to
2275 the code under which it was permitted as long as the original structure remains. In the
2276 event of permitted repair or replacement then the pool guard must comply with the
2277 current building code.

2278 **Section 304.3.1 Buildings with Rear Alleys (Added):** Buildings with alleys, drives, or public
2279 ways at the rear shall have approved address numbers placed at the rear of the property so as to
2280 be visible from the rear of the building.

2281 **Section 304.6 Exterior Walls (Amended).** Exterior walls shall be free from holes, breaks, and
2282 loose or rotting materials; and maintained weatherproof and properly surface coated where
2283 required to prevent *deterioration*. Exterior coverings must match the existing in appearance,
2284 color, texture and profile so as not to promote visual blight and shall be constructed in a
2285 workmanlike manner.

2286 **Section 304.7 Roofs and drainage (Amended).** The roof and flashing shall be sound, tight and
2287 not have defects that admit rain. Roof drain-age shall be adequate to prevent dampness or
2288 *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts
2289 shall be maintained in good repair and free from obstructions. Roof water shall not be discharged

2290 in a manner that creates a public nuisance. Roof coverings must match the existing in
2291 appearance, color, texture and profile so as not to promote visual blight and shall be constructed
2292 in a workmanlike manner.

2293 ***Section 304.10 Stairways, Decks, Porches, Balconies and other Walking Surfaces (Amended).***
2294 Every stair, ramp, balcony, porch, deck or other walking surface, and all appurtenances attached
2295 thereto, shall be maintained structurally sound, in good repair, with proper anchorage and
2296 capable of supporting the imposed loads. Every stair shall have uniform risers and treads. Every
2297 stair, porch or fire escape shall be maintained free of unsafe conditions. No required exit stairs or
2298 fire escape may be blocked by any material at any time.

2299 ***Section 304.14 Insect screens. (Deleted)***

2300 ***Section 304.16 Basements Stairwells and Hatchways (Amended).*** Every basement hatchway
2301 shall be kept free of debris and standing water and maintained to prevent the entrance of rodents,
2302 rain and surface drainage water.

2303 ***Section 304.20 Accessory Structures (Added).*** Existing accessory structures shall be properly
2304 maintained so as not to obstruct light or ventilation of any dwelling unit or obstruct a safe means
2305 of egress or access to any dwelling unit or create fire and safety hazards or provide rodent or
2306 insect harborage. Accessory structures shall be functional, maintained in a state of good repair
2307 and properly constructed subject to review and approval by the *building official*.

2308 ***Section 305.3.1 Hallways, Basement Storage, and Common Areas (Added).*** The interior
2309 hallways, stairwells, laundry rooms, basements and designated storage areas, and other common
2310 areas in all multi-family buildings must be kept in a clean and sanitary manner, and free of
2311 debris. Flooring must be properly maintained. Storage must be neatly stacked at least three (3)
2312 feet from any mechanical equipment. At least a three (3) foot clear passage to the exit or stairway
2313 doors must be provided. No flammable or noxious liquids may be stored in the basement or other
2314 common areas.

2315 ***Section 305.4 Stairs and Walking Surfaces (Amended).*** All interior stairs and railings shall be
2316 maintained in good repair, structurally sound and in a sanitary condition and free of stored items
2317 or other unsafe conditions.

2318 ***Section 307.1.1 Multi-Family Dwellings (Added).*** Handrails and guardrails that do not comply
2319 with this Code at the time of adoption may be granted grace period of up to twelve months by the
2320 Building Commissioner upon review of a plan to comply submitted by the owner or responsible
2321 party.

2322 ***Section 404.4.1 Room Area (Amended).*** Every living room shall contain not less than 120 square
2323 feet (11.2 m²) and every bedroom shall contain not less than 70 square feet (6.5 m²) and every
2324 bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m²) of
2325 floor area for each occupant thereof with a maximum of 3 occupants permitted for each
2326 bedroom.

2327 **Section 602.3 Heating Supply (Amended).** Every owner and operator of any building who rents,
2328 leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied,
2329 to furnish heat to the *occupants* thereof shall supply heat to maintain a minimum temperature of
2330 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

2331 **Exceptions:**

- 2332 1. When the outdoor temperature is below the winter outdoor design temperature for the
2333 locality, maintenance of the minimum room temperature shall not be required provided
2334 that the heating system is operating at its full design capacity. The winter outdoor design
2335 temperature for the locality shall be as indicated in Appendix D of the *International*
2336 *Plumbing Code*.
- 2337 2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum
2338 temperature of 65°F (18°C) shall be maintained

2339 **Section 602.4 Occupiable Work Spaces (Amended).** Indoor occupiable work spaces shall be
2340 supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the
2341 spaces are occupied.

2342 **Exceptions:**

- 2343 1. Processing, storage and operation areas that require cooling or special temperature
2344 conditions.
- 2345 2. Areas in which persons are primarily engaged in vigorous physical activities

2346 **Section 605.2 Receptacles (Amended):** Every *habitable space* in a dwelling shall contain not less
2347 than two separate and remote receptacle outlets. Every laundry area shall contain not less than
2348 one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every
2349 *bathroom* shall contain not less than one receptacle. All newly installed receptacle outlets shall
2350 be grounded and have ground fault circuit interrupter protection where required by the Florissant
2351 Residential Code. All receptacle outlets shall have the appropriate faceplate cover for the
2352 location. In two-wire circuits without a grounding conductor which are original to the home, a
2353 new two-prong receptacle is permitted to be installed where a two-prong receptacle was
2354 originally installed in lieu of a ground fault circuit interrupter.

2355 **Section 605.4 Wiring (Amended).** Flexible cords shall not be used for permanent wiring, or for
2356 running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings. All
2357 wiring must be maintained in a safe condition and properly secured to framing members.

2358 **Section 702.5 Corridor Enclosure (Added):** All corridors serving more than one occupant or
2359 tenant, and openings therein, shall provide an effective barrier to resist the movement of smoke.
2360 All transoms, louvers, doors and other openings shall be self-closing.

2361 **Exceptions:**

2362 1. Louvers or grills for the movement of conditioned air shall be permitted in exit access
2363 corridor enclosure walls or doors, provided an approved smoke detection system is
2364 installed in the corridor. The smoke detection system shall sound an audible alarm in
2365 the building. This exception shall not apply to openings into exit stairway enclosures.

2366 **Section 703.2 Opening Protectives (Amended).** All required opening protectives, fire doors and
2367 smoke barriers shall be maintained in good working order, including all hardware necessary for
2368 the proper operation thereof. Fire doors shall not be blocked, obstructed or held open by any
2369 means.

2370 **Section 703.3.4 Dwelling-garage fire separation (Added).** In one and two-family dwellings
2371 attached garage separation wall must comply with International Residential Code Section 302.6.

2372 **Section 704.6.1 Where required (Amended).** Existing Group I-1 and R occupancies shall be
2373 provided with single-station smoke alarms in accordance with **Sections 704.6.1.1** through
2374 **704.6.1.4**. Interconnection and power sources shall be in accordance with **Sections 704.6.2** and
2375 **704.6.3**.

2376 **Exceptions:**

- 2377 1. (Deleted)
- 2378 2. (Deleted)
- 2379 3. Where smoke detectors connected to a fire alarm system have been installed as a
2380 substitute for smoke alarms.

2381 **Section 704.6.1.1 Group R-1 (Amended).** Single- or multiple-station smoke alarms shall be
2382 installed in all of the following locations in Group R-1:

- 2383 1. In sleeping areas.
- 2384 2. In every room in the path of the means of egress from the sleeping area to the door
2385 leading from the sleeping unit.
- 2386 3. (Amended) In each story within the sleeping unit, including basements.

2387 **Section 704.6.1.2 Groups R-2, R-3, R-4 and I-1 (Amended).** Single or multiple-station smoke
2388 alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant
2389 load at all of the following locations:

- 2390 1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of
2391 bedrooms.
- 2392 2. In each room used for sleeping purposes.
- 2393 3. (Amended) In each story within a dwelling unit, including basements but not including
2394 crawl spaces and uninhabitable attics.

2395 **Section 704.6.2 Interconnection** (Amended). Where more than one smoke alarm is required to
2396 be installed within an individual dwelling or sleeping unit, the smoke alarms shall be
2397 interconnected in such a manner that the activation of one alarm will activate all of the alarms in
2398 the individual unit. Physical interconnection of smoke alarms shall not be required where listed
2399 wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall
2400 be clearly audible in all bedrooms over background noise levels with all intervening doors
2401 closed.

