

PROPERTY MAINTENANCE AMENDED CODES

ARTICLE VIII. PROPERTY MAINTENANCE CODE

SECTION 500.090: ADOPTION OF PROPERTY MAINTENANCE CODE OF ST. CHARLES COUNTY

St. Charles County hereby adopts the 2009 International Property Maintenance Code, a copy of which shall be deposited in the Office of the County Registrar with this ordinance, with the following amendments:

1. Section 101.1 Title. These regulations shall be known as the [International] Property Maintenance Code of **St. Charles County** [~~NAME OF JURISDICTION~~], hereinafter referred to as "this code." **This code shall apply to properties in the unincorporated part of the St. Charles County and in municipalities that adopt this code and contract with St. Charles County for its enforcement.**
2. Section 101.2 Scope. The provisions of this code shall apply to all existing residential **structures (including but not limited to all manufactured or mobile homes)** and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises , structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises , and for administration, enforcement and penalties.
3. Section 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 International Building Code, **International Residential Code**, International Fuel Gas Code, International Mechanical Code and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the [~~International Zoning Code~~] **Unified Development Ordinance of St. Charles County, Missouri, Chapters 405, 410 and 412, Ordinances of St. Charles County, Missouri.**
4. Section 103.1 General. **The Director of the Department of Community Development or his/her designee shall be known as the Code Official.** [~~The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official.~~]
5. Section 103.2 **Occupancy permits. Occupancy permits shall be required for all existing structures upon any change in ownership, tenancy or occupancy of such structures. A new owner, tenant or occupant shall submit to the Code Official, on forms supplied by the Code Official, an application for an occupancy permit along with required inspection fees. The Code Official shall promptly schedule and conduct inspections for occupancy permits; shall order the applicant to correct any violations of this Code noted at the time of inspection; and shall issue an occupancy permit only after reinspecting to determine that the applicant has complied with that order. It shall be a violation of this Code to occupy any structure subject to this provision without an occupancy permit.**

Exception: An occupancy permit shall not be required for existing residential structures unless the structure was condemned by the Code Official in accordance with this Code. Such condemned structures shall meet all the minimum requirements of all applicable codes and

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regulations adopted by St. Charles County as a prerequisite to issuance of an occupancy permit.

Exception: The Code Official may issue a temporary occupancy permit for a period not to exceed ninety (90) days, if the Code Official determines that, by type and amount, the violations of this Code that must be corrected do not constitute a health or safety risk to occupants or to surrounding properties.

~~[Appointment: The code official shall be appointed by the chief appointing authority of the jurisdiction.]~~

6. Section 103.Fees: **Any fees for activities or services performed pursuant to this code shall be set by ordinance.** ~~[The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule. JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]~~
7. Section 104.6 **Records** ~~[Department records]~~: The code official shall keep official records of all business and activities ~~[of the department]~~ specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.
8. Section 105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon **written** application of the owner or owner's representative **on forms provided by the code official**, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.
9. Section 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. **Violations of this code are misdemeanors punishable by fines not exceeding \$1,000.00 or imprisonment not exceeding one year, or both.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.
10. Section 108.1 General. When a structure or equipment **or premises** is found by the code official to be unsafe, or when a structure is found unfit for human occupancy ,, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.
11. Section 108.1.1 Unsafe structures **or premises**. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible. **Unsafe premises are premises found by the code official to present hazards to owners, occupants, visitors or the public because of such conditions as contamination, outdoor storage or use of explosives, hazardous materials or chemical, unstable ground, subsidence or sinkholes, or falling, fallen or failing trees.**

