

Chapter 240

PROPERTY MAINTENANCE CODE

Section 240.010. Adoption. [Ord. No. 6932 §1, 10-28-2013¹]

The International Property Maintenance Code, 2012 Edition, and Appendix A, as published by the International Code Council, Inc., one (1) copy of which was on file in the office of the City Clerk for a period of ninety (90) days prior to the adoption of this Chapter and available for public use, inspection and examination, and a copy of which is attached hereto and incorporated by this reference as if fully set forth herein, is hereby adopted as the Property Maintenance Code of the City of University City, Missouri, subject to the amendments, additions, insertions, deletions and changes set out in Section 240.020 of this Chapter.

Section 240.020. Additions, Insertions, Deletions and Amendments. [Ord. No. 6932 §1, 10-28-2013]

A. The following numbered Sections and Subsections of the International Property Maintenance Code, 2012 Edition, and Appendix A as published by the International Code Council, Inc., are hereby amended by additions, insertions, deletions and changes so that such Sections and Subsections shall read as follows:

1. **(Chapter 1 - Scope and Administration) - (SECTION 101 GENERAL)**

101.1 Title. These regulations shall be known as the "Property Maintenance Code of the City of University City, Missouri," hereinafter referred to as "this Code."

2. **(Chapter 1 - Scope and Administration) - (SECTION 102 APPLICABILITY)**

102.3 Application of other Codes. Repairs, additions or alterations to a structure, or changes of occupancy shall be done in accordance with the procedures and provisions of the Building, Residential, Plumbing, Mechanical, Existing Building, Electrical, Fuel Gas, Energy Conservation, and other applicable Codes adopted by the City of University City.

102.6 Historic buildings. Where carrying out the provisions of this Code will significantly alter the historic or architectural character of an existing structure that has been officially designated by the State of Missouri or by the City of University City as a historic building, property or landmark, the Code Official, upon application of the owner or the owner's representative, shall vary,

1. **Editor's Note: Section 1 of this ordinance repealed former Ch. 240, Property Maintenance Code, as adopted and amended by R.O. 2011 §§8.28.010—8.28.020; Ord. No. 6781 §1, 4-20-2009]**

modify or waive such provisions based on a finding that the public interest in health, safety and welfare will be served by such action.

3. **(Chapter 1 - Scope and Administration) - (SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION)**

103.1 General. The term "Department of Property Maintenance Inspection" whenever employed herein shall be construed to mean the Department of Community Development of the City of University City, Missouri. The term "Code Official" shall be construed to mean the Building Commissioner of the City of University City, Missouri, or the duly authorized representative of the Building Commissioner.

103.5 Fees. The fees for activities and services performed by the Department in carrying out its responsibilities shall be as indicated in the following schedule:

Type of Occupancy Permit	Fee
Residential permit to occupy (not including inspection fees)	\$25.00
Residential sublease permit to occupy (not including inspection fees)	\$25.00
Conditional residential permit to occupy (not including inspection fees)	\$10.00
Nonresidential permit to occupy or amendment (including inspections)	
Under 1,000 square feet	\$30.00
1,000 to 2,500 square feet	\$60.00
Over 2,500 square feet	\$120.00
Amending a commercial occupancy permit where no inspection is required	\$30.00
Amending a residential occupancy permit	\$10.00

Inspection Fees

The fee charged for periodic inspections, special inspections, existing structure code compliance and non-routine permit inspections shall be as scheduled below, per inspection:

Type of Inspection	Fee
Inspection of existing residential structures	
Owner-occupied (per unit)	\$80.00
Rental (per unit)	\$60.00
Missed inspection in which the inspector was unable to gain entry to the property or the work was not completed	\$35.00

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Type of Inspection	Fee
Service request inspections (per hour or portion thereof)	\$35.00
Additional inspections (per hour or portion thereof)	\$35.00

Registration Fees

Fees charged for registration:

Type of Registration	Fee
Residential rental property registration (initial)	\$30.00
Residential rental property registration (annual renewal)	\$15.00
Residential non-rental property registration (included in inspection fee)	\$0.00
Other registrations (initial)	\$30.00
Other registrations (annual renewal)	\$15.00
Vacant building registration in accordance with Section 191	\$200.00

Type of Temporary Storage Container	Fee
Private property dumpster (per container)	\$20.00
Private property portable storage container (per container)	\$10.00

Other fees:

Services or activities not specifically scheduled herein:

Fees shall be based on those scheduled services or activities which in the judgment of the Building Commissioner are similar or identical to those requested.

103.90 Payment. The fee for all activities to be performed by the Department of Community Development shall be paid in advance. Payment shall be made at the office of the Department of Community Development in cash, accepted credit card types, or by check made payable to "City of University City." The Department of Community Development is authorized to charge a convenience fee or merchant card processing fee for credit card transactions equal to the fee amount charged to the City.

Services such as processing applications, issuing a permit, scheduling inspections, etc. shall not be conducted when outstanding fees are owed the City without the express consent of the Building Commissioner.

4. (Chapter 1 - Scope and Administration) - (SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL)

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

104.90 Search warrants.

1. A search warrant may be issued by the Municipal Judge commanding the search of a structure or premises within the territorial jurisdiction of the City and the Municipal Judge to search and seize, or photograph, copy or record any property, structure or premises which are in or used in violation of this Chapter.
2. The Code Official or any Peace Officer may make application for the issuance of a search warrant. The application shall:
 - (1) Be in writing;
 - (2) State the time and date of the making of the application;
 - (3) Identify the structure or premises which are to be searched in sufficient detail and particularity that the Code Official or Peace Officer executing the warrant can readily ascertain the structure or premises;
 - (4) Identify the place or thing which is to be searched, in sufficient detail and particularity that the Code Official or Peace Officer executing the warrant can readily ascertain what he/she is to search;
 - (5) State facts sufficient to show probable cause for the issuance of a search warrant;
 - (6) Be verified by the oath or affirmation of the applicant;
 - (7) Be filed in Municipal Court;
 - (8) Be signed by the prosecuting attorney.
3. The application may be supplemented by a written affidavit verified by oath or affirmation. Such affidavit shall be considered in determining whether there is probable cause for the issuance of a search warrant and in filling out any deficiencies in the description of the structure or premises to be searched. Oral testimony shall not be considered.
4. The Municipal Judge shall hold a non-adversary hearing to determine whether sufficient facts have been stated to justify the issuance of a search warrant. If it appears from the application and any supporting affidavit that there is probable cause to believe that the place or thing subject to search is in

or on the structure or premises described, a search warrant will be immediately issued. The warrant shall be issued in the form of an original and two copies.