2402 **Exceptions:**

- 2403 1. Interconnection is not required in buildings that are not undergoing alterations, repairs or
2404 construction of any kind.
- 2405 2. (Amended) Smoke alarms in existing areas are not required to be interconnected where
2406 alterations or repairs do not result in the removal of interior wall or ceiling finishes.

2407 **Section 704.6.3 Power source** (Amended). Single-station smoke alarms shall receive their
2408 primary power from the building wiring provided that such wiring is served from a commercial
2409 source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are
2410 not equipped with battery backup shall be connected to an emergency electrical system. Smoke
2411 alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a
2412 disconnecting switch other than as required for overcurrent protection.

2413 **Exceptions:**

- 2414 1. Smoke alarms are permitted to be solely battery operated in existing buildings where no
2415 construction is taking place.
- 2416 2. Smoke alarms are permitted to be solely battery operated in buildings that are not served
2417 from a commercial power source.
- 2418 3. (Amended) Smoke alarms are permitted to be solely battery operated in existing areas of
2419 buildings undergoing alterations or repairs that do not result in the removal of interior
2420 walls or ceiling finishes **exposing the structure**.

2421

2422

ARTICLE II. EXISTING BUILDING CODE.

2423 **Section 510.030 International Existing Building Code Adopted.**

2424 The International Existing Building Code, 2018 Edition, including appendixes A2, A3, A4, A5,
2425 A6, B, C1, C2, and Resource A as published by the International Code Council, Inc., one (1)
2426 copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to
2427 the adoption of this Chapter and available for public use, inspection and examination, and a copy
2428 of which is attached hereto and incorporated by this reference as if fully set forth herein, is
2429 hereby adopted as the Existing Building Code of the City of Florissant, Missouri, subject to the
2430 amendments, additions, insertions, deletions and changes set out in **Section 510.035** of this
2431 Chapter.

2432 **Section 510.040 Additions, Insertions, Deletions and Amendments.**

2433 The following numbered Sections and Subsections of the International Existing Building Code,
2434 2018 Edition, including appendixes A2, A3, A4, A5, A6, B, C1, C2, and Resource A as
2435 published by the International Code Council, Inc., are hereby amended by additions, insertions,
2436 deletions and amendments so that such Sections and Subsections shall read as follows:

2437 ***Section 101.1 Title (Amended):** These regulations shall be known as the Existing Building Code*
2438 *of the City of Florissant, Missouri, hereinafter referred to as "this code".*

2439 ***Section 103.1 Creation of enforcement agency (Deleted).***

2440 ***Section 105.1.1 Annual permit (Deleted).***

2441 ***Section 105.1.2 Annual permit records (Deleted).***

2442 ***Section 105.2 Work exempt from permit (Amended).*** Work exempt from a permit shall comply
2443 with the Florissant Building Code and Florissant Residential Code respectively.

2444 ***Section 105.2.1 Emergency Repairs (Amended).*** Where equipment or system replacements
2445 and/or repairs must be performed in an emergency situation, the permit application shall be
2446 submitted within forty-eight (48) working hours of said repair or replacement.

2447 ***Section 108.2 Schedule of permit fees (Amended).*** The fees for all work on existing buildings
2448 shall be paid in accordance with the fee schedule as established by the City of Florissant,
2449 Missouri.

2450 ***Section 112.1 General (Amended).*** In order to hear and decide appeals of orders, decisions, or
2451 determinations made by the *building official* relative to the application and interpretation of this
2452 code, The Board of Appeals shall be the Planning and Zoning Commission as established by the
2453 Code of Ordinances of the City of Florissant in **Section 11.1**.

2454 ***Section 112.3 Qualifications (Deleted).***

Section 113.4 Violation Penalties (Amended). Any person, firm, corporation, limited liability company or other business entity who shall violate any provision of this code shall be subject to the penalties of **Section 100.080** of the Code of Ordinances of the City of Florissant.

Section 115.4 Method of Service (Amended): Such notice shall be deemed to be properly served upon the owner, owner's agent or upon the person responsible for the structure if a copy thereof is:

1. Delivered personally by leaving the notice with a responsible party of suitable age and discretion;
2. Delivered by regular mail, certified mail, first class mail, registered mail, courier service, UPS, FedEx, Amazon, or any similar service with delivery confirmation, to the most recent known address or the mailing address according to the real estate property records of St. Louis County Missouri.
3. A copy thereof may be posted in a conspicuous place in or about the structure affected by such notice.

ARTICLE III. SECTION 510.050. OCCUPANCY PERMITS AND TRANSFER OF OWNERSHIP.

A. Applicability. This Section shall not apply to any occupancy in existence at the time of the adoption of this Chapter and until a change of occupancy occurs as defined in the Property Maintenance Code.

B. Requirements. Except as otherwise provided, it shall be unlawful for any person, corporation, business or family to occupy or for any owner or agent thereof to permit the occupancy of any building, tenant space, structure, dwelling, dwelling unit or addition thereto or part thereof for any purpose until an occupancy permit has been issued by the Enforcement Official. The occupancy permit which is issued will allow the natural growth of a single family but requires that no dwelling unit shall be occupied by more than a single family, as defined in this Chapter, plus not more than two (2) other persons all living together in the dwelling unit as a single housekeeping unit. The occupancy permit shall not be issued until all violations of this Chapter have been brought into compliance, except as provided in Subsection (F) and its issuance shall be subject to the following occupancy limitations:

1. Single-family occupancy. No dwelling unit, other than a group home permitted under the provisions of the Zoning Code, shall be occupied by more than a single family, as defined in this Chapter, plus not more than two (2) other persons all living together as a single housekeeping unit and shall be subject to square footage.

2. Overcrowding. Dwelling units and group homes shall not be occupied by more occupants than permitted by the minimum area requirement set forth in the Florissant Property Maintenance Code.

C. Fee. Occupancy related fees shall be as follows:

- 2492 **\$75.00**.....One- and two-family dwellings application and 2 inspections.
- 2493 **\$150.00**.....One- and two-family dwellings application and 2 inspections occupied at the time
2494 of the first inspection.
- 2495 **\$50.00**.....Apartment unit application and 2 inspections.
- 2496 **\$100.00**.....Apartment unit application and 2 inspections occupied at the time of the first
2497 inspection.
- 2498 **\$40.00**.....Occupancy permit update (except as a result of the natural growth of a family).
- 2499 **\$100.00**.....Commercial application and inspection less than three thousand (3,000) square
2500 feet building /tenant space.
- 2501 **\$200.00**.....Commercial application and inspection between three thousand (3,000) and fifty
2502 thousand (50,000) square feet building / tenant space.
- 2503 **\$300.00**.....Commercial application and inspection over fifty thousand (50,000) square feet
2504 building/tenant space.
- 2505 **\$50.00**.....Commercial or residential occupancy permit issuance.
- 2506 **\$50.00**.....Occupancy permit extension after review and approval.
- 2507 **\$50.00**.....Conditional or temporary occupancy permit after review and approval.
- 2508 **\$50.00**.....Extra inspections over and above the application allowance of 2 inspections.
- 2509 The above fees shall also cover the first (1st) reinspection in the event a reinspection is necessary
2510 following the initial inspection. In the event further reinspections are necessary to secure an
2511 occupancy permit or to comply with the terms of a conditional occupancy permit, each such
2512 reinspection after the first (1st) reinspection shall require an additional fee of fifty dollars
2513 (**\$50.00**) per reinspection.
- 2514 ***D. Report Change of Occupancy.*** Every building, structure, tenant space or dwelling unit in
2515 which a change of occupancy is to occur must be reported by the owner to the *building official* so
2516 that the Enforcement Official may inspect the structure according to the provisions of this
2517 Chapter. Failure to make such a report shall constitute a violation of this Chapter and the person
2518 responsible for the failure shall be subject to the penalties of this Chapter.
- 2519 ***E. Responsibilities of Real Estate Brokers.*** All real estate brokers and agents and similar
2520 businesses and owners of buildings, structures, tenant spaces, dwelling units or multiple-family
2521 dwelling units shall report each change occupancy as defined in this Chapter so that the
2522 Enforcement Official may inspect the unit according to the provisions of this Chapter. Failure to

2523 register or make such a report shall constitute a violation of this Chapter and the person
2524 responsible for the failure shall be subject to the penalties of this Chapter.

