

# **INTERNATIONAL PROPERTY MAINTENANCE CODE YEAR 2009 EDITION**

ADOPTED AND AMENDED BY SAINT LOUIS COUNTY THROUGH COUNTY ORDINANCE 24,440 ON JULY 10, 2010.

THIS DOCUMENT INCORPORATES BOTH THE PUBLISHED ICC PROPERTY MAINTENANCE CODE AND THE ORDINANCES.

THIS DOCUMENT IS INTENDED TO BE USED EXCLUSIVELY BY THE CODE ENFORCEMENT STAFF OF THE SAINT LOUIS COUNTY GOVERNMENT. REPRODUCTION OR DISTRIBUTION OF THIS DOCUMENT TO ANYONE WHO IS NOT A COUNTY EMPLOYEE IS PROHIBITED. COPYRIGHTS OF THE INTERNATIONAL CODE COUNCIL (ICC) SHALL BE RESPECTED AND FOLLOWED BY ALL COUNTY EMPLOYEES.

COPIES OF ORDINANCE 24,440 IN “USER-FRIENDLY” FORMAT ARE AVAILABLE FOR PURCHASE AT THE CLAYTON PUBLIC WORKS PERMIT COUNTER. CODE ADOPTING ORDINANCES IN TOTAL OR IN “USER-FRIENDLY” FORMAT MAY BE ACCESSED THROUGH EITHER THE DEPARTMENT OF PUBLIC WORKS OR THE SAINT LOUIS COUNTY WEB SITES. (Access through: [www.stlouisco.com](http://www.stlouisco.com))

Copies of the International Code Council Property Maintenance Code book may be purchased through:

American Institute of Architects; 911 Washington Ave. St. Louis, MO. 63101; 314-231-4252

International Code Council (ICC) [www.iccsafe.org](http://www.iccsafe.org)

**AN ORDINANCE**

AMENDING TITLE XI SLCRO 1974, AS AMENDED, “PUBLIC WORKS AND BUILDING REGULATIONS,” BY REPEALING AND RE-ENACTING CHAPTER 1110 “THE PROPERTY MAINTENANCE CODE.”

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

SECTION 1. Title XI SLCRO 1974, as amended “Public Works and Building Regulations” is hereby amended by repealing and re-enacting Chapter 1110 “The Property Maintenance Code,” as follows:

**CHAPTER 1110**  
**SUBCHAPTER A.**  
**THE PROPERTY MAINTENANCE CODE**  
**SHORT TITLE AND SCOPE**

**1110.010 Short Title.** This chapter may be cited and shall be known as “The Property Maintenance Code.” For the purposes of Sections 441.500 et seq. RSMo, this chapter qualifies as the “Housing Code” as defined in Section 441.500(8) RSMo.

**1110.020 Scope.** The provisions of this chapter shall be effective in the portions of St. Louis County outside of incorporated areas.

**SUBCHAPTER B**  
**ADOPTION AND AMENDMENT OF THE**  
**ICC INTERNATIONAL PROPERTY MAINTENANCE CODE, YEAR 2009 EDITION**

**1110.030 Property Maintenance Code Adopted.** A certain document, copies of which are on file in the Offices of the Director of Public Works, Director of Health and the Administrative Director of the County Council, said copies being marked and designated as the ICC International Property Maintenance Code, year 2009 edition (“Code” or “code”), as published by the International Code Council, Inc., shall be and is hereby adopted as the Property Maintenance Code of St. Louis County, Missouri, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the Code are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in this chapter.

**1110.040 Jurisdictional Titles.** Throughout the Code, whenever the terms “Name of Jurisdiction” or “Local Jurisdiction” appear it shall be deemed to mean “St. Louis County, Missouri.” Likewise, whenever the term “Department of Building Inspection” appears it shall be deemed to mean “St. Louis County Department of Public Works” and whenever the term “Code” or “code” appears it shall mean the ICC International Property Maintenance Code, year 2009 edition, as adopted herein.

**1110.050 Contracting with Municipalities.**

1. The Director of Public Works, with the approval of the County Executive, is hereby authorized to contract with municipalities within St. Louis County to provide appropriate property maintenance code enforcement and further to collect fees for applicable permits and inspections issued or made pursuant to such contracts. Contracts shall be approved by the Code Official and shall be approved as to legal form by the County Counselor. No contract shall be entered into until the municipality desiring to contract with St. Louis County for property maintenance code enforcement shall first have duly adopted appropriate legislation authorizing said contract (a certified copy to be attached to and made a part of the contract) and duly adopted a property maintenance code identical in substance to this code.
2. Municipalities wishing to contract with St. Louis County for code enforcement services necessary for the enforcement of a municipal requirement for inspections and permits for the re-occupancy of existing residential buildings and pre-occupancy inspections and permits for new residential building complexes, shall adopt appropriate municipal legislation in which such requirements are established (a certified copy to be attached to and made a part of the contract).
3. Contracts with municipalities for code enforcement services shall provide for the payment to St. Louis County of the fees by the municipality as specified hereunder in Table 1110.050(1).

TABLE 1110.050(1)  
MUNICIPAL CONTRACT FEES

TYPE OF CODE ENFORCEMENT WORK	FEES
Re-occupancy permit inspections-Single-family dwelling	\$95.35
Re-occupancy permit inspections-Multiple-family dwelling	\$74.97 per unit
Re-occupancy permit inspections-Commercial Properties	See Building Code
Requested inspections at Residential or Commercial properties for other than Re-occupancy permit inspections	\$43.67 per hour
Other requests for code enforcement services related to performance of municipal contract	\$43.67 per hour
Notes:	
1. Overtime charges will apply for any inspection or service requested beyond normal working hours.	
2. Fees for re-occupancy permit inspections shall include one initial inspection and one follow-up inspection. If, because of conditions not in compliance with the requirement of this Property Maintenance Code, additional follow-up inspections are required, the fee for the additional inspections shall be at the rate of \$43.67 per hour.	