5. The application and any supporting affidavit and a copy of the warrant shall be retained in the records of the Municipal Court.
6. The search warrant shall:
 - (1) Be in writing and in the name of the City of University City;
 - (2) Be directed to the Code Official or any Peace Officer;
 - (3) State the time and date the warrant is issued;
 - (4) Identify the structure or premises which are to be searched in sufficient detail and particularity that the Code Official or Peace Officer executing the warrant can readily ascertain the structure or premises;
 - (5) Identify the place or thing which is to be searched in sufficient detail and particularity that the Code Official or Peace Officer executing the warrant can ascertain what he/she is to search;
 - (6) Command that the structure, premises, place or thing be searched and that any of the described property, article, material or substance found thereon or therein and seized or photographed or copied be returned, or the photograph or copy be brought, within ten days after filing of the application, to the Municipal Judge who issued the warrant, to be dealt with according to law;
 - (7) Be signed by the Municipal Judge, with his/her title of office indicated.
7. A search warrant issued under this Section may be executed only by the Code Official or a Peace Officer. The warrant shall be executed by conducting the search and seizure commanded.
8. A search warrant shall be executed as soon as practicable and shall expire if it is not executed and the return made within ten days after the date of the making of the application.
9. After execution of the search warrant, the warrant with a return thereon, signed by the Code Official or Peace Officer making the search, shall be delivered to the Municipal Judge who issued the warrant. The return shall show the date and manner of execution, what was seized, and the name of the possessor and of the owner, when he/she is not the same person, if known. The return shall be accompanied by a copy of the itemized receipt required by Paragraph 14. The Municipal

Judge or Clerk shall, upon request, deliver a copy of such receipt to the person from whose possession the property was taken and to the applicant for the warrant.

10. A search warrant shall be deemed invalid:
 - (1) If it was not issued by a Municipal Judge; or
 - (2) If it was issued without a written application having been filed and verified; or
 - (3) If it was issued without probable cause; or
 - (4) If it was not issued in the City; or
 - (5) If it does not describe the structure, premises, place or thing to be searched or the property, article, material or substance to be seized with certainty; or
 - (6) If it is not signed by the Municipal Judge who issued it; or
 - (7) If it was not executed within the time prescribed in Paragraph 8.
11. The search shall be conducted in a reasonable manner. The search may be made at night if making it during the day is not practicable.
12. A Code Official or Peace Officer making a search pursuant to an invalid warrant, the invalidity of which is not apparent on its face, may use such force as he/she would be justified in using if the warrant were valid.
13. The Code Official or Peace Officer may summon as many persons as he/she deems necessary to assist him/her in executing the warrant. Such persons shall not be held liable as a result of the illegality of the search and seizure.
14. If any property is seized, the Code Official or Peace Officer shall give to the person from whose possession it is taken, if he/she is present, a copy of the warrant and an itemized receipt of the property taken. If no person is present, the Code Official or officer shall leave the copy and the receipt at the site of the search.
15. A copy of the itemized receipt of any property taken shall be delivered to the office of the prosecuting attorney within two working days.

104.91 Third-party inspections. All third-party inspections shall be in accordance with Title 15.005 of the Municipal Code of University City.

5. **(Chapter 1 - Scope and Administration) - (SECTION 106 VIOLATIONS)**

106.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, provide, fail to provide, use or occupy, let to another for use or occupancy or permit another person to use or occupy any structure, premises, or equipment regulated by this Code, or cause the same to be done, contrary to or in conflict with or in violation of any of the provisions of this Code, or to fail to obey a lawful order of the Code Official, or to remove or deface a placard or notice posted under the provisions of this Code.

106.4 Violation penalties. Any person, firm or corporation who shall violate any provision of this Code shall, upon conviction thereof, be subject to the penalties provided in Section 100.190 of the University City Municipal Code. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

6. **(Chapter 1 - Scope and Administration) - (SECTION 107 NOTICES AND ORDERS)**

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

1. Delivered personally;
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;
4. Sent by private courier company such as, but not limited to, FedEx® or UPS®.

7. **(Chapter 1 - Scope and Administration) - (SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT)**

108.1.90 Non-compliant structure. A non-compliant structure is one found in whole or in part to be unlawful after all attempts provided by this Code are exhausted, including citing violations, providing notice, and referring concerns to the Municipal Court, and the property remains not in compliance with this Code to the extent that the property has become a nuisance. Non-compliant structures shall be condemned, and the condemnation shall not be removed until property improvement is made as determined by the Building Commissioner. Notice shall be provided in accordance with this Code and 48 hours in advance of the condemnation. The property owner shall be given the opportunity to have a pre-

deprivation hearing with the Building Commissioner if requested in writing within the forty-eight-hour notification period, and a post-deprivation hearing by the Board of Appeals per Building Code Section 113.

8. **(Chapter 1 - Scope and Administration) - (SECTION 110 DEMOLITION)**

110.1 General. Any structure which is found to be detrimental to the health, safety or welfare of the residents of the City of University City and which is declared to be a public nuisance by the Code Official shall be vacated and demolished or repaired in strict accordance with the provisions of this Section.

110.2 Notices and orders. Delete in its entirety.

110.3 Failure to comply. Delete in its entirety.

110.4 Salvage materials. Delete in its entirety.

110.90 Declaration of public nuisance. Any structure found to have any of the following defects shall be deemed to be detrimental to the health, safety or welfare of the residents of the City of University City and shall be declared a public nuisance:

1. Bearing wall, earth retaining wall, column or other vertical structural member which leans or buckles to such an extent that it is likely to partially or completely collapse and injure the occupants or members of the public.
2. Floor, roof, wall, structural member or structural connection which is overloaded, has insufficient bearing or which has insufficient strength to be safe for the purpose used so as to be likely to collapse and injure the occupants or members of the public.
3. Part of a structure which is so attached that it is likely to fall and injure the occupants or members of the public.
4. Damage by fire, earthquake, flood, wind, or other causes, so as to become dangerous to the health, safety or welfare of the occupants or members of the public.
5. Disrepair or lack of maintenance so as to be unsanitary, vermin- or rat-infested, filthy or contaminated, or lacking in ventilation, sanitary facilities, heating facilities or other Code-required equipment to the degree that the structure is hazardous to the health, safety or welfare of the occupants or members of the public.
6. Dilapidation, deterioration or decay; faulty or abandoned construction; open, vacant or abandoned; damaged to the

extent that the structure does not provide shelter from the elements.

- 7. Abandoned wells, shafts, basements or excavations or other physical conditions that constitute an attractive nuisance to children so as to be hazardous to the health, safety, or welfare of members of the public.
- 8. Cessation of normal construction for a period of two years.
- 9. Any structure that is condemned as an unsafe structure or condemned as unfit for human occupancy.

