

established in connection with such commercial parking and commercial loading areas shall be provided with adequate drainage facilities and a surface of asphalt or concrete.

(Ord. No. 743, § 1, 7-1-87)

Cross reference—Stopping, standing and parking of motor vehicles generally, § 21-391 et seq.

Sec. 5-9. Moving between hours of sunset and sunup restricted, permit.

It shall be unlawful for any person to move or assist in moving to or from any dwelling unit between the hours of sunset and sunup unless a permit to do so is secured from the city clerk.

(Ord. No. 598, § 1, 8-19-81)

Sec. 5-10. Seismic design for new construction or major structural renovation.

All new construction or major structural renovation within the city shall comply with the standards for seismic design and construction in accord with the provisions of by the Uniform Building Code incorporated into and made a part of the ordinances of the city, to the extent required by the provisions of RSMo 319.200 et seq.

(Ord. No. 815, § 1, 1-16-91)

Editor's note—Ord. No. 815, enacted January 16, 1991, did not specifically amend the Code; inclusion of § 1 as § 5-10 was at the discretion of the editor.

Sec. 5-11. Permit fee.

The permit fee shall be based on the estimated value of the proposed construction. Such permit fee shall be charged for permits issued for one (1) year as set out herein or set out in the building code of the county schedule of fees.

(Ord. No. 885, § 5, 10-5-94)

Sec. 5-12. Application.

An application for a building permit shall be made in writing to the city clerk and to the building commissioner or to a person so designated by the mayor. Such application shall comply with the requirements of the county building code as adopted by the city and shall state the estimated value of the proposed construction.

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occupied, he shall then make a written report thereof to the city council and notify the applicant of such fact, furnishing to the applicant, by mail, at the address furnished to him by the applicant, a copy of the report to the city council.
(Code 1980, § 8-21)

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The fee for the permit shall be four dollars (\$4.00) for each one thousand dollars (\$1,000.00) of estimated value of the construction with a minimum of sixty dollars (\$60.00).
(Ord. No. 885, § 6, 10-5-94; Ord. No. 966, § 3, 7-7-99)

Sec. 5-13. Adoption of the Uniform Plumbing Code of St. Louis County.

The Uniform Plumbing Code of St. Louis County, as enacted by County Ordinance 18964 and amended by County Ordinance 20312, is hereby adopted by the city as if fully set out herein.
(Ord. No. 1007, § 3, 7-17-02)

Secs. 5-14—5-25. Reserved.

ARTICLE II. OCCUPANCY PERMIT*

Sec. 5-26. Required.

Any person before using, occupying or residing in any property or premises within the city, or who shall change the use or occupancy thereof, shall first procure an occupancy permit therefor from the city clerk.
(Code 1980, § 8-19)

Sec. 5-27. Penalty.

Any person who shall use, occupy or attempt to use or occupy any premises within the city without first obtaining the occupancy permit provided for herein or who shall rent, lease or permit or allow any person to use or occupy any premises whatsoever within the city without requiring such person to obtain such occupancy permit before entering upon the same shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished as provided in section 1-9 of this Code.

In the event that any owner is delinquent by more than thirty (30) days in the payment of any fees or charges assessed against his or her premises by the city, including, without limitation, any fees or charges assessed pursuant to the provisions of Chapter 19,

*Cross reference—Licenses and taxation generally, Ch. 13.

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the occupancy permit for the delinquent premises shall be subject to revocation by the city. Notice of impending revocation shall be given to the owner of such premises by first class mail. Any tenant shall be notified by leaving a copy of such notice at such premises or by mailing a copy of such notice by first class mail to any tenant. The notice shall include the date of revocation and the time period for an appeal. The notice shall also advise any tenant that the tenant may, to the extent permitted by any contractual arrangement with the owner, pay the collection fees and deduct the amount of fees due from the rent otherwise due to the owner.

The recipient of a revocation notice under this section shall have the right to appeal to the city council such notice within thirty (30) days from the postmarked date of such notice. To the extent that the recipient desires to appeal the revocation, such recipient shall file a notice of appeal with the city clerk. The city council shall have the authority to hear and decide any such appeal. The city council has the authority to sustain or modify the determination of revocation upon the showing of good cause by the applicant. All such appeals shall be heard and decided within thirty (30) days.