**1110.060 Code Review Committee Assignment.** Review of the Property Maintenance Code for the purpose of considering proposed changes to the code and making recommendations to the Building Commission shall be the responsibility of the Building Code Review Committee. The Building Commission and the Building Code Review Committee shall function as set out in Chapter 1115 SLCRO 1974 as amended.

SECTION 101  
GENERAL

**101.1 Title.** These regulations shall be known as the *International Property Maintenance Code* of St. Louis County, Missouri, hereinafter referred to as “this code”.

**101.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment, and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, life

safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of *owners, operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

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

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

## SECTION 102 APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**102.2 Maintenance** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner, operator* or *occupant* shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. These requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner's* designated agent shall be responsible for the maintenance of buildings, structures and *premises*.

**102.3 Application of other codes.** The building, Mechanical and Electrical codes referenced in this code and listed in the Chapter 8 of this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes, the provisions of this code shall apply. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Zoning Ordinance of St. Louis County, not the Plumbing Code, Electrical Code, Waste Management Code, Existing Building Code, Building Code, and Residential Code as adopted by St. Louis County.

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

**102.5 Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's installation instructions.

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

**102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

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

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

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

PART 2- ADMINISTRATION AND ENFORCEMENT  
SECTION 103  
DEPARTMENT OF PROPERTY MAINTENANCE INSPECITON

**103.1 General.** The authority of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the *code official*.

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy(s). Such employees shall have the powers as delegated by the *code official*.

**103.4 Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**103.5 Fees.** The fees for activities and services performed by the Department of Public Works in carrying out its responsibilities under this code shall be as indicated in sections 1110.050 (municipal contracts) and 1110.1065 of this code.

SECTION 104  
DUTIES AND POWERS OF THE CODE OFFICIAL

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

**104.2 Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**104.3 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the structure or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such structure or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner* or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provide by law to secure entry.

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

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

**104.6 Department records.** The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

## SECTION 105 APPROVAL

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

**105.2 Alternative materials, methods and equipment.** 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.

**105.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

**105.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

**105.3.2 Test reports.** Reports of tests shall be retained by the code official for the period required for retention of public records.

**105.4 Used materials and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and *approved* by the *code official*.

**105.5 Approved material and equipment.** Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

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

## SECTION 106 VIOLATIONS

**106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**106.2 Notice of violation.** The code official shall serve a notice of violation or order in accordance with Section 107.

**106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**106.4 Violation penalties.** Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served, shall be deemed a separate offense.

**106.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

## SECTION 107 NOTICES AND ORDERS

**107.1 Notice to person responsible.** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections 107.2 and 107.3. Notices for condemnation procedures shall also comply with Section 108.3.

**107.2 Form.** Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code; except, however, that the time allowed in any correction order pertaining to the removal of graffiti in compliance with section 302.9 shall not exceed thirty (30) days and said correction order shall further advise that the matter will be referred to the County counselor for prosecution without further notice at the expiration of the prescribed period of the graffiti violation has not been remedied. .
5. Inform the property *owner* of the right to appeal.

**107.3 Method of Service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally; or
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice and in or about the premises affected by such notice, or served in such other manner as is reasonably calculated to achieve actual service upon the owner of the structure.

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

**107.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

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

## SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

**108.1 General.** When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

**108.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so



damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**108.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

**108.1.3 Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

**108.1.4 Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

**108.1.5 Dangerous structures or premises.** For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deteriorated*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or property fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

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

**108.2.1 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified proper to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

**108.3 Notice.** Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

**108.4 Placarding.** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word “Condemned” and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

**108.4.1 Placard removal.** The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

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

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

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

## SECTION 109 EMERGENCY MEASURES

**109.1 Imminent danger.** When, in the opinion of the code official, there is *imminent danger* of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: “This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the Code Official”. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

**109.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

**109.3 Closing streets.** When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

**109.4 Emergency repairs.** For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**109.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

**109.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## SECTION 110 DEMOLITION

**110.1 General.** The demolition of all structures shall be in accordance with the provisions of the Building Code as adopted by St. Louis County.

## SECTION 111 MEANS OF APPEAL

**111.1 Application for appeal.** Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal within thirty days to the Manager of

Neighborhood Preservation, or Neighborhood Services Division Manager. Every effort will be made by the Manager, or the Division Manager, to give the matter a proper airing utilizing appropriate inspection staff. An appeal shall be based upon a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of compliance will be used.

**111.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**111.8 Stays of enforcement.** Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

## SECTION 112 STOP WORK ORDER

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

**112.2. Issuance.** A stop work order shall be in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**112.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of up to one thousand dollars (\$1,000), or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

## CHAPTER 2 DEFINITIONS

### SECTION 201 GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

**201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the St. Louis County Building, Plumbing, Mechanical, Waste Management and Electrical Codes and in the St. Louis County Zoning Ordinance, such terms shall have the meaning ascribed to them therein.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**201.5 Parts.** Whenever the words “dwelling unit”, “dwelling”, “premises”, “building”, “rooming house”, “rooming unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof”.

## SECTION 202 GENERAL DEFINITIONS

**ANCHORED.** Secured in a manner that provides positive connection.

**APPROVED.** Approved by the code official.

**BASEMENT.** That portion of a building, which is partly or completely below grade.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM.** Any room or space used or intended to be used for sleeping purposes.