2525 ***F. Conditional Occupancy Permit.*** A conditional occupancy permit may be issued by the
2526 Enforcement Official if, in his/her judgment, any deficiencies in structures covered by this
2527 Chapter would not demonstrate a visual blight or seriously endanger the health or safety of the
2528 occupants or of the community and provided that in the case of an owner-occupant an affidavit
2529 stating that he/she will correct deficiencies within a specific time and in the case of an owner-
2530 non-occupant an affidavit stating that the owner will correct deficiencies within a specified time
2531 and thus bring the structure into compliance with the provisions of this Chapter. The occupant,
2532 who may be the owner or a renter as the case may be, may occupy the space while repairs are
2533 being made. At such time and within the period covered by the affidavit furnished as the space
2534 complies with all the provisions of this Chapter an occupancy permit will be issued as provided
2535 above. In the event that repairs are not completed within the specified time the City may revoke
2536 the occupancy permit and peruse further action allowable by this chapter. The fee for a
2537 conditional or temporary occupancy permit shall be fifty dollars (\$50.00).

2538 ***G. Inspection of Occupancy Records.*** Every owner and managing agent of a multiple-family
2539 dwelling shall, upon request of the Enforcement Official, make available for inspection by the
2540 Enforcement Official its records of occupancy and all changes of occupancy of the dwelling
2541 units within such multiple-family dwelling.

2542 ***H. Notice of Requirement Of Occupancy Permit To Be Posted.*** The Enforcement Official shall
2543 provide to the owner or managing agent of every multiple-family dwelling a sign specifying that
2544 an occupancy permit is required to be issued prior to the occupation of any dwelling unit. Upon
2545 receipt of such sign, the owner or managing agent shall post and maintain the sign in a
2546 conspicuous place in the rental office of such multiple-family dwelling and if such rental office
2547 is not at the same location as the multiple-family dwelling, such owner or managing agent shall
2548 also post the sign in the common entry area of each multiple-family dwelling. Failure to post and
2549 maintain this sign shall constitute a violation and the person responsible for such failure shall be
2550 subject to the penalties of this Chapter.

2551 ***I. Occupancy Permits, Non-Residential Structures.*** It shall be unlawful for any person, owner
2552 or operator to occupy or use or to permit occupancy or use of any premises for any purpose until
2553 an occupancy permit has been issued by the *building official*. No such permit shall be issued
2554 unless said premises has been inspected by the *building official* or his designee and the premises
2555 is in compliance with this code. All commercial occupancy permits shall require the review and
2556 approval of the local Fire Marshal. All commercial occupancy permits must be reviewed and
2557 approved for use and classification according to the Building Code and Existing Building Code
2558 as well as Florissant Zoning Code.

2559 ***J. Inspections Required by a Home Improvement Program.*** Where an inspection is a
2560 requirement of a specific home improvement program the building official is authorized and
2561 directed to make inspections to determine whether dwellings, dwelling units, rooming units,
2562 accessory structures and premises located within the City conform to the requirements of this
2563 Chapter. This inspection shall not constitute a requirement for occupancy. For the purpose of

2564 making such inspections, the building official is authorized at reasonable times to enter, examine
2565 and survey all dwellings, dwelling units, rooming units, accessory structures and premises with
2566 the consent of the owner or occupant thereof. The inspection contemplated under this subsection
2567 shall remain valid for a period of one hundred twenty (120) days from the date of initial
2568 inspection provided that there is no change in occupancy or the building has remained vacant
2569 during the one hundred twenty (120) day period. Extensions of time may be granted at the
2570 discretion of the *building official* or his/her designated representative.

2571 ***K. Expiration of Occupancy Inspection and Permit.*** Any occupancy permit process shall
2572 become invalid one hundred and twenty (120) days after the initial inspection date. The
2573 occupancy permitting process must be completed and permit obtained within this timeframe
2574 unless an extension is granted after review by the *building official*. Fees for extensions shall be
2575 fifty dollars (\$50).

2576 **Section 510.055 Emergency Measures.** [Code 1980 §6-68; CC 1990 §5-152]

2577 A. When any dwelling unit has become so damaged by fire, wind or other causes or has
2578 become so unsafe, unhealthful or unsanitary that, in the opinion of the Enforcement
2579 Official, life or health is immediately endangered by the occupation of the dwelling unit, the
2580 Enforcement Official is hereby authorized and empowered to revoke without notice any
2581 occupancy permit for such dwelling unit and to order and require the occupants to vacate
2582 the dwelling unit forthwith and to order the owner or agent to proceed immediately with the
2583 corrective work and repairs required to make the dwelling unit safe and fit for human
2584 habitation, whether or not a notice of violation has been given as described in this Chapter
2585 and whether or not legal procedures described by City ordinances have been instituted.

2586 B. If the Enforcement Official determines that there is an immediate danger to the health,
2587 safety or welfare of any person, he/she may take emergency measures to vacate and repair
2588 the structure or otherwise remove the immediate danger.

2589 C. Written notice shall be given to the owner, occupant, lessee, mortgagee, agent and all other
2590 persons having an interest in such building or structure as promptly as possible. The cost of
2591 any such emergency work shall be collected in the same manner as provided by this
2592 Chapter.

2593 **ARTICLE IV. SECTION 510.060. NOTIFICATION OF NEW ELECTRIC CUSTOMERS**

2594 [CC 1990 §5-174; Ord. No. 5676, 11-28-1994]

2595 A. For any month when there is a change of user of residential electric service or non-residential
2596 electric service within the City, AmerenUE shall notify the *building official* of the City in writing
2597 within seven (7) working days after the end of the month of said changes, indicating the address
2598 and apartment or unit number and the name(s) of electric user(s) per service and address and
2599 apartment or unit number in whose name service is connected or billed.

2600 **B.** AmerenUE shall submit annually to the City an invoice for its cost associated with its
2601 compliance with this Chapter. The City shall pay to AmerenUE the amount of the invoice within
2602 thirty (30) days of receipt.

2603 **ARTICLE V. SECTION 510.070. VACANT RESIDENTIAL STRUCTURE FEE**

2604 [Ord. No. 7071 §1, 9-28-2005; Ord. No. 7890 §1, 7-11-2012]

2605 **A.** A semi-annual registration fee of two hundred dollars (**\$200.00**) shall be charged to the owner
2606 of any residential structure, including a structure containing multiple dwelling units, which has
2607 been vacant for six (6) months or more and is in violation of the City's housing codes. In the
2608 event that the registration fee is not paid within thirty (30) days of the receipt of the notice, a lien
2609 may be placed on the property, enforceable as are other liens, by recording in the Office of the
2610 Recorder of Deeds in St. Louis County, a true copy of a statement attested to by the Director of
2611 Finance stating that the fee has remained unpaid and shall constitute a lien for principle and
2612 interest and shall be in full force and effect until final payment has been made. Sworn statements
2613 recorded in accordance with the provisions hereof shall be prima facie evidence that all legal
2614 formalities have been complied with and that the fee is due and owing, and this shall constitute
2615 full notice to every person that the amount of the fees plus interest constitutes a charge against
2616 the property designated in the statement and that the same is due and collectible as provided by
2617 law. In addition to the filing of such lien, or in lieu of filing of such a lien, the City shall have the
2618 right to collect these fees by including the fees on the bill for the payment of real and personal
2619 property taxes and all other taxes due and owing.

2620 **B.** A forty-five dollar (**\$45.00**) inspection fee shall be charged for an inspection to the owner of
2621 any residential structure, including a structure containing multiple dwelling units, which has been
2622 vacant for six (6) months or more and is in violation of the City's housing codes.

2623 **ARTICLE VI. SECTION 510.080. REGISTRATION OF VACANT RESIDENTIAL**
2624 **BUILDINGS**

2625 [Ord. No. 8242 §2, 7-11-2016]

2626 **A.** It is the purpose of this Section to provide for registration of residential buildings that have
2627 been vacant for more than six (6) months.

2628 **B. Registration of vacant buildings:**

2629 **1. Notice of registration.** Notice shall be given to the property owner and managing agent of
2630 record that a "Residential Vacant Property Registration Application" is required; however, the
2631 obligation to register rests solely with the owner whether or not the owner received notice. If
2632 notice is served by mail the notice shall be sent to the owner's and managing agent's last known
2633 address and the date of mailing shall be the date of service and anniversary date of vacancy. A
2634 "Residential Vacant Property Registration Form" will be provided by the Public Works
2635 Department (and can be obtained on line from the City's web site).

2636 **a. *Amount of fee.*** There is hereby established and assessed an annual fee in the amount of two
2637 hundred dollars (**\$200.00**) subject to owners of property to be registered under this Section.