110.91 Mandatory demolition or repair of a public nuisance. The following steps shall be taken to effect the mandatory demolition or repair of a structure which is deemed to be detrimental to the health, safety or welfare of the residents of the City of University City and which is declared a public nuisance.

110.91.1 Notice of declaration of nuisance. A notice of declaration of nuisance and pre-hearing order shall be prepared in substantially the following form:

NOTICE OF DECLARATION
OF NUISANCE AND
PRE-HEARING ORDER

THE STRUCTURE OR STRUCTURES DESCRIBED BELOW HAVE BEEN DECLARED A NUISANCE.

[Insert address or other adequate description of the building or structure.]

(Use one or two of the following three paragraphs)

NO PERSON SHALL OCCUPY THIS BUILDING OR ANY PART THEREOF, AFTER _____/_____/_____, 20___. After such date, no person shall occupy, enter, refuse to leave, or remain in this building or any part thereof, except persons directly employed in securing, repairing or removing such building.

THIS STRUCTURE MUST BE DEMOLISHED AND REMOVED FROM THE PREMISES NO LATER THAN _____/_____/_____, 20___. If demolition is not begun and carried forth promptly, the Code Official shall, after a hearing, order the same demolished and the cost assessed against the property as a special tax lien. Upon presentation of adequate plans, the Code Official may allow repair instead of demolition.

THIS STRUCTURE MUST BE REPAIRED TO CURE THE FOLLOWING DEFECTS:

WORK MUST BEGIN ON OR BEFORE
_____/_____/_____, 20__, AND PROCEED
CONTINUOUSLY WITHOUT UNNECESSARY DELAY TO
COMPLETION.

This order shall be obeyed by demolition and removal of the structure. Upon failure to repair as herein required, the Code Official shall, after hearing, order repairs to be made and the cost charged to the owner of this property as a special tax lien.

110.91.2 Posting. A copy of the notice of declaration of nuisance and pre-hearing order shall be posted in a prominent place on the premises.

110.91.3 Service. The notice of declaration of nuisance and pre-hearing order shall be served on the affected parties and all persons having an interest in the property, all as shown by the records of the St. Louis County Recorder of Deeds. The notice shall be served personally or by certified mail, return receipt requested, or if service cannot be had by either of these modes of service, then by at least one publication in a newspaper of general circulation in the City. The affected parties shall be given a reasonable time to complete demolition or to begin the repairs.

110.91.4 Notice of hearing. If the affected parties fail to commence work on repairs or complete demolition within the time specified, or fail to proceed continuously with the work without unnecessary delay, the Code Official shall call a hearing upon the matter, giving the affected parties 21 days' written notice of the hearing. Said notice shall be served personally or by certified mail, return receipt requested, or if service cannot be had by either of these modes of service, then by at least one publication in a newspaper of general circulation in the City.

110.91.5 Hearing. The Code Official or the duly designated representative of the Code Official shall conduct a full and adequate hearing. Any affected party may be represented by counsel, and all affected parties shall have an opportunity to be heard. After the hearing, if the evidence supports a finding that the structure is a nuisance and detrimental to the health, safety or welfare of the residents of the City of University City, the Code Official shall issue a post-hearing order making specific findings of fact based on competent and substantial evidence and order the structure to be demolished and removed, or repaired. The post-hearing order shall be served in the same manner as the notice of declaration of nuisance and pre-hearing order. The post-hearing order shall contain a date certain for completion of the required action.

110.91.6 Upon failure to obey post-hearing order. If any post-hearing order of the Code Official is not obeyed and if appeal of any post-hearing order is not made to the Circuit Court as provided for in this Chapter within 30 days after issuance of any such order, the Code Official shall cause such structure to be vacated and repaired or demolished as provided in his or her post-hearing order. The Code Official shall certify the cost of such action, including all administrative costs, to the Director of Finance who shall cause a special tax bill against the property to be prepared, filed and collected. Said tax bill shall be a lien upon said property, and said lien shall bear interest at the rate set by the Missouri Division of Finance on the date the lien is filed.

110.92 Duties of inspectors. It shall be the duty and responsibility of the inspectors to inspect all structures, when so directed by the Code Official, for the purpose of determining the existence of unsafe or unhealthful conditions and to determine compliance with any orders issued; to report to the Official, in writing, any conditions which cause a structure to be deemed detrimental to the health, safety or welfare of the residents and report noncompliance with any orders issued; and to appear and testify at hearings regarding structures which the inspector has inspected.

110.93 Appeal. Any affected party may appeal to the Circuit Court from any post-hearing order of the Code Official in the manner provided by law for judicial review of decisions of administrative agencies.

110.94 Liability of the City. The City shall not be liable to any affected party for any damage or injury to persons or property caused by the enforcement of this Section when such enforcement is carried out in accordance with the procedures herein provided.

110.95 Liability of employees. Neither the Code Official nor any inspector, officer, employee, or agent of the City shall be liable for any damage that accrues to the persons or property as a result of any act required or permitted pursuant to this Section. Any suit brought against the Code Official, any inspector, officer, employee, or agent of the City as a result of any act required or permitted pursuant to this Section shall be defended by the City Attorney.

110.96 Unlawful acts. It shall be unlawful for any person to deface or remove any notice without the prior authorization of the Code Official or of a court having jurisdiction. It shall be unlawful for any person to enter or occupy a structure or portion thereof in violation of posted notice or in violation of a notice served on such person.

110.97 Insurance proceeds. If there are proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, and if the covered claim payment is in excess of fifty percent (50%) of the face value of the policy covering a building or other structure, then the following procedures apply:

- a) The insurer shall withhold from the covered claim payment 25% of the covered claim payment, and shall pay such moneys to the City to deposit into an interest-bearing account. Any named mortgagee on the insurance policy shall maintain priority over any obligation under this Section. If a special tax bill or assessment is issued by the City for the expense of demolition of such building or structure as a dangerous building or structure, the money held by the City shall be applied toward a payment of special tax bill or assessment. If there is any excess, it shall be paid by the City to the insured or as the terms of the policy and endorsements thereto provide.
- b) If within 30 days of the receipt of such insurance moneys the City has not instituted legal proceedings by issuance of the notice provided for in Section 110, or Section 119.3 of the Building Code of University City, or by taking emergency measures as provided for in Section 120 of the Building Code of University City, then the City's Director of Finance shall release such proceeds and any interest which has accrued on such proceeds to the insured under the insurance policy or as the terms of the policy and endorsements thereto provide.