**CODE OFFICIAL.** The Director of Public Works, or any person(s) or agent(s) employed or designated by the Director to enforce this code.

**CONDEMN.** To adjudge unfit for occupancy.

**DETACHED.** When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION.** To weaken, disintegrate, corrode, rust, or decay and lose effectiveness.

**DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**EASEMENT.** That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The *easement* shall be permitted to be for use under, on, or above a said lot or lots.

**EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers, or saddles, that transmit gravity load, lateral load, and operating load between the equipment and the structure.

**EXTERIOR PROPERTY.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

**HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition, which could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**LABELED.** Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

**LET FOR OCCUPANCY OR LET.** To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**NEGLECT.** The lack of proper maintenance for a building or *structure*.

**OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

**OPERATOR.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

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

**PERSON.** An individual, corporation, partnership or any other group acting as a unit.

**PEST ELIMINATION.** The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

**PREMISES.** A lot, plot or parcel of land including any structures thereon.

**PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE.** That which is built or constructed or a portion thereof.

**TENANT.** A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**VEHICLE.** A device normally required to be licensed and intended to transport persons or property and which is drawn, driven or otherwise transported on land, air or water.

**VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD.** An open space on the same lot with a structure.

**1110.300 Amendments to Chapter 3 of the International Property Maintenance Code-Chapter 3-General Requirements-**Chapter 3 of the International Property Maintenance Code, year 2000 edition, is amended by the following provisions. Each section, sub-section or clause of the code that numerically corresponds to (1) one of the following numbered provisions is hereby deleted where so noted or amended to read as set forth below. Each provision set out below without a corresponding section, sub-section or clause number in the code is hereby enacted and added thereto.

## CHAPTER 3 GENERAL REQUIREMENTS

### SECTION 301 GENERAL

**301.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

**301.2 Responsibility.** The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of which they occupy and control.

**301.3 Vacant structures and land.** All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 302 EXTERIOR PROPERTY AREAS

**302.1 Sanitation.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

**302.2 Grading and drainage.** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** *Approved* retention areas and reservoirs.

**302.3 Sidewalks and driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches (203mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided, however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly



authorized employee of the jurisdiction, or contractor hired by the jurisdiction, shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

**302.5 Rodent harborage.** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**302.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

**302.7 Accessory structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**302.8 Vehicles.** Except as provided for in other regulations, no inoperative or unlicensed vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including bodywork, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

**302.9 Defacement of property.** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

## SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

**303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

**303.2 Enclosures.** Private swimming pools, hot tubs and spas, containing more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of the section.

## SECTION 304 EXTERIOR STRUCTURE

**304.1 General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

**304.1.1 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant, or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound or not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**304.2 Protective treatment.** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with

rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**[F] 304.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm).

**304.4 Structural members.** All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**304.6 Exterior walls.** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

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

**304.8 Decorative features.** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**304.9 Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch, balcony, roof assembly, cover, handrail, guard, tread, riser and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

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

**304.11 Chimneys and towers.** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.** Every flight of stairs which is more than four risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, landing or balcony which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition.

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

**304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**304.13.1 Glazing.** All glazing materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.14 Insect screens.** During the period from April 15 to November 15, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every screen door used for insect control shall have a self-closing device in good working condition.

Screens will be required unless the window is an operating casement or non-operating, fixed casement window. However, during the period when not required for ventilation, the screens may be stored on site and not installed, at the owner's discretion. The inspector must be able to view stored screens for compliance.

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

**304.15 Doors.** All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to *dwelling units* and *sleeping units* shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**304.16 Basement hatchways.** Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**304.17 Guards for basement windows.** Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

**304.18 Building Security.** Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**304.18.1 Doors.** Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping units* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort shall have a lock through of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock,

**304.18.2 Windows.** Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash lock device.

**304.18.3 Basement hatchways.** *Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.*

## SECTION 305 INTERIOR STRUCTURE

**305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

**305.1.1 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by the footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise be an *approved* method.
2. Demolition of unsafe conditions shall be permitted with *approved* by the *code official*.

**305.2 Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

**305.4 Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**305.5 Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition.

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

**305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

## SECTION 306 COMPONENT SERVICEABILITY

**306.1 General.** The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**306.1.1 Unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
  - 1.1 Collapse of footing or foundation system
  - 1.2 Damage to footing, foundation, concrete or other structural element due to soil expansion;
  - 1.3 Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - 1.4 Inadequate soil as determined by a geotechnical investigation;
  - 1.5 Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6 Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
  
2. Concrete that has been subjected to any of the following conditions:
  - 2.1 *Deterioration;*
  - 2.2 *Ultimate deformation;*
  - 2.3 *Fractures;*
  - 2.4 *Fissures;*
  - 2.5 *Spalling;*
  - 2.6 *Exposed reinforcement; or*
  - 2.7 *Detached, dislodged or failing connections.*
  
3. Aluminum that has been subjected to any of the following conditions:
  - 3.1 *Deterioration;*
  - 3.2 *Corrosion;*
  - 3.3 *Elastic deformation;*
  - 3.4 *Ultimate deformation;*
  - 3.5 *Stress or strain cracks;*
  - 3.6 *Joint fatigue; or*
  - 3.7 *Detached, dislodged of failing connections.*
  
4. Masonry that has been subjected to any of the following conditions:
  - 4.1 *Deterioration;*
  - 4.2 *Ultimate deformation;*
  - 4.3 *Fractures in masonry or mortar joints;*
  - 4.4 *Fissures in masonry or mortar joints;*
  - 4.5 *Spalling*
  - 4.6 *Exposed reinforcement; or*
  - 4.7 *Detached, dislodged or failing connections.*

5. Steel that has been subjected to any of the following conditions:
  - 5.1 *Deterioration*;
  - 5.2 Elastic deformation;
  - 5.3 *Ultimate deformation*;
  - 5.4 Metal fatigue; or
  - 5.5 *Detached*, dislodged or failing connections.
  