2638 **b. *Owner responsible.*** It shall be the joint and several responsibility of each owner of property
2639 registered pursuant to this Article to pay the annual registration fee.

2640 **c. *Vacant property registration form.*** A "Residential Vacant Property Registration Form" must
2641 be completed and returned with the following information:

2642 **(1)** Name, street address and telephone numbers of the owner or owners and all other parties with
2643 ownership interest in the property.

2644 **(2)** Name, street address and telephone numbers of any registered property manager or any other
2645 responsible person so appointed by the owner.

2646 **(3)** Status of property, vacant or occupied.

2647 **(4)** Utility status.

2648 **(5)** A plan or timeline to establish lawful occupancy, rehabilitation, removal or demolition of the
2649 structure.

2650 **(6)** Renew the vacant property registration each year on the anniversary date of the first filing for
2651 the time the building remains vacant and pay the required fee of two hundred dollars (\$200.00).

2652 **d. *Exemptions.*** "Residential Vacant Property Registration" charges are exempt under the
2653 following circumstances:

2654 **(1)** A property that is actively listed for sale and/or rent, and has a current approved municipal
2655 housing inspection.

2656 **(2)** A property that has suffered damage caused by fire, extreme weather (i.e., tornado, flood,
2657 etc.) or other catastrophe which has rendered the property un-occupiable shall be exempt for a
2658 period of ninety (90) days. If at the end of the 90-day period a building permit has been issued
2659 for the repairs the exemption status will remain for an additional ninety (90) days, subject to
2660 receiving approval of a 90-day extension, and subject to consideration for delays caused by the
2661 insurance provider, arson investigation or properly documented extenuating circumstances.

2662 **(3)** A property that is undergoing rehab or restoration under an approved permit issued by the
2663 City of Florissant.

2664 **(4)** A property that is occupied/owned/rented by a member of the military who is deployed for
2665 military service and is otherwise maintained and secured.

2666 **(5)** A property that is occupied only on a seasonal basis (winter residence, etc.) and is otherwise
2667 maintained, secure and in substantial compliance with all applicable codes, regulations and laws.

2668 **e. *Failure to pay fee unlawful.*** It shall be unlawful for any owner of property registered pursuant
2669 to this Article to fail to pay the registration fee imposed for such property. Any person found
2670 guilty of failing to pay any required fee shall be punished as provided in **Section 100.080** of the
2671 Code of Ordinances.

2672 **f.** The fee shall be paid no later than thirty (30) days after the building is found to be vacant for
2673 six (6) months.

2674 **g.** Fees required by this Section shall be paid in full prior to the issuance of any building or
2675 occupancy permit. Fees shall be paid by the owner prior to any transfer of ownership. In the
2676 event a fee is not paid, a lien may be placed on the property, enforceable as are other liens, by
2677 recording in the Office of the Recorder of Deeds in St. Louis County a true copy of a statement
2678 attested to by the Director of Finance stating that the fee has remained unpaid and shall constitute
2679 a lien for principal and interest and shall be in full force and effect until final payment has been
2680 made.

2681

2682 **ARTICLE VII. SECTION 510.090. ABATEMENT OF CONTAMINATION DUE TO**
2683 **PRODUCTION OF METHAMPHETAMINE.**

2684 [Ord. No. 7873 §1, 3-27-2012]

2685 **A. Purpose.** The purposes of this Section are:

- 2686 1. To adopt standards for identifying dangerous levels of toxic chemicals and residue
2687 associated with the presence or production of methamphetamine; and
- 2688 2. To establish protocols whereby the building safety personnel may cooperate with and rely
2689 on law enforcement and emergency agencies when applying property maintenance and
2690 safety standards to order or cause the abatement of contamination in structures due to the
2691 presence or production of methamphetamine.

2692 **B. Definitions.** For purposes of this Section, the words or terms listed below are defined as
2693 follows:

2694 **DEPARTMENT:** The Department of Public Works of the City of Florissant.

2695 **METHAMPHETAMINE:** Dextro methamphetamine, levo methamphetamine, and unidentified
2696 isomers of the same, any racemic mixture of dextro/levo methamphetamine, or any mixture of
2697 unidentified isomers of methamphetamine. The term includes derivatives, conjugates, oxides and
2698 reduced forms of the basic structure associated with the formation of methamphetamine. For the
2699 purposes of this protocol, this term includes amphetamine, ephedrine and pseudoephedrine.

2700 **QUALIFIED COMPANY OR QUALIFIED CONTRACTOR:** A company or contractor that
2701 tests structures for the presence of unsafe contamination and/or abates such unsafe contamination
2702 and that:

- 2703 1. Complies with the guidelines of the U.S. Environmental Protection Agency Voluntary
2704 Guidelines for Methamphetamine Laboratory Cleanup (August 2009);
- 2705 2. Complies with the regulations of the Occupational Safety and Health Administration of
2706 the United States Department of Labor relating to hazardous waste operations and
2707 emergency response, including 29 Code of Federal Regulations Section 1910.120;
- 2708 3. Requires that at least one (1) employee or supervisor assigned to and on duty at any work
2709 site shall have completed the forty (40) hour Hazardous Waste Operations and
2710 Emergency Response (HAWOPER) training [Occupational Safety and Health
2711 Administration (OSHA) 29 CFR 1910]; and
- 2712 4. Requires its personnel to complete a clandestine drug lab assessment and
2713 decontamination course offered by a sponsor acceptable to a regional drug task force
2714 and/or the department.

2715 **UNSAFE CONTAMINATION:** The presence of chemicals in a structure at levels exceeding
2716 the levels for such chemicals as provided in Subsection (D) below.

2717 **D. Unsafe Contamination.** A structure will be considered unsafe for purposes of the Property
2718 Maintenance Code of the City of **Florissant** if it is found to contain any of the chemicals listed
2719 below at exposure limits above the levels listed below established by the National Institute for
2720 Occupational Safety and Health (NIOSH):

- 2721 1. Red Phosphorus—any amount.
- 2722 2. Iodine Crystals C0.1 ppm (1 mg/m3).
- 2723 3. Sulfuric Acid TWA 1 mg/m3.
- 2724 4. Hydrogen Chloride C 5 ppm (7 mg/m3).
- 2725 5. Hydrochloric Acid (Hcl gas) - C 5 ppm (7 mg/m3).
- 2726 6. Methamphetamine—in a concentration equal to or greater than 1.5 µgram/100 cm2.
- 2727 7. Lead and Mercury—If it is determined that the phenyl-2-propanone (P2P) method of
2728 methamphetamine manufacturing was used, surface levels for lead in excess of 20 µ/ft2
2729 and vapor samples for Mercury in excess of 50 ng/m3.

2730 **E. Closure And Abatement Orders Upon Report And Investigation By Law Enforcement**
2731 **or Emergency Agencies.**

- 2732 1. When a law enforcement or emergency agency reports to the department that a structure
2733 in the City has been used for the production of methamphetamine or as a storage facility
2734 for methamphetamine or chemicals used in the manufacturing of methamphetamine, the
2735 department may order that structure closed pursuant to the emergency measures provided
2736 in the City's property maintenance and/or safety codes. The department shall rescind such
2737 an order if the law enforcement or emergency agency later reports that after testing and
2738 investigation it has not found unsafe contamination in that structure.
- 2739 2. When a law enforcement or emergency agency reports to the department that it has found
2740 unsafe contamination in a structure in the City that has been used for the production of
2741 methamphetamine or as a storage facility for methamphetamine or chemicals used in the
2742 manufacturing of methamphetamine, the department shall order that structure closed
2743 pursuant to the emergency measures provided in the City's property maintenance and/or
2744 safety codes.

2745 **F. Supplementary Notice And Instructions.**

- 2746 1. While closure and abatement orders pursuant to the emergency measures provided in the
2747 City's property maintenance and/or safety codes may be posted, the department shall also
2748 attempt to contact the owner of record of the affected property, or the owner's agent, by
2749 personal service, first class mail or by posting on the property or publication if mail is
2750 returned as undelivered.
- 2751 2. Such notice shall direct the owner to contact the department within twenty (20) calendar
2752 days to establish a schedule for decontaminating the structure, and further advise the
2753 owner that failure to contact the department within that time specified may result in a

request to disconnect utility services in order to ensure that the structure is not re-occupied until it is decontaminated.

3. Such notice shall also inform the owner that if the owner contacts the department within the time specified in the notice, the owner may request to have the structure retested, but such retesting must be performed as follows.

- a. The owner must employ the services of a qualified company or contractor to perform sampling and to analyze the samples.