- c) If such building or structure is repaired or demolished pursuant to this article as attested to by the Building Official without cost to the City, then any insurance proceeds paid to the City's Director of Finance and any interest thereon shall be paid to the insured under the insurance policy, or as the terms of the policy and endorsements thereto provide.
- d) When the City takes bids from independent contractors for demolition of a building, bidders shall deduct any salvage value materials of the building or structure may have, from the cost of demolition in arriving at their bid amount. Should City employees do the demolition, the actual cash value of salvaged materials shall be deducted from the special tax bill for such demolition. In no case will the net cost of demolition be increased in order to effect salvage of materials.
- e) Upon presentation of satisfactory proof that the insured has removed or will remove debris, and repair, rebuild or otherwise make the insured premises safe and secure, the Building Official shall issue a certificate within 30 days after receipt of such satisfactory proof to permit covered claim payment to the insured without deduction, payable to the City's Director of Finance as herein provided in this Section. It shall be the obligation of the insured or other person making claim to provide the insurance company with such certificate.
- f) No provision of this Section shall be construed to make the City a party to any insurance contract.

9. **(Chapter 1 - Scope and Administration) - (SECTION 111 MEANS OF APPEAL)**

111.1 Application for appeal. Delete in its entirety.

111.2 Membership of board. Delete in its entirety.

111.2.1 Alternate members. Delete in its entirety.

111.2.2 Chairman. Delete in its entirety.

111.2.3 Disqualification of member. Delete in its entirety.

111.2.4 Secretary. Delete in its entirety.

111.2.5 Compensation of members. Delete in its entirety.

111.3 Notice of meeting. Delete in its entirety.

111.4 Open hearing. Delete in its entirety.

111.4.1 Procedure. Delete in its entirety.

111.5 Postponed hearing. Delete in its entirety.

111.6 Board decision. Delete in its entirety.

111.6.1 Records and copies. Delete in its entirety.

111.6.2 Administration. Delete in its entirety.

111.7 Court review. Delete in its entirety.

111.8 Stays of enforcement. Delete in its entirety.

111.90 General. Any appeal to the orders, decisions, or determinations made by the Code Official shall first be made in writing for review to the Code Official within 20 days of the order, decision, or determination. Orders, decisions or determinations in which the Code Official has affirmed may be referred by the City to the Municipal Court of University City for prosecution, where the defendant shall have the opportunity to plead not guilty and be tried.

10. **(Chapter 1 - Scope and Administration) - (SECTION 190 PERMIT TO OCCUPY)**

190.1 Permit required. It shall be unlawful for any person, owner or agent thereof to occupy or use, or to permit any person to occupy or use any premises for any purpose, including the movement of furniture, equipment or other personal property into said premises, until a permit to occupy has been issued by the Code Official. The permit so issued shall state that the condition of the premises and its proposed occupation comply with all of the provisions of this Code as far as can be determined by a visual inspection of the premises and a review of the records. The provisions of this Subsection shall not apply to any residential occupancy in existence prior to June 5, 1967, unless there is a change in occupants after said date.

190.2 Application, single-family occupancy. It shall be unlawful for any person to knowingly make any false statement on an application for a permit to occupy a dwelling unit as to the names, relationships, ages, or number of occupants who will occupy the dwelling unit. Application on a residential rental property shall be made in accordance with Code Section 192, Residential Rental Property Agent Registration, and this Section.

190.3 Application, other than single-family occupancy. It shall be unlawful for any person to knowingly make any false statement on an application for a permit to occupy a non-residential unit or premises, or on an application for a permit to occupy a dwelling unit for other than single-family purposes as to the name of the person, firm, company, organization or institution which will occupy or use the premises, the type of use, the type or quantity of

materials that will be stored on the premises or the floor area of the portion of the premises that will be occupied or used. Application on a residential rental property shall be made in accordance with Code Section 192, Residential Rental Property Agent Registration, and this Section.

190.4 Action on an application. The Code Official shall examine or cause to be examined all applications for permits within a reasonable time after filing. No action shall be taken to issue a permit until an inspection of the premises has been completed.

190.4.1 Issuance of permit.

1. If all fees are paid and the Code Official is satisfied that the premises and its proposed occupation are in compliance with this Code and all laws and ordinances applicable thereto, the Code Official shall issue the permit to occupy as soon as practicable.
2. No permit to occupy shall be issued under the provisions of this Code for premises which have been newly constructed, newly altered, or on which a change in use is proposed unless a certificate of occupancy has first been issued under the provisions of the Building Code of University City.
3. No permit or conditional permit to occupy shall be issued under the provisions of this Code for premises until all of the following assessments, bills, charges, costs, fees, fines, and taxes have been paid, if due:
 - (1) Real property taxes assessed against the premises.
 - (2) City special tax bills issued against the premises.
 - (3) Neighborhood improvement district special assessments against the premises.
 - (4) Public improvement special assessments against the premises.
 - (5) City refuse service charges for the premises.
 - (6) City nuisance abatement charges for the premises.
 - (7) City weed or trash removal costs for the premises.
 - (8) City community development fees for the premises, including building permit fees, electrical permit fees, mechanical permit fees, plumbing permit fees, application fees, inspection fees, and other fees.
 - (9) City fines and court costs for violations of the Building Code, Electrical Code, Energy Conservation Code, Fire Code, Fuel Gas Code, Mechanical Code, Plumbing Code,

Property Maintenance Code, or Residential Code, on the premises.

190.4.2 Conditional permit. Occupation shall be permitted on a conditional basis when in the judgment of the Code Official practical difficulties interfere with completing all repairs required to bring the premises into full compliance with this Code prior to permitting the occupation of the premises, there are no conditions on the premises which threaten the health or safety of an occupant, and the Code Official is satisfied that the premises will be brought into compliance with the requirements of this Code within a sixty-day period. No conditional permit shall be issued under the provisions of this Code for premises which have been newly constructed, newly altered, or on which a change in use is proposed unless a certificate of occupancy has first been issued under the provisions of the Building Code.

190.4.3 Rejection of application. If the application does not comply with the requirements of all pertinent laws, the Code Official shall reject such application in writing, stating the reasons thereof.

190.4.4 Residential sublease. An occupancy permit for subleasing a residential dwelling unit may be issued, provided the dwelling is Code-compliant as determined by an approved occupancy inspection conducted in the year preceding the date of application. Residential sublease occupancy permits shall only be issued for a period of 100 days and may be extended for one thirty-day term at the discretion of the Building Commissioner. Residential sublease permits shall be revoked if the property or tenants violate the provisions of this Code.

190.5 Suspension of permit. Any permit issued shall become invalid if the occupation of the premises is not commenced within six months after issuance of the permit or if the occupation is terminated.

190.6 Revocation of permit. The Code Official shall revoke a permit in case of any false statement or substantial misrepresentation of facts in the application on which a permit was based, in the event a structure is condemned pursuant to this Code, or when compliance with the requirements of this Code is not achieved within 60 days from the date of issuance of the permit.

190.7 Business license required. Non-residential occupancies or home businesses shall obtain a business license as required by the Municipal Code of University City.