Revocation of the occupancy permit shall become effective upon an adverse determination by the city council or upon the expiration of the time for appeal. The mayor shall notify the city clerk and the city council when an occupancy permit has been revoked.

It will be unlawful for any owner to continue to lease or accept rental payments for premises for which an occupancy permit has been revoked. Whoever continues to lease or accept rental payments for premises for which an occupancy permit has been revoked shall be guilty of a misdemeanor offense and shall be fined an amount not to exceed five hundred dollars (\$500.00) for each offense. The acceptance of each rental payment shall constitute a separate offense.

(Code 1980, § 8-20; Ord. No. 963, § 3, 7-7-99)

Sec. 5-28. Report of proposed use.

If the city clerk determines that the proposed use of the premises will not be legal and lawful or that the applicant is not a fit person to carry on the business for which the premises will be

Chapter 5

BUILDINGS AND BUILDING REGULATIONS*

Art. I.	In General, §§ 5-1—5-25
Art. II.	Occupancy Permit, §§ 5-26—5-50
Art. III.	Buildings Used for Public Gatherings, §§ 5-51—5-75
Art. IV.	Rat Control in Business Buildings, §§ 5-76—5-85

ARTICLE I. IN GENERAL

Sec. 5-1. Fire limits.

The fire limits of the city shall be coexistent and shall include the entire area of the city.
(Code 1980, § 8-1)

Sec. 5-2. Codes adopted.

All of the building codes of St. Louis County, as amended and adopted by County Ordinance No. 16.912 as the building code of the city, except section 104.1 regarding the code official, section 109.8 regarding the committee of building code review, section 104.8.1 regarding compensation, and section 109.8 regarding fees of the county code, are hereby adopted as if set out herein.
(Code 1980, § 8-2; Ord. No. 885, §§ 1, 2, 10-5-94)

Cross reference—Housing code adopted, § 11-26.

Sec. 5-3. Code enforcement agreement—Authorized.

The mayor and city clerk, on behalf of the city council and the city, are hereby authorized, empowered and instructed to enter into an agreement with St. Louis County for the enforcement of the amusements, electrical, plumbing, weights and measures,

***Cross references**—Civil defense, Ch. 6; flood damage prevention, Ch. 9; housing, Ch. 11; business license for building wrecking companies, § 13-466 et seq.; emergency alarm systems, § 13-596 et seq.; mobile homes and similar structures, Ch. 14; graffiti, § 15-91 et seq.; environmental officer/health inspector, § 18-61 et seq.; streets and sidewalks, Ch. 20; posting of street numbers, § 20-6; zoning, App. A.

State law reference—Regulation and control of construction and buildings, RSMo 77.500.

building, elevators and mechanical codes of the city by the county on the following terms: The county shall provide to the city code enforcement services in the electrical amusements, plumbing, weights and measures, building, elevators and mechanical areas. (Code 1980, § 8-3)

Sec. 5-4. Same—Duration.

The agreement for the enforcement of the codes mentioned in section 5-3 shall commence on the second day of November 1977 and continue from year to year; however, either party may terminate upon giving ninety (90) days prior written notice. (Code 1980, § 8-4)

Sec. 5-5. Collection of fees.

The city shall collect all fees imposed by the codes in section 5-3. (Code 1980, § 8-5; Ord. No. 885, §§ 3, 4, 10-5-94)

Sec. 5-6. Approval of conflicts.

When the city adopts provisions more restrictive than those contained in the applicable county code, the city shall approve all plans prior to submission to the county's department of public works. (Code 1980, § 8-6)

Sec. 5-7. Zoning, etc., compliance.

The city shall approve all plans for compliance with zoning or other regulatory ordinances prior to submission to the county's department of public works. (Code 1980, § 8-7)

Sec. 5-8. Drainage facilities and surface areas of commercial off-street parking and loading areas.

All commercial off-street parking areas, all commercial off-street loading areas and all maneuvering areas and passageways

a building constructed in full compliance with the ordinances of the city and the local fire district providing fire protection to the city and laws pertaining thereto for auditorium, theater or lodge room purposes, except in compliance with the provisions of this article.

(Code 1980, § 8-56)

Sec. 5-52. Examination required.

No gathering or entertainment shall be held or presented in any premises other than a building as described in section 5-51, unless such premises have been examined by the fire marshal and building commissioner not more than three (3) days before the date of such gathering and found to be free from any fire hazard and found to be suitable for the purpose. No structure enclosed by a roof shall be used for such purpose unless the same is constructed of nonflammable materials.

(Code 1980, § 8-57)

Sec. 5-53. Exits.

Adequate unobstructed exits shall be provided in all premises used for such purposes to permit rapid egress of all persons attending, and there shall be at least two (2) separate exits located at least thirty (30) feet from each other. There shall be two (2) lineal feet of doorway or exit space for each one hundred (100) people accommodated.

(Code 1980, § 8-58)

Sec. 5-54. Seats; number of persons allowed.

(a) Any stands or rows of seats used in premises regulated by this article, shall be so constructed as to be safe for the use designed and shall be sufficiently strong to carry the same weight and stress as is required for the construction of the auditorium floors of theater buildings, not less than one hundred (100) pounds per square foot.

(b) It shall be unlawful to admit to any such premises a number of persons to exceed the actual number of seats maintained for their accommodation.

(Code 1980, § 8-59)

Sec. 5-29. Hearing.

The city council shall set a hearing date at a subsequent regular meeting of the council, at its convenience, or at a special meeting called for the purpose and notify the applicant of the time and place of hearing by regular mail at the address furnished to the city clerk by the applicant, placing such notice in the United States mail at least five (5) days prior to the date set for such hearing. After hearing the evidence, the city council, by vote of a majority of the members elected to the council, will either rule in favor of or against the issuance of the occupancy permit and order the clerk to issue or refuse such permit, as they may determine. At such hearing, the applicant may produce witnesses or ex parte affidavits to contravene findings of the city clerk to support his claim.

(Code 1980, § 8-22)

Sec. 5-30. Issuance.

The city clerk shall issue an occupancy permit to an applicant therefor, upon written application, on forms provided by him, after being satisfied from his investigation as to the qualifications of the applicant.

(Code 1980, § 8-23)

Sec. 5-31. Fee.

The clerk shall charge a fifteen dollar (\$15.00) fee for a new occupancy permit, and a five dollar (\$5.00) fee for an updated occupancy permit.

(Code 1980, § 8-24; Ord. No. 767, § 2, 5-4-88; Ord. No. 855, §§ 1, 2, 12-16-92)

Secs. 5-32—5-50. Reserved.**ARTICLE III. BUILDINGS USED FOR PUBLIC GATHERINGS****Sec. 5-51. Compliance with article required.**

It shall be unlawful to hold, manage or conduct any meeting or entertainment of any kind in the city, in any premises other than

Sec. 5-55. Doors.

All doors or gates on exits from premises used for purposes regulated by this article shall open outward, and no such exit shall be constructed or locked that egress from inside the premises is blocked.

(Code 1980, § 8-60)

Sec. 5-56. Notification prior to use.

It shall be the duty of any person conducting, calling for or managing any gathering in any premises other than a theater, lodge room or auditorium building constructed as provided in section 5-51 to notify the clerk of the date of such intended performance at least ten (10) days before the meeting is to take place; upon such notice the fire marshal and the building commissioner shall inspect the premises to determine whether or not they comply with the provisions hereof. Any permit issued for any such gathering shall be subject to the condition that this article be fully complied with, whether or not such condition is embodied in the permit.

(Code 1980, § 8-61)

Sec. 5-57. Sanitary facilities.

No performance or exhibition regulated by this article shall be presented in any premises not equipped with adequate separate sanitary facilities for males and females.

(Code 1980, § 8-62)

Sec. 5-58. Duration of gatherings.

Any performance or exhibition regulated by this article not held in a building shall be terminated not later than midnight, and it shall be unlawful for any person to remain on the premises between the hours of 1:00 a.m. and 6:00 a.m.; provided that employees whose duties necessitate it, may remain on the premises for the performance of such duties.

(Code 1980, § 8-63)

Sec. 5-59. Punishment.

Any person who shall violate any section of this article shall, upon conviction thereof, be subject to punishment as provided in section 1-9 of this Code.

(Code 1980, § 8-64)

Secs. 5-60–5-75. Reserved.**ARTICLE IV. RAT CONTROL IN BUSINESS BUILDINGS****Sec. 5-76. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means any individual, firm, partnership or corporation which acts for the owner in the collection of rents, the making of repairs, the commencement or termination of tenancies, or as janitor or other person in charge of any building, premises or vacant lot.

Building means any structure, whether public or private, that is adapted or intended for occupancy for dwelling purposes, for

the transaction of business, for the rendering of professional service, for amusement, for the display, sale or storage of goods, wares or merchandise, or for the performance of work or labor, including hotels, rooming houses, office buildings, public buildings, stores, theatres, markets, restaurants, grain elevators, warehouses, workshops, factories and all other houses, sheds, barns and other structures.

Occupant means the person that has the use of, control of or occupies any building, or any portion thereof, whether owner or tenant. In the case of vacant building, or any vacant portion of a building, or in the case of a building having three (3) or more families with common rights to a cellar or basement, the owner or agent shall have the responsibilities of an occupant of a building.

Owner means any person, who alone, jointly or severally with others shall be in actual possession, have charge, care or control of, any building or premises; or vacant lot within the city as owner, whether individual, firm, partnership or corporation or as trustee or guardian of the estate or person of the title holder, and shall include the owner of record.

Rat harborage means any condition which may provide shelter or protection for rats, thus favoring their multiplication or existence.

Rat stoppage means a form of ratproofing to prevent the ingress of rats into buildings from the exterior or from one building to another. It consists essentially of the closing of all openings in the exterior walls, ground or first floors, basements, roofs and foundations, that may be reached by rats from the ground by reaching, climbing, jumping or burrowing, with material or equipment impervious to rat-gnawing and in accordance with specifications promulgated by the health commissioner.

(Ord. No. 584, § 1, 5-6-81)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 5-77. Rat stoppage required.

All buildings and structures shall be rat stopped, freed of rats and maintained in a rat stopped and ratfree condition.

(Ord. No. 584, § 2, 5-6-81)

Sec. 5-78. Rat control section.

There shall be a rat control section in the division of health of the department of public health and welfare headed by a competent person designated as a city health officer.

(Ord. No. 584, § 3, 5-6-81)

Sec. 5-79. Notice to and compliance by owner.

Upon receipt of written notice and/or order from the city health officer, the owner of any business building specified therein shall take immediate measures for ratproofing the building; and unless such work and improvements have been completed by the owner in the time specified, then the owner shall be deemed guilty of an offense under the provisions of this article.

(Ord. No. 584, § 4, 5-6-81)

Sec. 5-80. Notice to and compliance by occupants.

Whenever the occupant of a building is notified by the health officer or his duly authorized representative that the premises he occupies are infested with rats, such occupant shall immediately institute appropriate measures for freeing his premises of all rats. Unless such measures are instituted within five (5) days after notification and maintained in a satisfactory manner or until the premises are free of all rats, the city health officer is authorized and directed to free the premises specified of rats and to levy a monthly charge against the occupant to cover costs for labor and materials.

(Ord. No. 584, § 5, 5-6-81)

Sec. 5-81. Storage of animal food and feed.

All food and feed kept within the city for feeding any animal shall be kept and stored in ratfree and ratproof containers or rooms.

(Ord. No. 584, § 6, 5-6-81)

Sec. 5-82. Garbage, etc., to be placed in covered containers.

All garbage or refuse consisting of waste animal or vegetable matter upon which rats may feed, shall be placed and stored in covered containers until collected by the garbage department.

(Ord. No. 584, § 7, 5-6-81)

Sec. 5-83. Health officer may make inspections.

The health officer is empowered to make inspections of the interior and exterior of buildings subject to this article as in his opinion may be necessary to determine if this article is being complied with.

(Ord. No. 584, § 8, 5-6-81)

Sec. 5-84. Restoration of ratproofing.

It shall be unlawful under the provisions of this article for the occupant, owner, contractor, public utility company, plumber or any other person to remove and fail to restore the same in a satisfactory condition or to make any new openings that are not closed or sealed against the passage of rats.

(Ord. No. 584, § 9, 5-6-81)

Sec. 5-85. Unlawful to create or allow rat harborage.

It shall be unlawful for any person, firm, corporation or tenant, if the premises are unoccupied, to create or allow any conditions to exist on premises, owned or occupied, which attract, or are likely to attract, feed or harbor rats.

(Ord. No. 584, § 10, 5-6-81)