- b. An inspector for the department must be present when the qualified company or contractor takes samples and the owner shall pay an inspection fee of forty dollars (\$40.00), payment of which must be made prior to the appointment for taking samples.

- c. Sampling and testing shall be performed in accordance with the appropriate sections of the U.S. Environmental Protection Agency Voluntary Guidelines for Methamphetamine Laboratory Cleanup (August 2009).

- d. The qualified company or contractor engaged by the owners must report the results of its analysis of the samples taken to the department.

G. Decontamination.

1. If unsafe contamination exists in a structure, the owner shall hire a qualified contractor or company to decontaminate the structure and advise the department of the schedule for decontamination.

2. The schedule for the work and evidence that the qualified contractor or company meets the requirements of this Section must be submitted for approval to the department within twenty (20) calendar days of the receipt of notice. Approval will be based solely on the timeliness of the schedule and the qualifications of the contractor. Approval or rejection of the schedule will be provided within a reasonable time of submission. If rejected the owner will be informed, in writing, of specific reasons for the rejection and will be required to amend the schedule or the proposed qualified contractor or company. Decontamination shall be performed in accordance with the appropriate sections of the U.S. Environmental Protection Agency Voluntary Guidelines for Methamphetamine Laboratory Cleanup (August 2009).

3. If the owner of property determined to have unsafe contamination fails to voluntarily abate that contamination, the department may serve a notice of violation and proceed in accordance with provisions for abatement of unsafe conditions or structures in the City's property maintenance and/or safety codes. The department may request disconnection of the utility services until the decontamination is complete.

4. Post decontamination sampling. Following the completion of the work, the owner shall notify the department that work is complete and the owner must provide written test results as evidence that the property is compliant with this regulation. The post remediation sampling and testing must be performed by a qualified contractor or company other than and independent of the contractor or company that performed the decontamination, and that sampling and testing must be done in accordance with the

2795 appropriate sections of the U.S. Environmental Protection Agency Voluntary Guidelines
2796 for Methamphetamine Laboratory Cleanup (August 2009).

2797 **H. Final Action.** After the property has been decontaminated and the department is in possession
2798 of evidence that the pertinent chemical levels are below unsafe contamination levels, the
2799 structure will be considered safe and suitable for performance of a full inspection for an
2800 occupancy permit. If utility services have been disconnected, the department will notify the
2801 utilities that the unsafe condition has been mitigated and service can be restored. The property
2802 owner shall be responsible for any reconnection fees.

2803 Section 510.100 through Section 510.190. Reserved.

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2805

ARTICLE VIII. SECTION 510.200. DANGEROUS BUILDINGS

2806

Section 510.210 Purpose and Scope.

2807

It is the purpose of this Chapter to provide a just, equitable and practicable method for the repairing, vacation or demolition of buildings or structures that may endanger the life, limb, health, property, safety or welfare of the occupants of such buildings or the general public, and this Chapter shall apply to all dangerous buildings, as herein defined, that now are in existence or that may hereafter exist in the City of Florissant, Missouri.

2811

2812

Section 510.220 Dangerous Buildings Defined.

2813

A. All buildings or structures that are detrimental to the health, safety or welfare of the residents of the City and that have any or all of the following defects shall be deemed "*dangerous buildings*":

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1. Those with interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.

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2. Those that, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members or fifty percent (50%) damage or deterioration of the non-supporting enclosing or outside walls or covering.

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3. Those that have improperly distributed loads upon the floors or roofs, or in which the same are overloaded, or that have insufficient strength to be reasonably safe for the purpose used.

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4. Those that have been damaged by fire, wind or other causes so as to become dangerous to life, safety or the general health and welfare of the occupants or the people of the City.

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5. Those that are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or welfare of those occupying such building.

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6. Those having light, air and sanitation facilities that are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.

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7. Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other adequate means of evacuation.

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8. Those that have parts thereof that are so attached that they may fall and injure members of the public or property.

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2837

9. Those that because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this City.

2838

2839 **Section 510.230 Dangerous Buildings Declared Nuisance.**

2840 All dangerous buildings or structures, as defined by **Section 510.220** of this Chapter, are hereby
2841 declared to be public nuisances and shall be repaired, vacated or demolished as provided herein.

2842 **Section 510.240 Standards For Repair, Vacation or Demolition.**

2843 A. The following standards shall be followed in substance by the Building Inspector and the
2844 Building Commissioner in ordering repair, vacation or demolition of any dangerous
2845 building.

2846 1. If the dangerous building can reasonably be repaired so that it no longer will exist in
2847 violation of the terms of this Chapter, it shall be ordered repaired.

2848 2. If the dangerous building is in such condition as to make it dangerous to the health,
2849 safety or general welfare of its occupants, it shall be ordered to be vacated and
2850 repaired.

2851 3. In all cases where a building cannot be repaired so that it no longer will exist in
2852 violation of the terms of this Chapter, it shall be demolished.

2853 4. In all cases where a dangerous building is a fire hazard existing or erected in violation
2854 of the terms of this Chapter or any ordinance of this City or Statute of the State of
2855 Missouri, it shall be repaired or demolished.

2856 **Section 510.250 Building Inspector.**

2857 The Code Enforcement Officer and deputies of the *building official* shall be the Building
2858 Inspector(s) within the meaning of this Chapter.

2859 **Section 510.260 Duties of Building Inspector — Procedure and Notice.**

2860 A. The Building Inspector(s) shall have the duty under this Chapter to:

2861 1. Inspect or cause to be inspected, as often as may be necessary, all residential,
2862 institutional, assembly, commercial, industrial, garage, special or miscellaneous
2863 occupancy buildings for the purpose of determining whether any conditions exist that
2864 render such place to be a dangerous building when he/she has reasonable grounds to
2865 believe that any such building is dangerous.

2866 2. Inspect any building, wall or structure about which complaints are filed by any person
2867 to the effect that a building, wall or structure is or may be existing in violation of this
2868 Chapter, and the Building Inspector determines that there are reasonable grounds to
2869 believe that such building is dangerous.

2870 3. Inspect any building, wall or structure reported by the Fire or Police Departments of
2871 this City as probably existing in violation of this Chapter.

2872 4. Notify the owner, occupant, lessee, mortgagee, agent and all other persons having an
2873 interest in the building or structure, as shown by the land records of the Recorder of

2874 Deeds of St. Louis County, of any building or structure found by him/her to be a
 2875 dangerous building or structure within the standards set forth in **Section 510.220**.
 2876 Such notice shall be in writing and shall be given either by personal service or by
 2877 certified mail, return receipt requested, or if service cannot be had by either of these
 2878 modes of service, then service may be had by publication in a newspaper qualified to
 2879 publish legal notices for two (2) consecutive weeks. The notice required shall state
 2880 that:

- 2881 a. The owner must vacate, vacate and repair, or vacate and demolish said
 2882 building and clean up the lot or property on which the building is located in
 2883 accordance with the terms of the notice and this Chapter.
- 2884 b. The occupant or lessee must vacate said building or have it repaired in
 2885 accordance with the notice and remain in possession.
- 2886 c. The mortgagee, agent or other persons having an interest in said building as
 2887 shown by the land records of the Recorder of Deeds of St. Louis County may,
 2888 at his/her own risk, repair, vacate or demolish the building and clean up the
 2889 property or have such work done; provided, that any person notified under this
 2890 Subsection to repair, vacate or demolish any building or clean up the property
 2891 shall be given such reasonable time not exceeding thirty (30) days to
 2892 commence the required work.

2893 5. The notice provided for in this Section shall state a description of the building or
 2894 structure deemed dangerous, a statement of the particulars that make the building or
 2895 structure a dangerous building, a statement indicating that as a dangerous building
 2896 said building or structure constitutes a nuisance, and an order requiring the designated
 2897 work to be commenced within the time provided for in the above Subsection.

2898 6. Report in writing to the City Building Commissioner the non-compliance with any
 2899 notice to vacate, repair, demolish, clean up the property or upon the failure to proceed
 2900 continuously with the work without unnecessary delay.

2901 7. Appear at all hearings conducted by the Building Commissioner and testify as to the
 2902 condition of dangerous buildings.