190.8 Commercial occupancy permit. In accordance with this Section, a commercial occupancy permit and the business license shall be obtained prior to a business being occupied and/or business conducted at the location. Businesses that do not comply with this Section because of lack of obtaining the required permit or license, the license was not renewed, taxes were not paid, or changes to the occupancy render the permit void, shall be considered unlawful and in violation of this Code.

190.9 Health Department approval. Food and beverage businesses shall not serve food or beverages unless approved by the St. Louis County Health Department. Businesses that operate contrary to this Section shall be deemed unlawful and in violation of this Code.

190.10 Common area and public area consent. Any person requesting inspection for the purpose of occupancy of any space shall, through the request, consent to inspection of any common or public area contained within the building in which the requested inspection will be conducted.

11. (Chapter 1 - Scope and Administration) - (SECTION 191 VACANT BUILDING REGISTRATION AND MAINTENANCE)

191.1 Vacant building defined. As used in this Section, "vacant building" means any residential or non-residential building, or any part thereof, which is not occupied and has not been occupied for at least the preceding 90 days by a person who has a legal right to be on the premises.

191.2 Registration required. The owner of a vacant building shall register the building with the Code Official no later than 30 days after it becomes a vacant building within the meaning of Section 191.1. The registration shall be on forms provided by the Code Official and shall include all information the Code Official may require. The registration shall remain valid for one year from the date the Code Official approves the registration, unless terminated sooner. The owner shall renew the registration annually so long as the building remains vacant. If ownership of a building is transferred while the building is registered, the former owner shall immediately notify the Code Official in writing of the transfer, and the new owner shall register the building with the Code Official within 30 days after the transfer.

191.3 Registration fee. The registration fee shall be in accordance with Section 103.5, which shall be paid by the owner upon submission of an application with the Code Official to register or renew the registration of a vacant building.

191.4 Property inspection and maintenance. Upon registration of a vacant building, the Code Official shall inspect the building and premises to determine whether an occupancy permit could be issued therefor pursuant to Section 190. The Code Official shall make available to the owner an inspection report listing any conditions which are not in compliance with Code provisions applicable to the issuance of an occupancy permit. Within 60 days after the inspection report is issued, the owner shall bring the premises into such a condition, and shall thereafter maintain the premises, so that an occupancy permit could be issued therefor, or the owner shall demolish the building, provided that the Code Official may extend said period if in the Code Official's judgment practical difficulties interfere with demolishing the building or bringing the premises into such a condition. Any such extension shall not exceed 90 days; and for interior building condition violations only, the Code Official may grant additional extensions, provided the total amount of all extensions does not exceed 360 days. Any failure or refusal by the owner to permit the Code Official to inspect the building and premises shall terminate the registration.

12. **(Chapter 1 - Scope and Administration) - (SECTION 192 RESIDENTIAL RENTAL PROPERTY AGENT REGISTRATION)**

192.1 Registration required. All residential property that is let, sublet, leased or rented shall have an agent for the property registered with the City in accordance with this Section.

192.1.1 Agent to be defined. All residential property shall have a responsible agent defined for the property. For the purposes of the Municipal Code, this agent shall be defined as "an owner having interest in the property per the Municipal Code". The agent shall provide a local mailing address, means of identification as required by the Code Official, and any additional information required by the Code Official to ensure proper communication in the future. For the purposes of this Code, a post office box shall not constitute a proper address.

192.1.2 Agent to be local. The agent shall be local within a fifty-mile radius of the City.

192.1.3 Agent responsibilities. The agent is to be responsible for the day-to-day operations of the property and shall be liable for the property conditions and receipt of notices.

192.2 Associated costs. The associated costs for registering agents shall be set forth as defined by this Code.

192.3 Requesting inspections. Only approved agents shall be able to request occupancy inspections for residential rental properties.

192.4 Agent disclosure. It is the responsibility of the current agent and property owner to ensure the City is updated when information changes concerning the agent, such as when a different agent is assigned or agent contact information changes.

13. **(Chapter 1 - Scope and Administration) - (SECTION 193 OWNERSHIP INFORMATION)**

193.1 Ownership update required. All property owners shall keep mailing addresses for notifications updated with the Department of Community Development, St. Louis County Recorder of Deeds and St. Louis County Department of Revenue.

14. **(Chapter 2 - Definitions) - (SECTION 201 GENERAL)**

201.3 Terms defined in other Codes. Where terms are not defined in this Code and are defined in the Building, Residential, Plumbing, Mechanical, Electrical, Existing Building, Energy Conservation, Fire, Fuel Gas, Property Maintenance, or other applicable Codes adopted by the City of University City, such terms shall have the meanings ascribed to them as in those Codes.

15. **(Chapter 2 - Definitions) - (SECTION 202 GENERAL DEFINITIONS)**

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.

BUILDING. Any structure used or intended for sheltering any occupancy.

BUILDING CODE. The Building Code officially adopted by the City Council of the City of University City, Missouri for the regulation of construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of buildings and structures.

CITY. The City of University City, Missouri.

CODE OFFICIAL. The Building Commissioner of the City of University City, or the duly authorized representative of the Building Commissioner.

CONDEMN. To adjudge unfit for use or occupancy.

DERELICT VEHICLE. An inoperable vehicle, or a vehicle that appears abandoned or unmaintained.

DORMITORY. A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family.

DWELLING. See Section 202 of the Building Code of University City.

DWELLING UNIT. A single unit, or any part thereof, 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.

EFFICIENCY DWELLING UNIT. A dwelling unit containing only one habitable room, with or without a separate kitchen space.

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

EXTERMINATION. 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; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

FAMILY. An individual or married couple and/or the children thereof.

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.

HOTEL. Any building, containing six or more guest rooms, intended or designed to be occupied, or which are rented or hired out to be occupied, for sleeping purposes by guests.

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.

IMMEDIATE FAMILY MEMBER. A spouse, domestic partner, sibling, parent, or child of the subject person.

IMMINENT DANGER. A condition which would 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 reasons, 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 item 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 unit, rooming unit, building, premises 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.

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.

ONE-FAMILY DWELLING. A residential building, exclusively containing one dwelling unit and private garage, carport or storage uses incidental to that dwelling (also known as a "single-family dwelling").

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 of real property by a court.

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

PLUMBING. The practice, materials and fixtures utilized in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances within the scope of the Plumbing Code of University City.

PLUMBING FIXTURE. A receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises, and demands a supply of water therefrom; or discharges wastewater, liquid-borne waste materials, or sewage either directly or indirectly to the drainage system of the premises; or which requires both a water supply connection and a discharge to the drainage system of the premises.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC NUISANCE. Includes any of the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law;
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures;
3. Any premises that has unsanitary sewage or plumbing facilities;
4. Any premises designated as unsafe for human habitation;
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured so as to endanger life, limb or property;
6. Any premises from which the plumbing, heating or facilities required by this Code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided;
7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

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-family dwelling or a two-family dwelling.