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12. Section 108.2 Closing of **condemned** vacant structures: **If the condemned structure is vacant and unfit for human habitation and occupancy or is unsafe, but is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. A structure may be closed by securing all openings with locks and/or by screwing them shut and/or by boarding. If boarding is used it shall be a minimum of one half inch plywood or oriented strand board (OSB) securely fastened to the structure with corrosion resistant screws and painted white or beige or the same color as the structures siding or trim. OSB shall be installed with its smooth side facing out. Upon failure of the owner or agent having charge of a property to comply with a correction order in a notice of violation of this section, that owner or agent shall be subject to prosecution in accordance with Section 106.3 of the International Property Maintenance Code, and the code official may cause the violation to be abated as provided by Section 500.092.** [~~If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.~~]
13. Section 108.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official **may** [~~shall~~] post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard. **Whether to post a placard shall depend on whether the premises or equipment constitutes an attractive nuisance or is threatened with vandalism.**
14. Section **108.6.1 Mobile homes. Any mobile, manufactured or modular home that has been condemned by any governmental agency (Federal, State, County or Municipal) shall be removed from St. Charles County jurisdiction at owner's expense within thirty (30) days after condemnation has been posted, unless the structure has been repaired in accordance with Section 500.100, Ordinances of St. Charles County, Missouri.**
15. Section 109.5 Costs of emergency repairs. **Costs incurred in the performance of emergency work shall be paid by the jurisdiction, subject to proceedings for their recovery including those authorized in Section 500.092.B, Ordinances of St. Charles County, Missouri.** [~~Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.~~]
16. Section 110.1 General: The code official shall order the owner of any premises upon which is located any structure, which in the code official judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than

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two years, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official. **The provisions of Section 500.093, Ordinances of St. Charles County, Missouri, shall apply to notices and orders authorized by this section.**

17. Section 110.2 Notices and orders. **The provisions of Section 500.093, Ordinances of St. Charles County, Missouri, shall apply to notices and orders authorized by the preceding section.** [~~All notices and orders shall comply with Section 107.~~]
18. Section 110. Failure to comply. **The provisions of Section 500.093, Ordinances of St. Charles County, Missouri, shall apply to failure to comply with notices and orders authorized by section 110.1.** [~~If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.~~]
19. Section 111.1 Application for appeal: **Except as provided below, any person affected by any notice which has been issued in connection with the enforcement of any provision of this code or of any rule or regulation adopted pursuant thereto may appeal to the Building Commission of St. Charles County, as provided in the International Building Code of St. Charles County, Section 500.010, Ordinances of St. Charles County, Missouri. Any person affected by a Notice of Unsafe Structure issued pursuant to Section 110.2, above, may appeal that notice pursuant to Chapter 536, Revised Statutes of Missouri, as amended, as provided in the Section 500.093, Ordinances of St. Charles County, Missouri.** [~~Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 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.~~]
20. Sections 111.2 through 111.8 (Membership of the board; Notice of meeting; Open hearing; Postponed hearing; Board decision; Court review; Stays of enforcement) are deleted in their entirety.
21. Section 112. 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 **prosecuted and penalized as provided in Section 106, above** [~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars~~].
22. Section 201.3 Terms defined in other codes: Where terms are not defined in this code and are defined in **other codes adopted in Titles IV and V, Ordinances of St. Charles County, Missouri** [~~the International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code or NFPA-70~~], such terms shall have the meanings ascribed to them as stated in those codes.

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23. Section 201.5 Parts: **Whenever the words ‘dwelling unit’, ‘dwelling’, ‘premises’, ‘building’, ‘manufactured home’, ‘mobile home’, ‘modular home’, ‘recreational vehicle’, ‘rooming house’, ‘rooming unit’, ‘story’ or ‘structure’ are stated in this code, they shall be construed as though they were followed by the words ‘or any part thereof’.** [~~Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit" or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."~~]
24. Section 202.0’s definitions of “CONDEMN”, “DETERIORATION”, “DWELLING UNIT”, “GARBAGE” AND “RUBBISH” are amended to read as follows:
- CONDEMN: To adjudge **unsafe or** unfit for occupancy.
- DETERIORATION: To weaken, disintegrate, corrode, rust or decay [~~and lose effectiveness~~].
- DWELLING UNIT: A single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. **This term is intended to include, but not be limited to, mobile, manufactured, and modular homes.**
- GARBAGE: **Animal or vegetable waste.** [~~The animal or vegetable waste [resulting from the handling, preparation, cooking and consumption of food.]~~]
- RUBBISH: Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, **vehicle and boat parts** and dust and other similar materials. **This term shall also include indoor furnishings and fixtures such as indoor furniture, appliances, lighting fixtures, mattresses, refrigerators, washers, dryers, and water softeners, when left on exterior premises.**
25. Section 302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. **Stagnant water is any water standing for three (3) days in the absence of any precipitation.**
26. Section 302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. **All pavement shall be maintained to prevent the accumulation of stagnant water thereon. Stagnant water is any water standing for three (3) days in the absence of any precipitation.**
27. Section 302.4 Weeds: **All developed premises or exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches. For purposes of this provision, premises or exterior property are "developed" if improved with any structure or if used for outdoor storage of materials or if within a platted subdivision. For purposes of this provision, premises or exterior property includes any public or private right-of-way, so that it shall be the duty of**
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all property owners to maintain premises or exterior property up to the curb or edge of pavement. However, the Code Official may waive the height requirements set out above for any premises or exterior property or part thereof unless doing so would adversely affect health or safety. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, but not trees or shrubs, or agricultural crops, or gardens in the rear yard, or cultivated flowers.