2903 8. Immediately report to the Building Commissioner concerning any building found by
 2904 him/her to be inherently dangerous and that he/she determined to be a nuisance per
 2905 se. The Building Commissioner may direct that such building be marked or posted
 2906 with a written notice reading substantially as follows: "This building has been found
 2907 to be a dangerous building by the Building Inspector. This notice is to remain on this
 2908 building and/or property until it is repaired, vacated or demolished and the property is
 2909 cleaned up in accordance with the notice that has been given the owner, occupant,
 2910 lessee, mortgagee or agent of this building and all other persons having an interest in
 2911 said building as shown by the land records of the Recorder of Deeds of St. Louis
 2912 County. It is unlawful to remove this notice until such notice is complied with."
 2913 Provided however, that the order by the Building Commissioner and the posting of
 2914 said notice shall not be construed to deprive all persons entitled thereto by this
 2915 Chapter to the notice and hearing prescribed herein.

Section 510.270 Duties of The Building Commissioner. [Ord. No. 7350 §1, 10-26-2006]

A. The Building Commissioner shall have the powers and duties pursuant to this Chapter to:

1. Supervise all inspections required by this Chapter and cause the Building Inspector to make inspections and perform all the duties required of him/her by this Chapter. Upon receiving a complaint or report from any source that a dangerous building exists in the City, the Building Commissioner shall cause an inspection to be made forthwith. If the Building Commissioner deems it necessary to the performance of his/her duties and responsibilities imposed herein, the Building Commissioner may request an inspection and report be made by any other City department or retain services of an expert whenever the Building Commissioner deems such service necessary.
2. Upon receipt of a report from the Building Inspector indicating failure by the owner, lessee, occupant, mortgagee, agent or other persons(s) having an interest in said building to commence work of reconditioning or demolition within the time specified by this Chapter or upon failure to proceed continuously with work without unnecessary delay, hold a hearing giving the affected parties full and adequate hearing on the matter.
3. Give written notice of said hearing, either by personal service or by certified mail, return receipt requested, or if service cannot be had by either of those modes of service, then by publication in a newspaper qualified to publish legal notices, at least ten (10) days in advance of the hearing date, to the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of St. Louis County who may appear before the Director of Public Works on the date specified in the notice to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated or demolished in accordance with the statement of particulars set forth in the Building Inspector's notice as provided herein. Any party may be represented by counsel and all parties shall have an opportunity to be heard.
4. The Director of Public Works will make written findings of fact from the evidence offered at said hearing as to whether or not the building in question is a dangerous building within the terms of **Section 510.220** of this Chapter.
5. If the evidence supports a finding based upon competent and substantial evidence that the building or structure is a dangerous building and a nuisance and detrimental to the health, safety or welfare of the residents of the City, the Director of Public Works shall issue an order based upon its findings of fact commanding the owner, occupant, mortgagee, lessee, agent or other persons(s) having an interest in said building as shown by the land records of the Recorder of Deeds of St. Louis County to repair, vacate or demolish any building found to be a dangerous building and to clean up the property, provided that any person so notified shall have the privilege of either repairing or vacating and repairing said building, if such repair will comply with the ordinances of this City, or may vacate and demolish said dangerous building at his/her own risk to prevent the acquiring by the City of the lien against the land where the dangerous building stands. If the evidence does not support a finding that a

2959 building or structure is a dangerous building or a nuisance or detrimental to the
2960 health, safety or welfare of the residents of the City, no order shall be issued.

2961 6. If the owner, occupant, mortgagee or lessee fails to comply with the order within
2962 thirty (30) days, the Director of Public Works shall cause such building or structure to
2963 be repaired, vacated or demolished and the property cleaned up as the facts may
2964 warrant. If the Director of Public Works or other designated officer or officers issues
2965 an order whereby the building or structure is demolished, secured or repaired, or the
2966 property is cleaned up, the cost of performance shall be certified to the City Clerk or
2967 officer in charge of finance who shall cause a special tax bill or assessment therefor
2968 against the property to be prepared and collected by the City Collector or other
2969 official collecting taxes, unless the building or structure is demolished, secured or
2970 repaired by a contractor pursuant to an order issued by the City and such contractor
2971 files a mechanic's lien against the property where the dangerous building is located.
2972 The contractor may enforce this lien as provided in **Sections 429.010 to 429.360**,
2973 RSMo. Except as provided in **Section 510.180**, at the request of the taxpayer the tax
2974 bill may be paid in installments over a period of not more than ten (10) years. The tax
2975 bill from the date of its issuance shall be deemed a personal debt against the property
2976 owner and shall also be a lien on the property until paid. Said tax bill or assessment
2977 shall bear interest at a rate of eight percent (8%) per annum until paid.

2978 **Section 510.280 Insurance Proceeds — How Handled.**

2979 A. If there are proceeds of any insurance policy based upon a covered claim payment made for
2980 damage or loss to a building or other structure caused by or arising out of any fire, explosion
2981 or other casualty loss, the following procedure is established for the payment of up to twenty-
2982 five percent (25%) of the insurance proceeds as set forth in this Subsection. This Subsection
2983 shall apply only to a covered claim payment that is in excess of fifty percent (50%) of the
2984 face value of the policy covering a building or other structure:

2985 1. The insurer shall withhold from the covered claim payment up to twenty-five percent
2986 (25%) of the covered claim payment and shall pay such monies to the City to deposit
2987 into an interest-bearing account. Any named mortgagee on the insurance policy shall
2988 maintain priority over any obligation under this Chapter.

2989 2. The City shall release the proceeds and any interest that has accrued on such proceeds
2990 received under Subdivision (1) of this Subsection to the insured or as the terms of the
2991 policy and endorsements thereto provide within thirty (30) days after receipt of such
2992 insurance monies, unless the City has instituted legal proceedings under the
2993 provisions of Subsection (6) of **Section 510.270**. If the City has proceeded under the
2994 provisions of Subsection (6) of **Section 510.270**, all monies in excess of that
2995 necessary to comply with the provisions of Subsection (6) of **Section 510.270** for the
2996 removal, securing, repair and clean up of the building or structure and the lot on
2997 which it is located, less salvage value, shall be paid to the insured.

2998 B. If there are no proceeds of any insurance policy as set forth in Subsection (A) of this Section,
2999 at the request of the taxpayer the tax bill may be paid in installments over a period of not
3000 more than ten (10) years. The tax bill from the date of its issuance shall be a lien on the
3001 property and a personal debt against the property owner(s) until paid.

- 3002 C. This Section shall apply to fire, explosion or other casualty loss claims arising on all
3003 buildings and structures.
- 3004 D. This Section does not make the City a party to any insurance contract, and the insurer is not
3005 liable to any party for any amount in excess of the proceeds otherwise payable under its
3006 insurance policy.
- 3007 E. The Building Commissioner may certify that in lieu of payment of all or part of the covered
3008 claim payment under Subsection (A) that it has obtained satisfactory proof that the insured
3009 has removed or will remove the debris and repair, rebuild or otherwise make the premises
3010 safe and secure. In this event, the Building Commissioner shall issue a certificate within
3011 thirty (30) days after receipt of proof to permit covered claim payment to the insured without
3012 the deduction pursuant to Subsection (A) of this Section. It shall be the obligation of the
3013 insured or other person making the claim to provide the insurance company with the written
3014 certificate provided for in this Subsection.

3015 **Section 510.290 Appeal.**

3016 Any owner, occupant, lessee, mortgagee, agent or any other person(s) having an interest in a
3017 dangerous building as shown by the land records of the Recorder of Deeds of St. Louis County
3018 may appeal such decision to the Circuit Court of St. Louis County, as provided for in **Sections**
3019 **536.100 to 536.140**, RSMo., if a proper record as defined in **Section 536.130**, RSMo., is
3020 maintained of the hearing provided for in **Section 510.270** hereof. Otherwise, the appeal shall be
3021 made pursuant to the procedures provided for in **Section 536.150**, RSMo.

3022 **Section 510.300 Emergencies.**

3023 In cases where it reasonably appears that there is immediate danger to the health, life, safety or
3024 welfare of any person unless a dangerous building, as defined herein, is immediately repaired,
3025 vacated or demolished and the property is cleaned up, the Building Inspector shall report such
3026 facts to the Building Commissioner and the Building Commissioner may cause the immediate
3027 repair, vacation or demolition of such dangerous building. The costs of such emergency repair,
3028 vacation or demolition of such dangerous building shall be collected in the same manner as
3029 provided in **Sections 510.270 and 510.280**.