6. Wood that has been subjected to any of the following conditions:
  - 6.1 *Ultimate deformation*;
  - 6.2 *Deterioration*;
  - 6.3 Damage from insects, rodents and other vermin;
  - 6.4 Fire damage beyond charring;
  - 6.5 Significant splits and checks;
  - 6.6 Horizontal shear checks;
  - 6.7 Vertical shear checks;
  - 6.8 Inadequate support
  - 6.9 *Detached*, dislodged or failing connections; or
  - 6.10 Excessive cutting and notching.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

#### SECTION 307 HANDRAILS AND GUARDRAILS

**307.1 General.** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (106 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, or ramp or other walking surface.

**Exception:** *Guards* shall not be required where exempted by the adopted building code.

#### SECTION 308 RUBBISH AND GARBAGE

**308.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**308.2 Disposal of rubbish.** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

**308.2.1 Rubbish storage facilities.** The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

**308.2.2 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

**308.3 Disposal of garbage.** Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

**308.3.1 Garbage facilities.** The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leak proof, covered, outside garbage container.

**308.3.2 Containers.** The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

## SECTION 309 PEST ELIMINATION

**309.1 Infestation.** All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

**309.2 Owner.** The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

**309.3 Single occupant.** The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

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

**309.5 Occupant.** The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

**Exception:** Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

## CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

### SECTION 401 GENERAL

**401.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

**401.2 Responsibility.** The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

**401.3 Alternative devices.** In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Building Code and the Mechanical Code listed in Chapter 8 of this code shall be permitted.



## SECTION 402 LIGHT

**402.1 Habitable spaces.** Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

**402.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one-and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot candle (11 lux) at floors, landings and treads.

**402.3 Other spaces.** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

## SECTION 403 VENTILATION

**403.1 Habitable spaces.** Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

**403.2 Bathrooms and toilet rooms.** Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

**403.3 Cooking facilities.** Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

### **Exceptions:**

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

**403.4 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**403.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

**Exception:** Listed and *labeled* condensing (ductless) clothes dryers.

## SECTION 404 OCCUPANCY LIMITATIONS

**404.1 Privacy.** Dwelling units, hotel units, *housekeeping rooms*, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

**404.2 Minimum room widths.** A habitable room, other than a kitchen, shall not be less than 7 feet (2134mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914mm) between counter fronts and appliances or counter fronts and walls.

**404.3 Minimum ceiling heights.** Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134mm).

### Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219mm) on center and projecting not more than 6 inches (152mm) below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033mm) with not less than 6 feet 4 inches (1932mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524mm) or more shall be included.

**404.4 Bedroom and living room requirements.** Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**404.4.1 Area for sleeping purposes.** For the purposes of determining occupancy load, every bedroom occupied by one person shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.

**404.4.2 Access from bedrooms.** Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

**Exception:** Units that contain fewer than two bedrooms.

**404.4.3 Water closet accessibility.** Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

**404.4.4 Prohibited occupancy.** Kitchens and non-habitable spaces shall not be used for sleeping purposes.

**404.4.5 Other requirements.** Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

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

TABLE 404.5 MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA (SQ FT)		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room	No requirements	120	150
Dining room	No requirements	80	100
Kitchen	50	50	60
Bedrooms	Shall comply with Section 404.4		

**404.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.
4. The maximum number of occupants shall be three.

**404.7 Food preparation.** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5  
PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION 501 GENERAL

**501.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**501.2 Responsibility.** The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises, which does not comply with the requirements of this chapter.

## SECTION 502 REQUIRED FACILITIES

**502.1 Dwelling units.** Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

**502.2 Rooming houses.** At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

**502.3 Hotels.** Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

**502.4 Employees' facilities.** A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

**502.4.1 Drinking facilities.** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

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

## SECTION 503 TOILET ROOMS

**503.1 Privacy.** Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

**503.2 Location.** Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

**503.3 Location of employee toilet facilities.** Toilet facilities shall have access from within the employees' regular working area. The required toilet facilities shall be located not more than one story above or below the employees' regular working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or public customer facilities.

**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152m) from the employees' regular working area to the facilities.

**503.4 Floor surface.** In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

## SECTION 504 PLUMBING SYSTEMS AND FIXTURES

**504.1 General.** All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

No accordion type plastic, or other flexible material, is allowable on any drains or traps.

**504.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

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

## SECTION 505 WATER SYSTEM

**505.1 General.** Every sink, lavatory, laundry facility, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs, and showers shall be supplied with hot or tempered and cold running water in accordance with the Plumbing Code listed in Chapter 8 of this code.

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

**505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

Supply lines to the hot and cold water valves at the sink must be of metal, or metal braid, composition, not plastic.

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 120<sup>0</sup>F (49<sup>0</sup>C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

## SECTION 506 SANITARY DRAINAGE SYSTEM

**506.1 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

**506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**506.3 Grease interceptors.** Where it has been determined that a grease interceptor is not being maintained and serviced as intended by this code and the manufacturer's instructions, an *approved* interceptor monitoring system shall be provided or a maintenance program shall be established with documentation submitted to the *code official*.

## SECTION 507 STORM DRAINAGE

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

## CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

### SECTION 601 GENERAL

**601.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**601.2 Responsibility.** The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.