RUBBISH. Combustible and non-combustible 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.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to provide 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.

TWO-FAMILY DWELLING. A residential building, containing only two dwelling units.

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

WEED. Any uncultivated grass, plant, or vegetation, other than trees, shrubs, or ground cover provided.

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.

16. **(Chapter 3 - General Requirements) - (SECTION 302 EXTERIOR PROPERTY AREAS)**

302.4 Landscaping. Exterior property on residential premises shall be provided with lawn or ground cover of vegetation or shrubs, covering an area of not less than 10% of the total lot area. All exterior property areas which are not covered by vegetation shall be treated to prevent the blowing or scattering of dust particles in the air. Any tree, shrub or other plant material on the premises which overhangs a public entrance, driveway, or public walk shall be trimmed to avoid obstruction of view or movement of vehicles and pedestrians. Weeds and grass shall be maintained at a height of not more than seven inches (203 mm) on all exterior property, except weeds and grass on unimproved parcels of land shall be maintained at a height of not more than 12 inches (305 mm). The area along fences and along foundations shall be

maintained free of volunteer growth of trees and shrubs. Noxious weeds are prohibited. Vegetation shall be maintained to prevent damage and/or harm to the persons, premises or other property (including dead trees, tree branches scraping the house, etc.).

302.4.90 Dangerous trees. Trees that are found to be dangerous because of the threat of collapse shall be removed or partially removed as defined by the Building Commissioner to eliminate the hazard.

302.4.91 Vegetation blocking public way. Vegetation shall not block the ability of a person operating a vehicle from viewing an adjoining public way. Vegetation shall not impede any public vehicular or pedestrian way.

302.7.1 Fences. Fences shall be maintained in a good state of repair and shall not be allowed to deteriorate to an unsound or unsightly appearance. Repair shall be made with materials that match the balance of the fence.

302.8 Motor vehicles. No wrecked, dilapidated, or derelict motor vehicle, or any motor vehicle which does not meet the safety standards for maintenance and operation as provided under the Statutes of the State, or any part of such vehicle, shall be stored on the premises:

Exceptions:

1. Within a fully enclosed building.
2. On the premises of a motor vehicle repair facility within the limitations of a duly issued permit for such repair facility.

302.90 Open commercial storage areas. All open salvage yards and open storage areas shall be completely obscured from surrounding property and public areas by a solid screen not less than six feet (1828 mm) in height.

302.91 Exterior storage. No items shall be stored outside without approved protection from elements unless the item is designed to be stored in direct contact with the elements. All exterior items shall be kept in a tidy manner and shall not accumulate excessively.

302.92 Temporary storage containers. Temporary exterior containers such as dumpsters and portable storage containers used for moving shall not be a public nuisance.

302.92.1 Dumpsters. Anyone placing a dumpster on private property shall first obtain a permit from the Department of Community Development. The permit shall be posted in a location in plain view of the street, and it shall be protected from the elements. Dumpsters placed on private property shall be regularly and/or promptly serviced; maintained free of garbage and water; shall not be filled to the point of overflow; and shall not be placed on the property for more than 60 days without the approval of the Code Official. Violators of this provision, or when it is determined by the Code Official that the dumpster is a public nuisance, shall be warned either verbally or by posting notice on the property in a conspicuous place. If the violation is not corrected in a timely manner (no more than three days), the Code Official may contact the waste disposal company and have the dumpster emptied or removed.

302.92.2 Portable storage containers. Anyone placing a portable storage container on private property shall first obtain a permit from the Department of Community Development. The permit shall be posted in a location in plain view of the street, and it shall be protected from the elements. Portable storage containers (such as PODS, roll-away, etc.) shall be maintained in a tidy manner and are to be short-term in nature. Containers shall not be placed on private property for more than one week unless specifically approved by the Code Official.

302.93 Yard waste general. All yard waste, including but not limited to, tree limbs, branches, leaves, grass clippings, sweet-gum balls, etc., shall be properly disposed and not allowed to accrue on the property.

302.94 Compost general. Compost shall not include garbage and shall be maintained in approved containers and locations.

17. **(Chapter 3 - General Requirements) - (SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS)**

303.2 Enclosures. Private swimming pools, ponds, hot tubs and spas, containing water 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 doors in such 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 six 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 this Section.

303.90 Prohibited locations and arrangements. Pedestrian access gates in pool barriers shall not exceed 40 inches in width. Gates other than pedestrian access gates are not permitted in pool barriers. Barriers shall be located so as to prohibit permanent structures, equipment, or similar objects from being used to climb the barriers.

18. **(Chapter 3 - General Requirements) - (SECTION 304 EXTERIOR STRUCTURE)**

304.3 Building numbers. The officially designated building numbers shall be displayed in Arabic numerals not less than four inches in height on all premises improved with a building, so that such building number is easily observed and readable from the street indicated by the address; and from the alley, if an alley adjoins the premises; or from parking areas. These numbers shall contrast the background.

Exception: Already existing building numbers that meet all requirements except height and are a minimum of 2 1/2 inches in height.

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. Sash springs and similar devices are prohibited unless preapproved by the Code Official.

304.13.90 Board up. Since the presence of boarded-up buildings, particularly those where the boarding is unpainted or applied in an insecure, careless, or unpresentable fashion invites vandalism and creates a blighting influence which adversely affects the general welfare of the people of this City, it is hereby required that all boarding-up of exterior openings be accomplished in a neat, workmanlike manner with not less than one-half-inch-thick, weather-resistant plywood, cut to fit within openings, securely fastened in place and coated with an appropriate neutral color blending with or harmonizing with the exterior colors of the building so as to be as inconspicuous as possible. It shall be the duty of the Code Official to notify the owner or other person responsible, not complying with the above requirements, of the necessity of compliance, giving a period of not more than 10

working days in which to replace the broken glass, or repair, replace or paint the boarding. This notice shall be given in the manner required by Section 107 and it shall be unlawful for any person to fail to comply with the order of the Code Official contained in such notice. The boarding up of exterior wall openings of occupied structures shall be limited to temporary use unless the assemblage of material used fully meets the fire resistance requirements of the Building Code of University City and has been installed in accordance with the conditions of a duly issued building permit. If any part of a boarded-up building is occupied, it shall be the duty of the Code Official to notify the owner or other person responsible, giving them a period of not more than 10 working days in which to replace the glass or remove the temporary boarding and replacing it with permanent construction meeting the requirements of the Building Code of University City. This notice shall be given in the manner required by Section 107 and it shall be unlawful for any person to fail to comply with the order of the Code Official contained in such notice.