3030 **Section 510.310 Violations — Disregarding Notices or Orders.**

3031 The owner, occupant or lessee in possession of any dangerous building who shall fail to comply
3032 with the order to repair, vacate or demolish said building given by the Building Commissioner or
3033 who shall fail to proceed continuously without unnecessary delay; and any person removing any
3034 notices provided for in this Chapter; and any person violating any other provisions of this
3035 Chapter shall be guilty of an ordinance violation and upon conviction thereof shall be fined not
3036 more than one thousand dollars (\$1,000.00). Each day that a person fails to comply with an order
3037 of the Building Commissioner may be deemed a separate offense

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CHAPTER 515 – DELETE AND RESERVE

Section 2: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this _____ day of _____, 2018.

(name)
President of the Council
City of Florissant

Approved this _____ day of _____, 2018.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MMC/MRCC
City Clerk

FLORISSANT CITY COUNCIL AGENDA REQUEST FORM

Date: 12/4/2018

Mayor's Approval:

Agenda Date Requested:

12/10/2018

[Signature]

Description of request: Adoption of 2018 International Building Codes

Transfer of Funds from

(See Attached Memo)

Department: Public Works

Recommending Board or Commission: N/A

Type of request:

| Ordinances | X | Other | |
|----------------------|-----|-----------------------|-----|
| Appropriation | | Liquor License | |
| Transfer | | Hotel License | |
| Zoning Amendment | | Special Presentations | |
| Amendment | | Resolution | |
| Special Use Transfer | | Proclamation | |
| Special Use | | Subdivision | |
| Budget Amendment | | | |
| | Y/N | | Y/N |

Public Hearing needed: Yes / No

3 readings? : Yes / No

n

| Back up materials attached: | | Back up materials needed: | |
|-----------------------------|---|---------------------------|--|
| Minutes | | Minutes | |
| Maps | | Maps | |
| Memo | X | Memo | |
| Draft Ord. | | Draft Ord. | |

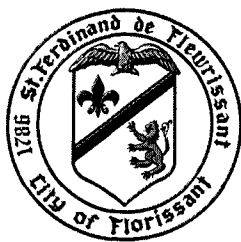
Note: Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____

*cc to Council
12/11/18*



City of Florissant
Building Division
Interoffice Memorandum

Memo To: Mayor Thomas P. Schneider **Date:** October 31, 2018

Through: Todd Hughes **Copy:** Philip E. Lum, AIA
Director of Public Works Building Commissioner

From: Aaron Tossey
Plan Reviewer

Subject: 2018 Building Code Upgrade

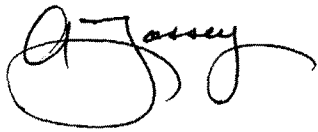
Mayor,

1. **SUMMARY:** The Building Division asks City Council to upgrade the building codes to the current editions of the 2018 International Codes and 2017 National Electrical Code.
2. **RATIONALE:** The International Code Council updates their "I-Codes" every 3 years however the City has not followed this schedule. Keeping up with the standard code upgrade cycle provides the City with several important benefits among which is maintaining codes that are competitive and informed with the most current research. Retaining language mirroring the model code helps encourage regional consistency, ease of use, training and aids in regular upgrade. Upgrading to the current code version in the year of their adoption is something we would be very proud of considering that it is nearly unheard of in the code enforcement community.
3. **CURRENTLY ADOPTED:**
 - 3.1. International Building Code 2015
 - 3.2. International Residential Code 2015
 - 3.3. International Fuel Gas Code 2015
 - 3.4. International Mechanical Code 2015
 - 3.5. International Plumbing Code 2015
 - 3.6. International Fire Code 2015
 - 3.7. International Energy Conservation Code 2015
 - 3.8. International Existing Building Code 2015
 - 3.9. International Private Sewage Disposal Code 2015
 - 3.10. International Code Council Performance Code 2015
 - 3.11. NFPA 70: National Electrical Code 2014

4. **PROPOSED FOR ADOPTION:**

- 4.1. International Building Code 2018
- 4.2. International Residential Code 2018
- 4.3. International Fuel Gas Code 2018
- 4.4. International Mechanical Code 2018
- 4.5. International Plumbing Code 2018
- 4.6. International Fire Code 2018
- 4.7. International Energy Conservation Code 2018
- 4.8. International Existing Building Code 2018
- 4.9. International Private Sewage Disposal Code 2018
- 4.10. International Code Council Performance Code 2018
- 4.11. NFPA 70: National Electrical Code 2017

Respectfully,

A handwritten signature in black ink, appearing to read "A. Tossey". The signature is fluid and cursive, with a large loop at the end.

Aaron Tossey
Residential Plan Reviewer

- a. Code edition change
- C. Chapter 510 – Existing Structures Code
 - 1. Art. I – Property Maintenance Code
 - a. Missing word added in title
 - b. Code edition change
 - c. Weed max height reword and add penalty reference number
 - d. Multi-Fam guard and handrails, adding 12-month grace period
 - e. Garage fire separation wall to comply with IRC
 - f. Smoke alarm reference number change
 - g. Clarification of smoke alarm power source exception
 - 2. Art. II – Existing Building Code
 - a. Code edition change
 - b. Section reference number change
 - 3. Art. IV – Notification of New Electric Customers
 - a. Change “AmerenUE” to “public electric utility”
 - 4. Art. VII – Abatement...(of) Methamphetamine
 - a. Missing word inserted
- D. Chapter 515 – Delete and Reserve (formerly “Dangerous Buildings”)

BUILDING CODES UPGRADE 2018

SUMMARY OF CHANGES

A. Chapter 500 – Building Regulations

1. Fees:

- a. Reducing the minimum fee by one (1) dollar to \$95
- b. Relocating a section: Extra Inspection Fee. No changes.
- c. Allow the Building Commissioner to waive the fee for a residential accessibility ramp:
- d. Relocating a section: P&Z Fees. No changes.

B. Chapter 505 – Building Construction Code

1. Art. I - International Building Code

- a. Code edition change
- b. Word “excavation” added to work exempt from permit
- c. Section reference number change

2. Art. II - International Residential Code

- a. Code edition change
- b. Word “excavation” added to work exempt from permit
- c. Reducing the height of pools exempt from permit from 35” to 24”
- d. Adding two (2) plumbing permit exceptions to align with policy
- e. Adding shed foundation exception under 200sf to align with policy

3. Art. III – International Mechanical Code

- a. Code edition change

4. Art. IV – National Electrical Code

- a. Code edition change

5. Art. V – International Plumbing Code

- a. Code edition change
- b. Section reference number change

6. Art. VI – International Fire Code

- a. Code edition change
- b. Fees referencing building regulations
- c. Section reference number change

7. Art. VII – International Fuel Gas Code

- a. Code edition change
- b. Fee Refunds (deleted)

8. Art. VIII – International Energy Conservation Code

- a. Code edition change

9. Art. IX – International Swimming Pool and Spa Code

- a. Code edition change
- b. Exemption for pools under 24”, 250sf, decorative purposes only

10. Art. X – International Private Sewage Disposal Code

1 INTRODUCED BY COUNCILMAN CAPUTA
2 DECEMBER 10, 2018

3
4 BILL NO. 9464

ORDINANCE NO.

5
6 **ORDINANCE AMENDING SECTION 210.1280 “REGULATION OF**
7 **PORTABLE OUTDOOR STORAGE CONTAINERS” SUBSECTION C**
8 **“PERMITS” BY DELETING THE SECTION IN ITS ENTIRETY AND**
9 **REPLACING IT TO PROVIDE CONSISTENCY BETWEEN CODE**
10 **SECTIONS.**

11
12 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST. LOUIS
13 COUNTY, MISSOURI, AS FOLLOWS:

14
15 Section 1: Section 210.1280 “Regulation of Portable Outdoor Storage Containers”
16 Subsection C “Permits” is hereby amended by deleting the section in its entirety and
17 replacing it with the following:

18 *C. Permit.* Any owner or occupant who causes or permits a portable outdoor storage
19 container of any size to be placed on any parcel, lot or real property owned or occupied
20 by such owner or occupant shall obtain a permit from the Building Commissioner and
21 pay the required fee as required by Chapter 500, Building Regulations of the Florissant
22 Code of Ordinances authorizing the placement of the portable outdoor storage container
23 and upon expiration of the thirty (30) day permit, the owner and/or occupant shall remove
24 or have the portable outdoor storage container removed. Failure to remove the portable
25 outdoor storage container upon the expiration of the permit shall constitute a violation of
26 this Article.

27 Section 2: This ordinance shall become in full force and effect immediately upon its
28 passage and approval..

29
30 Adopted this ____ day of _____, 2018.

31 _____
32 Jeff Caputa
33 President of the Council

34
35 Approved this ____ day of _____, 2018.