### SECTION 602 HEATING FACILITIES

**602.1 Facilities required.** Heating facilities shall be provided in structures as required by this section.

**602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

**Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Residential Code and Mechanical Code as adopted by St. Louis County.
2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**602.4 Occupiable workspaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 of each year to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

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

**602.5 Room temperature measurement.** The required room temperatures shall be measured 3 feet (914mm) above the floor near the center of the room and 2 feet (610mm) inward from the center of each exterior wall.

## SECTION 603 MECHANICAL EQUIPMENT

**603.1 Mechanical appliances.** All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

**603.2 Removal of combustion products.** All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are labeled for unvented operation.

**603.3 Clearances.** All required clearances to combustible materials shall be maintained.

**603.4 Safety controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.

**603.5 Combustion air.** A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

**603.6 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

## SECTION 604 ELECTRICAL FACILITIES

**604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

**604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the Electrical Code listed in Chapter 8 of this code. Dwelling units shall be served by a three-wire, 120/240-volt, single-phase electrical service having a rating of not less than 60 amperes.

**604.3 Electrical system hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

**604.3.1 Abatement of electrical hazards associated with water exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

**604.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicated that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;
5. Fire pump controllers, rated 600 volts or less;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;
9. Low-voltage power circuit breakers;
10. Protective relays, meters and current transformers;
11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors
18. Electronic control, signaling, and communication equipment.

**604.3.2 Abatement of electrical hazards associated with fire exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

**604.3.2.1 Electrical equipment.** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** Electrical switches, receptacles, and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicated that the equipment has not sustained damage that requires replacement.

## SECTION 605 ELECTRICAL EQUIPMENT

**605.1 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

**605.2 Receptacles.** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle, or a receptacle with a ground fault circuit interrupter (GFCI). All receptacles in a bathroom shall be GFCI protected. Every bathroom shall have at least one receptacle. All receptacles intended to serve the kitchen countertop shall be GFCI protected. All receptacles installed outdoors shall be GFCI protected.



**605.3 Luminaires.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire.

## SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

**606.1 General.** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and test shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

**606.2 Elevators.** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or service.

## SECTION 607 DUCT SYSTEMS

**607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

## CHAPTER 7 FIRE SAFETY REQUIREMENTS

### SECTION 701 GENERAL

**701.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

**701.2 Responsibility.** The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

### SECTION 702 MEANS OF EGRESS

**702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*.

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

**702.3 Locked doors.** All means of egress doors shall be readily operable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *Building Code* as adopted by St. Louis County.

**702.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time

of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

## SECTION 703 FIRE-RESISTANCE RATINGS

**703.1 Fire-resistance-rated assemblies.** The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

**703.2 Opening protectives.** Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

Door closers at individual units at apartment complexes will be required where it is determined that they were a part of the original, approved equipment. They will be required to be installed where they had been required previously.

## SECTION 704 FIRE PROTECTION SYSTEMS

**704.1 General.** All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination of thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

**704.1.1 Automatic sprinkler systems.** Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

**704.2 Smoke alarms.** Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of *occupant* load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms*.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including *basements* and cellars but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than on full story below the upper level.

Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the *International Fire Code*.

**704.3 Power source.** In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exceptions:** Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling

finishes exposing the structure, unless there is an attic, crawl space or *basement* available which could provide access for building wiring without the removal of interior finishes.

**704.4 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated at Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all *bedrooms* over background noise levels with all intervening doors closed.

**Exceptions:**

1. Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing area are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available which could provide access for interconnection without the removal of interior finishes.

SUBCHAPTER C  
OCCUPANCY, RE-OCCUPANCY AND PRE-OCCUPANCY PERMITS

**1110.1040 Definitions.** The following terms shall have the meanings indicated in this subchapter.

**Certificate of Occupancy.** A certificate issued under the provisions of the Building Code indicating a building or structure may be occupied after the completion of work for which a building permit was issued.

**Pre-occupancy permit.** A permit to occupy individual dwelling units within a complex of two (2) or more Type II residential buildings, including all common and/or public areas and equipment common to more than one (1) dwelling unit.

**Re-occupancy permit.** A permit to re-occupy an existing dwelling unit by a new tenant or owner.

**Residential condominium units** are residential dwelling units, which are units of condominiums under Chapter 448 RSMo. For the purposes of this subchapter only, the term “condominium” also includes real property owned by a cooperative housing association. The term “cooperative housing association” means an association, whether incorporated or unincorporated, organized for the purpose of owning and operating residential real property, the shareholders of members of which, by reason of their ownership of a stock or membership certificate, a proprietary lease or other evidence of membership, are entitled to occupy a dwelling unit pursuant to the terms of a proprietary lease or occupancy agreement. For the purpose of this subchapter only, the term “residential condominium” unit includes residential units within a structure owned by such a cooperative housing association.

**Type I units** include single family residential dwelling units in buildings containing one (1) single-family dwelling unit and accessory structures, as well as each single family residential dwelling unit in a building containing two (2) single-family residential dwelling units (some of which may also be known as a duplex) and accessory structures and also includes residential dwelling units which are units of condominiums under Chapter 448 RSMo.

**Type II units** include each single-family residential dwelling unit which is not a Type I dwelling unit. This includes, but may not be limited to, dwelling units, which are in apartment complexes or in other buildings containing (3) three or more single-family residential dwelling units.

**Type II unit complexes** are collections of Type II units in the same building or adjacent buildings, under common ownership.

**Type III units** are dwelling units which are not single-family dwelling units, including, but not limited to, dormitories, hotels and buildings containing rooming units.

**Type IV units** are buildings and structures or parts thereof that are not Type I units, Type II units or Type III units.

#### **1110.1045 Disclosure of Occupancy Permit Requirement upon Conveyance or Rental.**

1. Every person who conveys or rents property, and every real estate agent or broker, attorney, or person acting on behalf of a person who conveys or rents property, shall disclose in writing to the person(s) or entity(ies) to whom the property is being conveyed or rented that the property is subject to the requirements of this chapter and that occupancy and re-occupancy permits may be required for single-family residential dwelling units. Written disclosure shall be made prior to execution of any written contract for conveyance or rental of the property, or prior to conveyance or rental if no written contract is executed.
2. Beginning on July 1, 2007, every person who conveys or rents property and every real estate agent or broker, attorney, or person acting on behalf of a person who conveys or rents property shall disclose in writing to the person(s) or entity(ies) to whom the property is being conveyed or rented that occupancy and re-occupancy permits are required for single-family residential dwelling units. Written disclosure shall be made prior to execution of any written contract for conveyance or rental of the property, or prior to conveyance or rental if no written contract is executed.
3. For purposes of this section, the term “person who conveys or rents property” shall include, in addition to the conveyer or landlord, any person or firm responsible for management of the property.

#### **1110.1050 Occupancy, Re-occupancy, and Pre-Occupancy Permits Required.**

1. **Type I and II units.** No person shall occupy or permit the occupancy of any Type I or Type II unit which the owner does not occupy or which is within a property conservation district unless an occupancy or re-occupancy permit has been issued for said person’s occupancy of that unit by the code official and the permit is available for inspection at the unit. A re-occupancy permit is required for each change of occupancy of a Type I or Type II unit wherein an owner will not occupy the unit or wherein the unit is within a property conservation district. Occupants of a Type I or Type II unit who occupy a dwelling unit at the time of creation of a property conservation district or at the time this ordinance becomes effective are not required to obtain a re-occupancy permit until the first change of occupancy following the creation of the district or the first change of occupancy requiring a permit after this ordinance becomes effective.
2. **Type I and II units.** Beginning on July 1, 2007, no person shall occupy or permit the occupancy of any Type I or Type II unit unless an occupancy or re-occupancy permit has been issued for said person’s occupancy of that unit by the code official and the permit is available for inspection at the unit. A re-occupancy permit is required for each change of occupancy of a Type I or Type II unit. Occupants of a Type I or Type II unit who occupy a dwelling unit at the time this ordinance becomes effective are not required to obtain a re-occupancy permit until the first change of occupancy after this ordinance becomes effective.

3. **Type II unit complexes.** No occupancy or re-occupancy permit shall be issued for a Type II unit which the owner does not occupy or which is within a property conservation district, or for any Type II unit following July 1, 2007, unless a pre-occupancy permit has been issued for the Type II unit complex within which the unit is located.
4. **Applications** for occupancy, re-occupancy and pre-occupancy permits shall be made on forms prescribed by the code official. The code official may establish administrative procedures to assure increased efficiency of the permitting process, including but not limited to procedures to accept applications from owners before specific renters (occupants) are identified. These applications shall have associated inspections conducted but with the final permits withheld until the occupants are identified. The inspections, in these cases, shall remain valid for a minimum of one hundred twenty (120) days and shall require no further inspection in order to issue the reoccupancy permit.
5. **New (not previously occupied) Type I and Type II units.** An occupancy permit shall be issued for newly constructed Type I and Type II units under the provisions of section 1110.1075, item 3 of this code.

**Note:** See item 2, of section 1110.1065 for permit inspection fee exemptions.

#### **1110.1051 Exemption from Inspection Requirement.**

1. The Director of Public Works may, by rule adopted after public hearing, exempt a dwelling unit or units or any class of dwelling unit or units from inspection, provided that the Director makes a finding that another governmental entity is performing inspections of the dwelling units according to similar requirements for passing the inspection. If a class of units is exempted under this section, the class of units so described may be any definition, which is reasonable, and need not bear any relationship to the types of units defined in Section 1110.1040. Following adoption of the rule, the Director shall forward a copy of his findings, with an indication of the date and location of the public hearing, to the Administrative Director of the County Council.
2. Newly constructed Type I and Type II units shall be exempt from re-occupancy inspection requirements for a period of five (5) years from receipt of a new construction occupancy permit and newly constructed Type II units shall be exempt from pre-occupancy inspection requirements for a period of five (5) years from receipt of a new construction occupancy permit; except, however, that this exemption shall not apply to any unit for which an occupancy permit has been issued prior to the effective date of this ordinance.
3. Units within those Type II unit complexes that contain more than nine (9) units shall be partially exempt from re-occupancy permit inspection requirements as follows: if re-occupancy permits have been issued upon initial inspection for the most recent ten (10) consecutive units within a 36-month period, then the code official shall exempt randomly two thirds of the units within the subject complex from the normally required physical inspections. The code official shall discontinue such exemption if a re-occupancy permit is not issued upon initial inspection for each of two (2) consecutive units.

#### **1110.1060 Inspection.**

1. Type I and II units. Upon receipt of an occupancy or re-occupancy permit application accompanied by the appropriate permit inspection fee, the code official shall cause an inspection to be made for the purpose of determining whether or not the Type I or Type II unit complies with the provisions of this code; except, however, that neither a permit inspection fee nor an inspection shall be required for inclusion on the occupancy or re-occupancy permit of the name of a child born to or adopted by a person listed on the occupancy or re-occupancy permit after issuance of said permit. Such inspection shall be made within five (5) working days of receipt of the application by the code

official. If the unit does not comply, then the inspector shall give the applicant a written notice of deficiencies.

2. Type II unit complexes. Upon receipt of a pre-occupancy permit application accompanied by the appropriate permit inspection fee, the code official shall inspect the exterior and common portions of each Type II unit complex for the purpose of determining whether or not the exterior of the complex and its common portions comply with the provisions of this code. If the inspection reveals noncompliance with this code, the inspector shall give the applicant or his agent a written notice of deficiencies. The code official shall use his/her best efforts to conduct the first inspection of a Type II unit complex within sixty (60) days of receipt of a pre-occupancy permit application and permit inspection fee.

**1110.1065 Permit Inspection Fees.** Fees for Permit Inspections shall be in accordance with Table 1110.1065(1).

TABLE 1110.1065(1)  
PERMIT INSPECTION FEES

Type of Unit	Fee
Type I units. Occupancy and re-occupancy—Permit inspections	\$80.00 for each unit
Type II units. Occupancy and re-occupancy—Permit inspections	\$40.00 for each unit
Complexes—Type II units. Pre-occupancy permit inspections—Permit inspection fees for the inspection of exterior of premises and common areas shall be:	
3 to 50 units	\$75.00
51 to 100 units	\$125.00
101 to 200 units	\$200.00
Over 200 units	\$1.00 per unit

**Note:** Fees for re-occupancy permit inspections, and pre-occupancy permit inspections shall include one (1) initial inspection and one (1) follow up inspection. If, additional follow up inspections are made because of conditions not in compliance with the requirement of the Property Maintenance Code, an additional fee of \$40.00 per inspection shall be paid.

1. Permit inspection fees shall be paid at the time of permit application
2. Type I and Type II units. Newly constructed Type I and Type II units shall be exempt from permit inspection fees as prescribed in this code.

**1110.1067 Reinspection.**

1. Upon receipt of a notice of deficiencies, the applicant shall both correct all such deficiencies and advise the code official that the deficiencies have been corrected within ninety (90) days. Failure to correct the deficiencies and so advise the code official within ninety (90) days shall cause the application to lapse and no re-occupancy or pre-occupancy permit shall be issued until a new application is filed and a new inspection made.
2. Upon notice to the code official by the applicant or his agent that there has been completion of remedial action addressing the deficiencies listed in the notice of deficiencies, the code official shall cause the Type I or II unit or the exterior and common portions of a condominium containing residential condominium units or the exterior and common portions of a Type II unit complex to be re-inspected. The code official shall charge additional permit inspection fees as stipulated in Table 1110.1065 in this code.
3. Notwithstanding action correcting the deficiencies noted in the original notice of deficiencies, the code official shall not issue a re-occupancy or pre-occupancy permit where there remains

noncompliance with the code where such noncompliance has first occurred following the initial inspection, or was not apparent upon use of reasonable diligence by the inspector upon the first inspection.

#### **1110.1070 When permit expires.**

1. **Type I and II units.** Where a re-occupancy permit has been issued for a Type I or Type II unit, but change of occupancy has not occurred within one hundred and twenty (120) days following issuance of the permit, or where the unit is unoccupied for one hundred and twenty (120) days following issuance of the permit, the permit shall expire, and a new re-occupancy permit shall be required before any occupancy may occur.
2. **Type II unit complexes.** The pre-occupancy permit for a Type II unit complex shall expire two (2) years following its issuance.

#### **1110.1072 Access to Premises.**

1. **Type I and II units.** No re-occupancy permit shall be issued for a Type I or Type II unit where the owner or occupant, or prospective owner or occupant denies access to the premises for inspection or reinspection or takes other action or fails to take necessary action which has the effect of precluding inspection or reinspection by the code official, nor where access is denied to common areas of a condominium adjacent to or closely associated with the unit being inspected.
2. **Type II unit complexes.** No pre-occupancy permit shall be issued for a Type II unit complex where the owner denies access to the premises for inspection or fails to take necessary action which has the effect of precluding inspection or re-inspection by the code official.

#### **1110.1075 Issuance of Permit; Standards.**

1. **Type II unit complexes.** A pre-occupancy permit shall be issued for a Type II unit complex if the exterior and common portions of the Type II unit complex are in compliance with the applicable requirements of this code. The permit shall indicate the maximum number of persons permitted to reside in each Type II unit in the Type II unit complex.
2. **Type I and Type II units.** An occupancy permit shall be issued for a newly constructed Type I or a Type II unit after structures have received all final construction approvals as required by the building code listed in Chapter 8 of this code and a certificate of occupancy is issued pursuant to that code. The occupancy permit issued under this code shall indicate the number of persons permitted to reside in the unit and the name of each person for whom occupancy is authorized. The permit shall be amended without additional charge upon the applicant's request, for up to ninety (90) days after its issuance, to name additional occupants as otherwise permitted.

**Exception:** Demonstration homes for a subdivision, and homes constructed on speculation by the builder, shall not require an occupancy permit until first occupancy by a family.

3. **Type I and II units.** A re-occupancy permit shall be issued for a Type I or Type II unit if the unit is in compliance with the applicable requirements of this code. The permit shall indicate the maximum number of persons permitted to reside in the unit under this code and the name of each person for whom occupancy is authorized. The permit shall be amended without additional charge upon the applicant's request, for up to ninety (90) days after its issuance to name additional occupants as otherwise permitted. Where the Type I unit is a residential condominium unit, a permit shall not be issued where common areas adjacent to the unit or areas closely associated with the occupancy of such unit are not in compliance with the requirements of this code. If portions of the common area not adjacent to the unit and not closely associated with the occupancy of a unit being inspected are not in compliance with the requirements of this code, a re-occupancy permit may still be issued; however, the inspector may issue a citation for such noncompliance in the name of the condominium association or the cooperative housing association, as the case may be.

**1110.1080 Citations for Violation of Provisions of Re-Occupancy Permit Requirements; Form of Citation.**

1. Any person designated by the Code Official to enforce the provisions of this code pertaining to re-occupancy permits may issue a citation to any person when having probable cause to believe that such person has committed a violation of Section 1110.1050. The citation shall require the person in whose name the citation is issued to pay a fine either by mail or in person at the offices of the St. Louis County Department of Public Works within ten (10) days after receipt of the citation
2. The citation issued pursuant to subsection 1 of this section shall be in substantially the following form:

STATE OF MISSOURI	)	
	)	SS.
COUNTY OF MISSOURI	)	

ST. LOUIS COUNTY, MISSOURI, Complainant, v, \_\_\_\_\_ Violator.

Race: \_\_\_\_\_

Sex: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Height: \_\_\_\_\_

Weight: \_\_\_\_\_

Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_

Address: \_\_\_\_\_

Employer: \_\_\_\_\_

Business Address: \_\_\_\_\_

Address of property for which re-occupancy permit was required: \_\_\_\_\_

The undersigned complains and states that the violator, did, on or about \_\_\_\_\_ at or about \_\_\_\_\_ .m. commit the following violation within unincorporated Saint Louis County, in violation of section 1110. \_\_\_\_\_ of the St. Louis County Revised Ordinances 1974 as amended:

Signature	Title
Date	

The Director of the St. Louis County Department of Public Works to the above named violator:  
 You are to appear at the offices of the St. Louis County Department of Public Works at \_\_\_\_\_  
 on or before \_\_\_/\_\_\_/\_\_\_ between the hours of 8:00a.m. and 5:00p.m. to either pay a fine for this violation  
 or to state that you are not guilty.



If you fail to appear, a report of this violation will be referred to the County Counselor, who may institute legal proceedings against you without further notice. Fines may be paid by mail. To inquire about this possibility, you may call between the hours of 8:00a.m. and 5:00p.m.

Without admitting guilt, I hereby acknowledge receipt of this notice.

Signature	Title

3. Nothing in this section shall be construed to require that prosecution for any violation of Section 1110.1050 be preceded by a citation under this section.

**1110.1090 Authorization for Code Official to Accept Payment for Penalties Assessed Herein; Prosecution of Violations.**

1. In cases where citations have been issued pursuant to Section 1110.1080, the Code Official is authorized to, and shall have and perform the following duties:
  - (a) Accept payment of fines as provided;
  - (b) Maintain records of all violations of Section 1110.1050 or Section 1110.1070, indexed by name of the person violating any such provision, whether such violation was established in court or by payment of a fine pursuant to this section;
  - (c) Refer to the County Counselor for prosecution where a person is charged with violation of Section 1110.1050 or Section 1110.1070 and fails to appear and pay the fine within the time or in the manner prescribed by this code.
2. Penalties for violations of Section 1110.1050 or Section 1110.1070, which may be paid to the code official, are as follows: For the first violation, the fine shall be one hundred dollars (\$100.00); for the second violation, the fine shall be five hundred dollars (\$500.00); for any subsequent violations, the fine shall be one thousand dollars (\$1,000.00).

**1110.1100 Referenced Codes and Standards.** This section lists the St. Louis County codes that are referenced in various sections of this Property Maintenance Code. These codes, including the standards adopted therein, shall be considered part of the requirements of the Property Maintenance Code to the prescribed extent of each such reference within this code and those provisions of Chapter 8 of the ICC Property Maintenance Code that are not set out in this section are not adopted in this code.

Codes and standards of:  
 Government of St. Louis County, Missouri  
 41 South Central Avenue  
 Clayton, Missouri 63105

Codes and Standards reference number	Title	Referenced in I.P.M.C section number
Chapter 1115 SLCRO 1974 as amended	Building Code	102.3, 201.3, 302.7.1, 401.3, 702.2, 702.3, 702.4, 704.2
Chapter 1102 SLCRO 1974 as amended	Electrical Code	102.3, 201.3, 604.2
Chapter 1108 SLCRO 1974 as amended	Mechanical Code	102.3, 201.3, 401.3
Chapter 1103 SLCRO 1974 as amended	Plumbing Code	102.3, 201.3, 505.1, 602.2, 602.3
Chapter 1003 SLCRO 1974 as amended	Zoning Ordinance	102.3, 201.3

**1110.1200 Penalties and Enforcement.**

1. Every person who shall be convicted of violation of any of the provision of this chapter shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned in the St. Louis County Jail for not more than one (1) year, or punished by both such fine and imprisonment. Each day a violation

continues after service of written notice to abate such violation shall constitute a separate offense; however, no notice is required to prosecute and convict a person for any violation or violations of this code.

2. In addition to or as an alternative to the penalties hereinabove authorized and established, the County Counselor shall take such other actions at or in equity as may be necessary for the purpose of ordering that person:
  - a. To restrain, correct or remove the violation or refrain from any further execution of work;
  - b. To restrain or correct the erection, installation, maintenance, repair or alteration of a structure;
  - c. To require the removal of work in violation; or
  - d. To prevent the occupancy, re-occupancy, or use of the structure which is not in compliance with the provisions of this code.
3. It shall not be a defense to prosecution under this code that the alleged violation was in existence at the time of the issuance of a re-occupancy permit under Subchapter D of this code.

**END OF CHAPTER 1100 TITLE XI, PUBLIC WORKS AND BUILDING REGULATIONS – ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE, YEAR 2009 EDITION. (ORDINANCE 24,440 APPROVED JULY 14, 2010)**