Upon failure of the owner or agent having charge of a property to comply with a correction order in a notice of violation of this section, that owner or agent shall be subjected to prosecution in accordance with section 106.3, above, and the code official may cause the violation to be abated as provided in Section 500.092.A, Ordinances of St. Charles County, Missouri.

~~[All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.~~

~~Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.]~~

28. Section 302.7 Accessory structures. All accessory structures, including detached garages, **detached carports**, fences, **boat docks**, **antennas**, **satellite dishes**, **tents**, and walls, shall be maintained structurally sound and in good repair.
29. Section 302.8 Motor vehicles and Trailers. **Except as otherwise provided in this Subsection, no vehicle or trailer may be parked, kept or stored on any premises, if such vehicle is: unlicensed, or unregistered, or in a state of disassembly or disrepair, or in the process of being stripped or dismantled. After issuance of a notice of violation of any provision of this Section, such violation may be deemed a continuing violation upon recurrence of that same violation. Further, any motor vehicle or trailer parked in violation of this Section, if it is subject to the licensing and registration requirements of Chapter 301, Revised Statutes of Missouri, may be subject to towing under Chapter 304, Revised Statutes of Missouri, as amended, or under the Vehicle Removal Code of St. Charles County, Section 500.095, OSCCMo.**

Exception: An unlicensed or unregistered vehicle or trailer may be parked in residential zoning districts or in residential subdivisions provided that the vehicle or trailer is parked in an enclosed garage or is kept within a carport under a tarpaulin or car cover that is form fitting and covers the entire body of the vehicle or trailer.

Exception: This provision shall not apply to the extent that applicable zoning regulations provide otherwise.

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

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

30. **Section 302.10 Outdoor storage: All outdoor storage on industrially zoned properties either shall be neatly stacked with uniform aisle ways and comply with the requirements of Section 302.4 or shall be screened from view from all public or private streets. See the Unified Development Ordinance of St. Charles County, Missouri, Chapters 405, 410 and 412 of the Ordinances of St. Charles County, Missouri, for additional requirements pertaining to outdoor storage.**

Outdoor storage on any lot or tract that is residentially zoned or platted or that is used for residential purposes shall be restricted to (a) firewood stacked and stored for personal use on the same lot or tract, (b) composting of residential yard waste in compliance with Section 240.1401, Ordinances of St. Charles County, Missouri (Solid Waste Management Code), and (c) other items incidental to residential occupancy such as mulch, building materials, or landscaping materials, that are used for on-premises improvement projects related to such uses. But storage of such other items may be allowed only for a limited time, not to exceed 270 days, to complete such projects.

31. **Section 302.11 Dead trees and dead tree limbs. All dead trees and dead tree limbs shall be removed from all tracts or lots (a) in residential subdivisions and one (1) acre or less in area, or (b) dedicated to any commercial or industrial use, or (c) improved with any structure or public electric utility which is at risk of damage due to the fall of such dead trees or dead tree limbs.**

Upon failure of the owner or agent having charge of a property to comply with a correction order in a notice of violation of this section, that owner or agent shall be subjected to prosecution in accordance with section 106.3, above, and the code official may cause the violation to be abated as provided in Section 500.092.A, Ordinances of St. Charles County, Missouri.