36
37 _____
38 Thomas P. Schneider
39 Mayor

40 ATTEST:

41 _____
42 Karen Goodwin, MPPA/MMC/MRCC
43 City Clerk

FLORISSANT CITY COUNCIL AGENDA REQUEST FORM

Date: 12/5/2018

Mayor's Approval:

Agenda Date Requested:

12/10/2018

Description of request: Clarifying Fees for Portable Outdoor Storage Containers

Transfer of Funds from

(See Attached Memo)

Department: Public Works

Recommending Board or Commission: N/A

Type of request:

| Ordinances | X | Other | |
|----------------------|---|-----------------------|--|
| Appropriation | | Liquor License | |
| Transfer | | Hotel License | |
| Zoning Amendment | | Special Presentations | |
| Amendment | | Resolution | |
| Special Use Transfer | | Proclamation | |
| Special Use | | Subdivision | |
| Budget Amendment | | | |

Y/N

Y/N

Public Hearing needed: Yes / No

3 readings? : Yes / No

n

Back up materials
attached:

| | |
|------------|---|
| Minutes | |
| Maps | |
| Memo | X |
| Draft Ord. | |

Back up materials
needed:

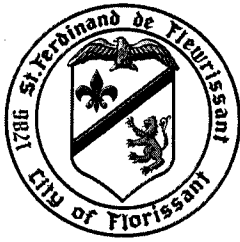
| | |
|------------|--|
| Minutes | |
| Maps | |
| Memo | |
| Draft Ord. | |

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For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____



City of Florissant
Building Division
Interoffice Memorandum

Memo To: Mayor Thomas P. Schneider **Date:** December 5, 2018

Through: Todd Hughes **Copy:** Philip E. Lum, AIA
Director of Public Works Building Commissioner

Timothy Lowery
Chief of Police

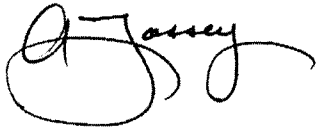
From: Aaron Tossey
Plan Reviewer

Subject: Portable Outdoor Storage
Container Ordinance

Mayor,

1. **SUMMARY:** The Building Division asks City Council to modify wording in Chapter 210 to refer back to the building code and Building Commissioner rather than specifying a price.
2. **RATIONALE:** This change would reduce potential conflict within the code as well as need for synchronizing whenever changes occur.
3. **CURRENT WORDING:**
210.1280(C) - Permit. Any owner or occupant who causes or permits a portable outdoor storage container of any size to be placed on any parcel, lot or real property owned or occupied by such owner or occupant shall pay a fee in the amount of twenty-five dollars (\$25.00) to obtain a permit authorizing the placement of the portable outdoor storage container and upon expiration of the thirty (30) day permit, the owner and/or occupant shall remove or have the portable outdoor storage container removed. Failure to remove the portable outdoor storage container upon the expiration of the permit shall constitute a violation of this Article.
4. **PROPOSED FOR ADOPTION:**
210.1280(C) - Permit. Any owner or occupant who causes or permits a portable outdoor storage container of any size to be placed on any parcel, lot or real property owned or occupied by such owner or occupant shall obtain a permit from the Building Commissioner and pay the required fee as required by Chapter 500, Building Regulations of the Florissant Code of Ordinances authorizing the placement of the portable outdoor storage container and upon expiration of the thirty (30) day permit, the owner and/or occupant shall remove or have the portable outdoor storage container removed. Failure to remove the portable outdoor storage container upon the expiration of the permit shall constitute a violation of this Article.

Respectfully,

A handwritten signature in black ink, appearing to read "A. Tossey". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Aaron Tossey
Residential Plan Reviewer

Section 210.1280 **Regulation of Portable Outdoor Storage Containers.**

[Ord. No. 7580 §1, 3-11-2009]

A. *Definitions.* As used in this Article, the term "*portable outdoor storage container*" shall mean any container, storage unit, storage trailer, shed-like container or other portable structure that can or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building, other than an accessory building, structure or shed complying with the City of Florissant's Zoning Code.

B. *Use Of Portable Outdoor Storage Containers.* No portable outdoor storage containers may be used within the City except as follows:

1. No more than one (1) portable outdoor storage container may be placed on any parcel, lot or real property at any one time;
2. In no event shall any portable outdoor storage container be placed in any public right-of-way or easement, including sidewalks;
3. It shall be unlawful for any person to park, place, cause the placement of or allow the placement of a portable outdoor storage container on any single-family residential lot or property in the City of Florissant other than on a concrete, asphalt or other improved surface;
4. In non-residential zoning districts, portable outdoor storage containers may only be placed in a location approved by the Director of Public Works or his/her designee;
5. In no event may any parcel, lot or real property have located thereon a portable outdoor storage container for a period exceeding thirty (30) consecutive days or for more than thirty (30) days during any twelve (12) month period without the written consent of the Director of Public Works or his/her designee;
6. Portable outdoor storage containers shall be locked and secured by the property owner or tenant at all times when loading or unloading is not taking place;
7. No portable outdoor storage container located within the City shall contain toxic or hazardous materials;
8. Signage painted on a portable outdoor storage container advertising the owner or provider is permitted, but all other signage, including, but not limited to, the advertisement of any other product or service, is prohibited and shall be deemed a violation of this Article and a violation of Chapter 520 of the Florissant Code of Ordinances.

C. *Permit.* Any owner or occupant who causes or permits a portable outdoor storage container of any size to be placed on any parcel, lot or real property owned or occupied by such owner or occupant shall obtain a permit from the Building Commissioner and pay the required fee

as required by Chapter 500, Building Regulations of the Florissant Code of Ordinances authorizing the placement of the portable outdoor storage container and upon expiration of the thirty (30) day permit, the owner and/or occupant shall remove or have the portable outdoor storage container removed. Failure to remove the portable outdoor storage container upon the expiration of the permit shall constitute a violation of this Article.

- D. Penalties.** Any owner or occupant of any parcel, lot or real property upon which a portable outdoor storage container is placed or is permitted to remain in violation of this Article shall, upon conviction thereof, be guilty of an offense and shall be subject to punishment as provided for in Section **100.080** of the Florissant Code and each day that the portable outdoor storage container is allowed to remain in violation of this Article shall constitute a separate offense.

1 INTRODUCED BY COUNCILMAN HENKE
2 DECEMBER 10, 2018

3
4 BILL NO. 9465

ORDINANCE NO.

5
6 **ORDINANCE AUTHORIZING A TRANSFER OF SPECIAL USE**
7 **PERMIT NO. 6008 AS AMENDED FROM GETTEMEIER'S TO**
8 **BRENNEN'S BAR AND GRILL, LLC LOCATED AT 1740**
9 **THUNDERBIRD.**

10
11 WHEREAS, the Florissant Zoning Ordinance authorizes the Council of the City of
12 Florissant, by Special Use Permit, after public hearing thereon, to permit the location and
13 operation of a restaurant; and

14 WHEREAS, pursuant to Ordinance No. 6008, Gettemeier's was issued Special Use
15 Permit 6008 to operate a restaurant; and

16 WHEREAS, Ordinance no. 6008 was amended by Ordinance no. 7407 to allow for the
17 expansion of the business to a full service restaurant; and

18 WHEREAS, Ordinance no. 6008 was further amended by Ordinance no. 7820 to allow
19 for outside dining; and

20 WHEREAS, an application has been filed by Brennan's Bar and Grill LLC to transfer
21 the Special Use Permit authorized by Ordinance No. 6008 to its name; and

22 WHEREAS, the City Council of the City of Florissant determined at its meeting on
23 December 10, 2018, that the business operated under Ordinance No. 6008 as amended, would be
24 operated in a substantially similar fashion as set out herein and would maintain the health,
25 safety, morals and general welfare of the City; and

26 WHEREAS, Brennan's Bar and Grill has accepted the terms and conditions set out in
27 Ordinance No. 6008 as amended.

28 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
29 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

30
31 Section 1: The Special Use Permit No. 6008 is hereby transferred from Gettemeier's to
32 Brennen's Bar and Grill, LLC located at 1740 Thunderbird.

33 Section 2: The terms and conditions of said Special Permit authorized by Ordinance No.
34 6008 as amended shall remain in full force and effect.

35 Section 3: The Special Use Permit herein authorized shall terminate if the said business
36 ceases operation for a period of more than ninety (90) days.

Section 4: This ordinance shall become in force and effect immediately upon its passage
and approval.

Adopted this ____ day of _____, 2018.

Jeff Caputa
Council President

Approved this ____ day of _____, 2018.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk