

AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF CRESTWOOD, MISSOURI, REVISING SECTIONS RELATING TO PROPERTY MAINTENANCE, AND ADOPTING THE 2015 ICC INTERNATIONAL PROPERTY MAINTENANCE CODE WITH THE AMENDMENTS ADOPTED BY ST. LOUIS COUNTY

WHEREAS, the City of Crestwood (the “City”) has previously adopted the International Code Council, Inc. (“ICC”) International Property Maintenance Code, 2009 Edition, subject to certain amendments, as the City’s Property Maintenance Code, codified as Article II of Chapter 7 of the Municipal Code of the City of Crestwood (the “Code”); and

WHEREAS, the ICC has since approved and published the 2015 Edition of the International Property Maintenance Code, incorporating various updates; and

WHEREAS, the City’s Fire Department and Department of Public Services have expressed a desire to contract with St. Louis County for property maintenance code enforcement services, including utilizing St. Louis County’s Problem Properties Unit to address nuisance properties within the City; and

WHEREAS, St. Louis County has adopted the 2015 Edition of the ICC International Property Maintenance Code, with certain amendments; and

WHEREAS, St. Louis County requires any city contracting for code enforcement services to adopt a substantially identical version of its code, including all amendments; and

WHEREAS, pursuant to Section 67.280, RSMo., the City has maintained at least one copy of the ICC International Property Maintenance Code, 2015 Edition, on file in the office of the City Clerk for at least 90 days prior to the adoption of this ordinance, and same shall remain available for public use, inspection and examination; and

WHEREAS, the Board of Aldermen finds that the proposed revision to Article II of Chapter 7 of the Code would be in the best interest of the City.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CRESTWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: Sections 7-32, 7-33, 7-34 and 7-37 of Article II of Chapter 7 of the Municipal Code of the City of Crestwood are hereby amended, to read as follows:

Sec. 7-32. – Code Adopted.

That certain document, copies of which are on file in the city clerk's office and the office of the public services director, City of Crestwood, being marked and designated as the International Property Maintenance Code, 2015 edition, ("IPMC-2015") as published by the International Code Council, be and is hereby adopted as the property maintenance code of the City of Crestwood for the control of buildings and structures as provided therein, with the additions, insertions, deletions and amendments prescribed in this Article.

Sec. 7-33. – Amendments to the IMPC-2015.

The International Property Maintenance Code, Year 2015 Edition ("IPMC-2015"), is amended by the following provisions. Each section, subsection or clause of the code that numerically corresponds to one (1) of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

(a) Amendments to Chapter 1 – ICC International Property Maintenance Code – Chapter 1 – Administration and Enforcement.

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

102.3 Application of Other Codes. The Building, Mechanical, Plumbing and Electrical Codes referenced in this code and listed in Chapter 7, Section 7-1 of the Crestwood Code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the Building, Mechanical, Plumbing and Electrical Codes, the provisions of this code shall apply. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Zoning Ordinance of the City of Crestwood.

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

103.2 Appointment. Delete.

103.5 Fees. A Public Works Fee Schedule for activities and services performed hereunder by the City of Crestwood has been previously adopted and is subject to periodic changes by action of the Board of Aldermen. If the activity or service is provided by St. Louis County under a contract with the City, the fee for such

activities and services shall be as indicated in sections 1110.050 and 1110.1065 of the Revised Ordinances of St. Louis County (“SLCRO”), as amended. Research fees shall be calculated per Section 1114.060, SLCRO, as amended. The City may add the unrecovered cost of any fees assessed pursuant to this Article, including fees assessed by St. Louis County to the City for costs incurred under section 1110.050, SLCRO, to the annual real estate tax bill for the property where such unrecovered costs were incurred in enforcing the City’s property maintenance Code, in the manner provided by Section 67.451, RSMo.

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

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

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

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

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

SECTION 110 DEMOLITION

110.1 General. The demolition of all structures shall be in accordance with the provisions of the Building Code as adopted by the City of Crestwood.

110.2 Notices and orders. Delete.

110.3 Failure to comply. Delete.

110.4 Salvage materials. Delete.

SECTION 111 MEANS OF APPEAL

111.1 Application for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall, upon payment of the applicable filing fee, have the right to appeal to the board of appeals, provided that a written application for appeal is filed within thirty (30) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

111.1.1 Filing Fee. An application for appeal may not be filed without full payment of the filing fee in the amount established by the Board of Aldermen.

111.2 Membership of board. The board of appeals shall consist of the City of Crestwood Public Works Board.

111.2.1 Alternate members. Delete.

111.2.2 Chairman. Delete.

111.2.3 Disqualification of members. Delete.

111.2.4 Secretary. Delete.

111.2.5 Compensation of members. Delete.

111.3 Notice of Meeting. The board of appeals shall review the application at the next regularly scheduled meeting, unless the application is received within less than ten (10) days prior to the next regularly scheduled meeting, in which case the application shall be heard at the following regularly scheduled meeting.

111.4.1 Procedure. Delete

111.5 Postponed hearing. Delete.

111.6 Board Decision. Delete.

111.6.1 Records and copies. Delete.

111.6.2 Administration. Delete.

SECTION 112 STOP WORK ORDER

112.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of up to \$1,000.00, or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(b) Amendments to Chapter 2 – ICC International Property Maintenance Code, Year 2015 Edition – 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 Crestwood Municipal Code or the codes set forth in Chapter 7, Section 7-1, such terms shall have the meanings ascribed to them as in those codes.

SECTION 202 GENERAL DEFINITIONS

Code Official. The Director of Public Services for the City of Crestwood, or any person(s) or agent(s) employed or designated by the Director of Public Services to enforce this code. The Director of Public Services may designate the St. Louis

County Director of Transportation Public Works, or any person(s) or agent(s) employed or designated by the St. Louis County Director of Transportation Public Works, to enforce this code or certain provisions thereof, under an agreement with St. Louis County.

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

(c) Amendments to Chapter 3 – ICC International Property Maintenance Code, Year 2015 Edition – Chapter 3 – General Requirements.

SECTION 302 EXTERIOR PROPERTY AREAS

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

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.4 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

SECTION 304 EXTERIOR STRUCTURE

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

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

304.12.1 Handrail and Guard Installations. The replacement or installation of handrails and/or guards shall be in accordance with the Building Code listed in Chapter 7, Section 7-1 of the Crestwood Code.

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

SECTION 305 INTERIOR STRUCTURE

305.4.1 Stair Dimension Tolerances. Treads and risers shall be significantly the same in depth or height so as to not create a trip hazard.

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

304.5.1 Handrail and/or Guard Installations. The replacement or installation of handrails and/or guards shall be in accordance with the Residential Code adopted in Chapter 7, Section 7.1 of the Crestwood Code.

(d) Amendments to Chapter 4 – ICC International Property Maintenance Code, Year 2015 Edition – Chapter 4 – Light, Ventilation and Space Requirements.

404.4.1 Area for Sleeping Purposes. Every living room shall contain not less than 120 square feet and, for the purposes of determining occupancy load, every bedroom occupied by one person shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.

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

TABLE 404.5
MINIMUM AREA REQUIREMENTS

| MINIMUM AREA IN SQUARE FEET | | | |
|-----------------------------|---------------------------------|---------------|---------------------|
| SPACE | 1-2 occupants | 3-5 occupants | 6 or more occupants |
| Living room | 120 | 120 | 150 |
| Dining room | No requirements | 80 | 100 |
| Kitchen | 50 | 50 | 60 |
| Bedrooms | Shall comply with Section 404.4 | | |

(e) Amendments to Chapter 5 – ICC International Property Maintenance Code, Year 2015 Edition – Chapter 5 – Plumbing Facilities and Fixture Requirements.

504.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. No accordion type plastic, or other flexible material, is allowable on any drains or traps.

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

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

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

(f) Amendments to Chapter 6 – ICC International Property Maintenance Code, Year 2015 Edition – Chapter 6 – Mechanical and Electrical Requirements.

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a temperature of not less than 68 degrees F (20 degrees 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 the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Residential Code and Mechanical Code as adopted by the City of Crestwood, Chapter 7, Section 7-1.

602.4 Occupiable Work Spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 of each year to maintain a temperature of not less than sixty-five (65) degrees Fahrenheit (eighteen degrees centigrade) 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.

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

(g) Amendments to Chapter 7 – ICC International Property Maintenance Code, Year 2015 Edition – Chapter 7 – Fire Safety Requirements.

702.2 Aisles. The required width of aisles in accordance with the Fire Code, Chapter 9, Section 9-36 of the Crestwood Code, shall be unobstructed.

702.3 Locked Doors. All means of egress doors shall be readily operable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Building Code, Chapter 7, Section 7-1 of the Crestwood Code.

702.4 Emergency Escape Openings. Required emergency escape and rescue openings shall be openable from the inside of the room without the use of keys or tools. Bars, grills, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the Building Code, Chapter 7, Section 7-1 of the Crestwood Code and such devices shall be releasable or removable from the inside without the

use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates, or similar devices are installed in existing buildings, smoke detectors shall be installed in accordance with Section 704 of this code.

703.2 Opening Protectives. Required opening protectives shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable. Door closers at individual units at apartment complexes will be required where it is determined that they were a part of the original, approved equipment. They will be required to be installed where they had been required previously.

Sec. 7-34. – Appeals.

Sections 111.1 – 111.8 of the IPMC-2015, as amended herein, govern appeals under this code.

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Sec. 7-37. – Violations.

Sections 106.1 – 106.5 of the IPMC-2015, as amended herein, and Sections 107.1 – 107.6, as amended herein, govern violations, prosecutions therefor and penalties under this code. Any person, firm or corporation who shall violate any provision of this Article, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code Official, or of a permit or certificate issued under the provisions of this Article, or shall start any work requiring a permit without first obtaining a permit therefor, or any other person who commits, takes part, or assists in any violation of this Property Maintenance Code or who maintains any building or premises in which a violation exists may, upon conviction, be punished in accordance with Sec. 1-6 of this Code by a fine of not more than one thousand dollars (\$1,000.00) or imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

SECTION 2: The remaining provisions of Article II of Chapter 7 of the Municipal Code

of the City of Crestwood, Missouri, shall remain in full force and effect.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED AND SIGNED this 28th day of July, 2020.

Mayor

ATTEST:

City Clerk



APPROVED this 28th day of July, 2020.

Mayor