304.13.91 Board up installation. Board up shall be installed per the requirements of Appendix A or as approved by the Building Commissioner.

304.13.92 Shades. Shades, blinds, drapes and curtains which are visible from the exterior shall be maintained in good condition or they shall be removed. Non-approved window treatments, including but not limited to, newspaper, foil, and cardboard shall be prohibited.

304.14 Insect screens. During the period from April 15 to November 15, every door, window and other outside opening used or required for ventilation purposes serving any building containing habitable rooms, food preparation areas, food service areas, or any areas where products included or used 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, and every such swinging door shall have a self-closing device in good working condition.

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

304.15 Doors. All exterior door assemblies shall be maintained in sound condition, good repair and weathertight. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door. Exterior doors used as a common means of egress for more than two dwelling units shall have a self-closing device in good working order, in order to protect against the entry of rats and other vermin.

304.90 Display windows and entrances. All display windows and entrances exposed to public view shall be kept clean and maintained in good repair. No storage of materials, stock or inventory shall be permitted in window display areas or similar areas ordinarily exposed to public view unless screened by drapes, blinds or other permanent means, and such screening is kept clean and maintained in good repair.

304.91 Residential security bars, grilles or screens. Security bars, protective grilles and security screens shall not be permitted on any window or doorway of any residential occupancy, excluding basement windows. Such installations existing before January 7, 1991, shall not be required to be removed until such time as there is a change of occupants in the affected dwelling unit; except that bars, grilles or screens placed over emergency escape windows shall comply with the requirements of Section 702.12.

304.92 Non-residential security bars, grilles, or screens. Security bars, burglar bars, protective grilles and security screens shall not be permitted on the exterior or within six feet of the interior side of any window or doorway of any storefront. Other windows and service doorways not facing public walkways or the right-of-way are excluded from this restriction except where they conflict with emergency escape requirements. This restriction shall not apply to and shall not prohibit gates and/or fences that secure outdoor areas. Such installations existing before the date of passage of this Chapter shall not be required to be removed until such time as there is a change of occupants in the affected premises.

Permitted security bars, burglar bars, protective grilles or security screens shall not provide a sight-proof effect when installed and shall be made of stainless steel or other sturdy materials as approved by the Building Commissioner; in metallic, black, stainless steel finish, or a color that is compatible with the storefront; maintained in a clean and good state of repair; and, firmly anchored to the building via horizontal bars at the top and the bottom in an orientation parallel to those windows or doorways with frontage on the aforementioned streets. Individual openings, within and/or as part of the pattern or design of these security devices, shall be a minimum of six square inches. Hardware cloth, chicken wire, woven wire, chain link or wire fencing materials shall not be used as a component of protective grilles or security screens for show windows, display windows or building entrances. Merchandise or other decorative objects may be displayed between the show windows and the security barriers. Security bars, grilles, screens and similar devices shall not impede an egress when the space is occupied by a person or persons, and a lock box containing keys to the security barricade shall be provided and located per

the University City Fire Code. During the operating hours of the business, the said security devices shall not be employed.

19. **(Chapter 3 - General Requirements) - (SECTION 307 HANDRAILS AND GUARDRAILS)**

307.1 General. Every exterior and interior flight of stairs more than four risers shall have a handrail on at least one side of the stairs, 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) nor more than 42 inches (1067 mm) high, measured vertically above the nosing of the tread or above the finished floor of the landing or walking surface.

Exception: Guards shall not be required where exempted by the adopted Building Code of University City.

307.90 Retaining wall guards. Where retaining walls with differences in grade level on either side of the wall in excess of four feet are located closer than two feet to a walk, path, parking lot or driveway on the high side, such retaining walls shall be provided with guards that are constructed in accordance with the guard requirements of the Property Maintenance Code of University City.

20. **(Chapter 3 - General Requirements) - (SECTION 390 UNIT IDENTIFICATION)**

390.1 Unit identification. In buildings containing more than one dwelling unit or tenant space, every entry shall be labeled by a number and/or letter identifying the unit. Identification shall consist of the official numbers or letters identifying the unit; a minimum of one inch in height and three-sixteenths-inch-thick stroke; located near or on the door; contrasting the background; and shall be more than four feet from the floor.

21. **(Chapter 3 - General Requirements) - (SECTION 391 ENVIRONMENTAL AND ANIMAL CONCERNS)**

391.1 Animals general. All animals on a property or from a property shall comply with Chapter 210 of the Municipal Code of University City.

391.2 Feces. Fees shall not be allowed to accrue on private or public property. It is the responsibility of the occupant, owner, and property agent to maintain property free of feces.

391.3 Trash carts general. All trash carts shall comply with Chapter 230 of the Municipal Code of University City.

391.4 Vehicles general. All vehicles shall comply with Chapters 380, 385 and 400 of the Municipal Code of University City, and the requirements of the Code.

391.5 Recreational vehicles. All recreational vehicles shall comply with Chapter 400 of the Municipal Code of University City.

391.6 Trash general. All refuse, garbage, litter, trash, and recycling vehicles shall comply with Chapter 230 of the Municipal Code of University City.

22. **(Chapter 4 - Light, Ventilation and Occupancy Limitations) - (SECTION 401 GENERAL)**

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 of University City shall be permitted.

23. **(Chapter 4 - Light, Ventilation and Occupancy Limitations) - (SECTION 402 LIGHT)**

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 (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). Every exterior stairway (residential or non-residential) shall be illuminated at all times the building space served by the means of egress is occupied, with a minimum of one footcandle (11 lux) at floors, landings and treads.

24. **(Chapter 4 - Light, Ventilation and Occupancy Limitations) - (SECTION 403 VENTILATION)**

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.

Exception: Toilet rooms without existing windows where it is technically infeasible as determined by the Building Commissioner.

25. **(Chapter 4 - Light, Ventilation and Occupancy Limitations) - (SECTION 404 OCCUPANCY LIMITATIONS)**

404.4.90 Closets. Every bedroom shall have access to a closet opening into the room, with a minimum floor area of six square feet

(.56 m²). Closet areas shall not be counted as part of the floor areas of rooms.

404.5.90 Other habitable spaces required. Every dwelling unit other than an efficiency dwelling unit permitted under the provisions of Section 404.6 shall contain a living room, dining room and kitchen with floor areas that comply with the minimum floor area requirements of Table 404.5 based on the total number of occupants in the unit.

404.5.91 Maximum number of occupants. No dwelling unit shall be occupied by more occupants than the total number of occupants permitted to occupy the bedrooms in accordance with the provisions of Section 404.4.1. No part of a required living room, required dining room, kitchen or nonhabitable space shall be counted as bedroom space in determining maximum number of occupants permitted in a dwelling unit; nor shall any other space be counted as bedroom space unless it meets all of the requirements of Section 404.4.

404.5.92 Minimum number of occupants. All dwelling units, other than efficiency units, shall have a minimum occupancy of three people.

404.5.93 Bathroom occupancy limitation. Every dwelling unit shall not be occupied by more than seven people per bathroom.

404.90 Single-family occupancy. A dwelling unit shall not be occupied by more than a single family or three non-transient adults and any of their dependent children, dependent parents, or individuals to which custody has been granted and power of attorney obtained, living together as a single, non-profit, housekeeping unit.

Exception: A bed-and-breakfast facility or a group home authorized under the provisions of the Zoning Code of University City.

26. **(Chapter 5 - Plumbing Facilities and Fixture Requirements) - (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.

27. **(Chapter 5 - Plumbing Facilities and Fixture Requirements) - (SECTION 505 WATER SYSTEM)**

505.1 General. Every sink, lavatory, 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 of University City.

28. **(Chapter 5 - Plumbing Facilities and Fixture Requirements) - (SECTION 507 STORM DRAINAGE)**

507.1 General. Drainage of roofs and paved areas, yards, and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance to sidewalks, streets, or other public property.

29. **(Chapter 5 - Plumbing Facilities and Fixture Requirements) - (SECTION 590 NUISANCE WATER DISCHARGE)**

590.1 General. The following point-source methods of discharging water to a neighboring property (whether in the City or outside the City) shall be prohibited when identified as a nuisance:

1. Redirection of downspouts.
2. Draining or discharging of pool water.
3. Discharge of sump pump drainage or similar drainage.
4. Regrading of a lot.

590.2 Determination. Where the Building Commissioner cannot make a determination of where the nuisance water originates or cause of the nuisance water, or where the nuisance water does not appear to be due to a recent change, the nuisance shall be handled by the parties involved as a civil matter.

30. **(Chapter 6 - Mechanical and Electrical Requirements) - (SECTION 602 HEATING FACILITIES)**

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof, shall supply 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.

Exception: 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 that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the Plumbing Code of University City.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 to maintain a temperature of not less than 68°F (20°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.

31. (Chapter 6 - Mechanical and Electrical Requirements) - (SECTION 604 ELECTRICAL FACILITIES)

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 of University City. 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.

Electrical system hazards shall include, but are not limited to, the following list:

1. Inadequate or undersized service.
2. Improper fusing or overcurrent protection.
3. Insufficient receptacle distribution (including the lack of receptacles above kitchen counter spaces).
4. Lack of sufficient lighting fixtures.
5. Deteriorated, damaged, worn or otherwise defective wiring, equipment and appliances.
6. Improperly installed or protected wiring methods including the lack of grounding conductors for equipment requiring grounding conductors per the listing and labeling or installation instructions.
7. Open splices in wiring.
8. Inadequately supported devices, wiring or equipment.

9. Any exposed conductors or components constituting a shock hazard.
10. Missing or damaged device cover plates.
11. Use of extension cords as permanent wiring.
12. Overloaded receptacles or circuitry.
13. Lack of ground fault circuit interrupter (GFCI) protection.

604.3.90 Prohibited installations. The following are prohibited, and their presence shall be deemed a hazard:

1. Flush- or semi-flush-mounted floor receptacle outlets, unless it is an approved floor receptacle.
2. Extension cords for other than short-term temporary use.
3. Lamp cord used as permanent wiring.
4. Conductor-supported pendant switches or conductor-supported pendant lighting fixtures.
5. Loose, hanging, frayed or bare wires.
6. Grounded-type receptacles which are improperly or inadequately grounded.
7. Ground-fault circuit-interrupter protection-type receptacles and receptacles marked as having ground-fault circuit-interrupter protection which do not interrupt the circuit when the test button is actuated.
8. Knife switches not in an approved enclosure or without an enclosure latching mechanism.

32. **(Chapter 6 - Mechanical and Electrical Requirements) - (SECTION 606 ELEVATORS, ESCALATORS, AND DUMBWAITERS)**

606.1.90 Inspection submittals. Elevator inspection reports required by ASME A17.1 shall be submitted to the City by September 1 and March 1.

33. **(Chapter 6 - Mechanical and Electrical Requirements) - (SECTION 690 EQUIPMENT IDENTIFICATION)**

690.1 Equipment identification. In all buildings containing multiple dwelling units and/or occupancy groups, electrical and mechanical equipment not serving the entire building shall be appropriately labeled to indicate the unit the equipment serves. Equipment to be labeled shall include, but shall not be limited to, electric panels and similar equipment, disconnects, water heaters, furnaces and air-conditioning condensers.

34. **(Chapter 7 - Fire Safety Requirements) - (SECTION 702 MEANS OF EGRESS)**

702.4 Emergency escape. Every sleeping room located in a basement shall have at least one openable window or exterior door approved for emergency egress or rescue; or shall have access to not less than two approved independent exits. Where a window is provided for emergency egress or rescue, the window shall have the bottom of the clear opening not more than 44 inches (1118 mm) above the floor. The minimum net clear opening shall be five square feet (0.47 m²). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).

702.11 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort.

Exception: Key operation is permitted from a dwelling unit, provided the existing dwelling unit means of egress door contains a glass panel or is located immediately adjacent to an existing window or fixed glass panel and there is another approved means of egress door from the dwelling unit not requiring key operation from the inside.

35. **(Chapter 7 - Fire Safety Requirements) - (SECTION 703 FIRE RESISTANCE RATINGS)**

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, ceilings, fire stops, shaft enclosures, partitions, floors and other elements or components such as fire and draft stopping shall be maintained.

703.2 Opening protectives. Required opening protective 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 held open, blocked, obstructed or otherwise made inoperable.

703.90 Attached garages. Private garages located beneath a dwelling unit shall be separated from the dwelling unit by walls, partitions, floors and ceilings with a fire resistance rating of not less than one (1) hour. Private garages attached to a dwelling shall be completely separated from the dwelling unit, its basement and its attic area by means of one-half-inch gypsum board or equivalent applied to the garage side and taped at the joints. Doors separating garages from such dwelling units, basements or attics shall be solid core doors with a minimum thickness of 1 3/8 inches or an approved equivalent door.

36. **(Chapter 7 - Fire Safety Requirements) - (SECTION 704 FIRE PROTECTION SYSTEMS)**

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704.1.90 Fire extinguishers. Where fire extinguishers are installed in a non-required location, all extinguishers shall be installed and maintained at all times in accordance with NFPA 10 Standard for portable fire extinguishers.

704.1.91 Records. A complete written record of all tests, inspections and repairs of any fire protection systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire shall be maintained on the property for three years and a copy filed immediately with the Building Commissioner.