32. **Section 303.1 Swimming pools: Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. All swimming pools shall be operated and maintained through the use of equipment required by the International Building Code of St. Charles County, Section 500.010, Ordinances of St. Charles County, Missouri, the International Residential Code for One and Two Family Dwellings of St. Charles County, Section 500.070, Ordinances of St. Charles County, Missouri, and/or the Aquatic and Recreational Facilities Code of St. Charles County, Chapter 233, Ordinances of St. Charles County, Missouri, as applicable. All swimming pools shall be maintained to prevent the accumulation of stagnant water. If a swimming pool is equipped with a tight fitting cover, that cover must be maintained to prevent the accumulation of stagnant water thereon. Stagnant water is any water standing for three (3) days in the absence of any precipitation.**

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33. Section 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration. **Exterior walls shall be free from mold and mildew. Painted exterior walls shall be free from faded colors that are not uniform, and touch up paint shall match the existing colors.**
34. Section 304.14 Insect screens. During the period from **January 1 to December 31** [~~DATE~~]~~to~~ [~~DATE~~], 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 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.
35. Section 304.18.1 Doors. **All side-hinged doors** [~~Doors~~] providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.
- Exception: Dead bolts shall not be required on doors leading from dwelling units to attached garages where exterior garage doors are provided.**
36. **Section 304.19 Skirting. Every manufactured and mobile home, now existing or subsequently located within unincorporated St. Charles County, shall have skirting around the entire structure. Skirting shall be made of aluminum or vinyl material.**
37. Section 305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected **as directed by the Code Official.**
38. Section 306 (Component Serviceability) is deleted in its entirety.
39. Section 308. Accumulation of rubbish or garbage **or sewage. All exterior property and premises, including natural watercourses and setback areas on those premises as defined and regulated by the Unified Development Ordinance of St. Charles County, Chapter 405, Ordinances of St. Charles County, Missouri, and the interior of every structure shall be free from any accumulation of rubbish or garbage or sewage. No rubbish or garbage or sewage may be collected, stored or sorted on or within any vehicle or container other than a container designed or constructed for such use.** [~~All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.~~]
40. **Section 308.1.1 Abatement by St. Charles County of violations of Section 307.1 (rubbish or garbage or sewage). Upon failure of the owner or agent having charge of a property to comply with a correction order in a notice of violation of this section, that owner or agent shall be subjected to prosecution in accordance with section 106.3, above, and the code official may**
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cause the violation to be abated as provided in Section 500.092.A, Ordinances of St. Charles County, Missouri.

- 41. **Section 308.1.2 Abatement by St. Charles County of violations of Section 307.1 (rubbish or garbage or sewage) (cost offset for salvage). If St. Charles County causes the removal of accumulated rubbish or garbage or sewage pursuant to Section 307.1.2, the County is authorized to sell salvage and valuable materials and apply sales proceeds as provided by Section 110.4 of this International Property Maintenance Code.**
- 42. **Section 308.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers, that is, containers meeting the requirements of the Solid Waste Management Code of St. Charles County, Section 240.310, Ordinances of St. Charles County, Missouri.**
- 43. **Section 308.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers, that is, containers meeting the requirements of the Solid Waste Management Code of St. Charles County, Section 240.310, Ordinances of St. Charles County, Missouri”.**
- 44. **Section 308.4 On-site storage of approved containers or approved garbage containers. Containers required by this section shall not be stored in the front yard as defined in Chapter 405, OSCCMo, or on a front porch or landing of any building, nor shall such containers be stored so that they may be pushed about or turned over by wind.**
- 45. **Section 404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5. [The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the code official, endanger the life, health, safety or welfare of the occupants.]**

**TABLE 404.5
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

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404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

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

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

48. Section 602.3 Heat supply: Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from **January 1 to December 31** [~~{DATE}~~] to [~~{DATE}~~] to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided 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 International Plumbing Code.
 2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.
49. Section 602.4 Occupiable work spaces: Indoor occupiable work spaces shall be supplied with heat during the period from **January 1 to December 31** [~~{DATE}~~] to [~~{DATE}~~] to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
 2. Areas in which persons are primarily engaged in vigorous physical activities.
50. Section 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 NFPA 70. Dwelling units shall be served by a **minimum** three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.
51. Section 604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and

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electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the **National Electric Code** [~~International Building Code~~].

52. Section 604.3.2.1 Electrical equipment. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the **National Electric Code** [~~International Building Code~~].
53. Section 702.3 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, except where the door hardware conforms to that permitted by the International Building Code **or International Residential Code**.

SECTION 500.092 ABATEMENT OF VIOLATIONS

Where the Code Official is authorized by the Property Maintenance Code of St. Charles County to abate a violation of that Code, the Code Official may do so as provided herein.

- A. Non emergency abatement responsibilities of Code Official. In the absence of an emergency, the Code Official shall employ the following procedure.
 1. Notice of order to abate and of hearing. The Code Official shall serve a notice of the violation to be abated on the owners of the property and on any other person responsible for it. That notice may be served personally, or by mail, or by posting on the property. That notice shall order a hearing by the Code Official in at least four (4) calendar days and the abatement of the violation by the time of the hearing.
 2. Failure to abate, hearing, declaration of nuisance, and further order to abate. If the violation is not abated by the time of the hearing, the Code Official may find and declare the violation a nuisance at that hearing and order the violation abated within two (2) calendar days.
 3. Failure to abate and abatement by Code Official. If the violation is not abated within two (2) calendar days, the Code Official shall have that violation abated at public expense and certify the costs thereof and of all necessary inspections and administrative proceedings and record keeping to the St. Charles County Director of Finance.
- B. Emergency abatement responsibilities of Code Official. In an emergency, where the Code Official abates a violation as authorized in such cases by the Property maintenance Code of St. Charles County, the Code Official shall employ the following procedure.
 1. Notice of emergency abatement and of hearing. The Code Official shall serve a notice of the violation abated by the Code Official pursuant to the Property Maintenance Code, including a declaration that the violation is an emergency, the grounds for that declaration, and a statement of the costs of abating that violation, upon the owners of the property and on any other person responsible for it. That notice may be served personally, or by first class mail,

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postage prepaid, or by posting on the property. That notice shall order a hearing by the Code Official in at least four (4) calendar days.

2. Hearing and final order. At hearing the Code Official may confirm, modify or withdraw any element of the foregoing notice, shall enter a final order reflecting those determinations, and shall certify any confirmed costs of abatement and, if there are any such costs, the costs of any and of all necessary inspections and administrative proceedings and record keeping to the St. Charles County Director of Finance.

- C. Imposition of lien after abatement by Code Official responsibilities of Director of Finance. The St. Charles County Director of Finance shall prepare and issue to the owners of the property in violation a special tax bill against the property for those costs, payable within thirty (30) days of issuance. Each such special tax bill shall include a notice of lien stating that if the bill is not paid when due, it shall become, from the date of its issuance, a first (1st) lien on the property until paid, to be collected by the St. Charles County Collector of Revenue in the same way as property taxes are collected. Each such special tax bill shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the tax bill or the proceedings leading up to its issuance shall be a defense thereto. The St. Charles County Director of Finance shall deliver each such special tax bill that remains unpaid after payment is due to the St. Charles County Collector of Revenue on or before the first (1st) day of June of each year, to be collected with property taxes as provided above.

SECTION 500.093 NOTICES OF UNSAFE STRUCTURE, DECLARATIONS OF NUISANCE, ORDERS TO REPAIR OR DEMOLISH, ABATEMENT, NOTICE, HEARING AND APPEAL

- A. Notice of unsafe structure. If an unsafe condition is found in a building or structure, the St. Charles County Division of Building Code Enforcement or the St. Charles County Division of Neighborhood Preservation shall prepare and issue a Notice of Unsafe Structure. If that unsafe condition is due to inadequate maintenance, either Division may prepare and issue such a notice. For purposes of this Section, inadequate maintenance shall mean:
1. Failure to repair and restore to use any structure that is damaged by fire or by flood or by any other natural disaster within two (2) years of such damage, or
 2. Failure to repair and restore to use any structure under a notice of violation and condemnation issued pursuant to the Property Maintenance Code of St. Charles County within two (2) years of the date of such notice.
- B. Identification of defects. The notice shall list defects in the structure or building that constitute unsafe conditions and declare that structure or building a public nuisance.
1. The notice shall also order the structure or building vacated by the fifteenth (15th) day following service of the notice. However, if the code official determines that an imminent dangerous condition exists, the notice shall also order that the structure or building be vacated forthwith pursuant to Section 109.1 of the Property Maintenance Code of St. Charles County and that the building or structure be boarded up within twelve (12) hours of service of the notice.

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2. In addition, the notice shall order that substantial work on repairs must begin or (if repairs would be unreasonable) that demolition must be completed by no later than the thirtieth (30th) day following service of the notice.

C. Form of notice: The notice shall be in substantially the following form:

ST. CHARLES COUNTY DIVISION OF BUILDING CODE ENFORCEMENT/ ST. CHARLES COUNTY DIVISION OF NEIGHBORHOOD PRESERVATION: NOTICE OF UNSAFE STRUCTURE, DECLARATION OF PUBLIC NUISANCE AND ORDER

Unsafe Structure:

(insert address or other adequate description of building or structure)

Serve:

(insert names of owner, occupant, lessee, mortgagee, agent and all other persons having an interest in the structure or building according to the land records of the St. Charles County Recorder of Deeds)

Notice Of Unsafe Structure, Declaration Of Public Nuisance, And Order:

(complete paragraphs 1, 2 and either 3A or 3B)

1. THE STRUCTURE OR BUILDING IDENTIFIED ABOVE IS UNSAFE AND IS HEREBY DECLARED A PUBLIC NUISANCE BECAUSE OF THE FOLLOWING DEFECTS:
2. NO PERSON MAY OCCUPY THIS STRUCTURE OR BUILDING, OR ANY PART THEREOF, AFTER THE FIFTEENTH (15TH) DAY FOLLOWING SERVICE OF THIS NOTICE. After such date, no person shall occupy, enter, refuse to leave, or remain in this structure or building or any part thereof, except persons directly employed in securing, repairing or removing such building.
- 3A. THIS STRUCTURE OR BUILDING MUST BE REPAIRED TO CURE THE DEFECTS LISTED IN PARAGRAPH 1 ABOVE. WORK MUST BEGIN BY THE THIRTIETH (30TH) DAY FOLLOWING SERVICE OF THIS NOTICE AND PROCEED CONTINUOUSLY WITHOUT UNNECESSARY DELAY TO COMPLETION. This order may be obeyed by demolition and removal of this structure. Upon failure to repair as herein required, the code official may, after hearing, order repairs to be made, and the cost thereof charged to the owner of this property as a special tax lien.
- 3B. THIS STRUCTURE MUST BE DEMOLISHED AND REMOVED FROM THE PREMISES BY THE THIRTIETH (30TH) DAY FOLLOWING SERVICE OF THIS NOTICE. If this structure is not demolished and removed by that date, the code official may, after hearing, order the same done and the cost assessed against the property as a special tax lien. This demolition order is mandatory. However, it may be converted into a repair order, provided that plans and bids satisfying the requirements of Subsection 500.093.G and, if applicable, Subsection 500.093.H, below be presented to the St. Charles County Division of Building Code Enforcement or the St. Charles County Division of Neighborhood Preservation as the case may be within thirty (30) days of the service of this notice.

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- D.** Posting of notice: A copy of the Notice of Unsafe Structure and Declaration of Public Nuisance shall be posted in a prominent place on the premises.
- E.** Method of service of notice: The Notice of Unsafe Structure shall be recorded at the office of the St. Charles County Recorder and shall be served on all affected parties, namely owners, occupants, lessees, mortgagees, agents and all other persons having an interest in the unsafe building or structure as shown by the land records of the St. Charles County Recorder of Deeds. The notice may be served personally or by first class mail, postage prepaid, or if service cannot be had by either of these modes of service, then by at least one (1) publication in a newspaper of general circulation in St. Charles County.
- F.** Restoration: An unsafe structure may be restored to safe condition solely as authorized by the International Building or Residential Code of St. Charles County.
- G.** Unreasonable repairs general provision: As provided in the International Building or Residential Code of St. Charles County and subject to Subsection 500.593.H, below, the Director of the St. Charles County Division of Building Code Enforcement or of the St. Charles County Division of Neighborhood Preservation as the case may be shall presume that a structure or building may not be repaired if the code official determines that the cost of repairs would exceed seventy-five percent (75%) of the current assessed value of the unsafe structure or building as determined by the St. Charles County Assessor's most recent assessment. To rebut this determination, a property owner, within thirty (30) days of the service of a Notice of Unsafe Structure, must present to the Director who issued the Notice three (3) signed bids from outside contractors.
- H.** Unreasonable repairs special provision for unsafe buildings or structures in Floodway, Floodway Fringe or Density Floodway zoning districts as defined by St. Charles County zoning regulations: With respect to unsafe structures or buildings in Floodway, Floodway Fringe or Density Floodway zoning districts as defined in Article XI, Sections 405.245 et seq. of the Unified Development Ordinance of St. Charles County, Missouri, the Director of the St. Charles County Division of Building Code Enforcement or of the St. Charles County Division of Neighborhood Preservation as the case may be shall apply the non conforming use provision specifically applicable in such zoning districts.
- I.** Failure to comply with repair or demolition order in Notice of Unsafe Structure Notice of Hearing service: If the affected parties fail to commence work on repairs or complete demolition within the time stated in the Notice of Unsafe Structure, or if the affected parties fail to proceed continuously with the work without unnecessary delay, the code official shall call a hearing upon the matter, giving the affected parties twenty one (21) days' written notice of the hearing. Said Notice of Hearing may be served personally or first class mail, postage prepaid, or if service cannot be had by either of these modes of service, then by at least one (1) publication in a newspaper of general circulation.
- J.** Conduct of hearing: The Director of the St. Charles County Division of Building Code Enforcement or of the St. Charles County Division of Neighborhood Preservation (hereinafter "Director") 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. Upon hearing the parties, the Director may find and conclude that the structure to be demolished is not unsafe and need not be demolished or repaired, or that the structure is unsafe and must be demolished, in which case the

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Director may order demolition or repair by the County as provided in Subsection K below, or may institute legal action in a court of competent jurisdiction to compel demolition or repair.

- K.** Cost of repair or demolition to be recovered by tax lien: If the Director of the St. Charles County Division of Building Code Enforcement or of the St. Charles County Division of Neighborhood Preservation issues an order whereby the building or structure is demolished, secured or repaired at St. Charles County's expense, the cost of performance shall be certified to St. Charles County's finance officer who shall cause a special tax bill or assessment therefore against the property to be prepared and collected by the County Collector. At the request of the taxpayer, the tax bill may be paid in installments over a period of not more than ten (10) years. The tax bill from date of its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid.
- L.** Salvage materials: If St. Charles County orders a building or structure demolished at the County's expense, the County is authorized to sell salvage and valuable materials and apply sales proceeds as provided by the International Property Maintenance Code, as adopted by St. Charles County.
- M.** Appeal: Affected parties may appeal from the determination of the Director of the St. Charles County Division of Building Code Enforcement or of the St. Charles County Division of Neighborhood Preservation as the case may be to the Circuit Court of St. Charles County as provided by Chapter 536, Revised Statutes of Missouri.

SECTION 500.095: VEHICLE REMOVAL CODE

- A.** Title. This Section shall be known and may be cited as the "Vehicle Removal Code".
- B.** Scope And Effect. This Vehicle Removal Code applies to vehicles on private property that violate the Property Maintenance Code of St. Charles County, Section 500.090, OSCCMo. This Vehicle Removal Code does not alter or affect rights and duties that relate to the towing of abandoned vehicles which Chapter 304, Revised Statutes of Missouri, as amended, vests in St. Charles County, or in the St. Charles County Sheriff, in any other agency of law enforcement, or, finally, in any owners of private property on which vehicles belonging to others may be abandoned.
- C.** Authority To Declare Nuisance And Order Removal. The Director of Neighborhood Preservation or his/her designee may declare a motor vehicle or trailer, if parked on private property in violation of Section 302.8 of the Property Maintenance Code of St. Charles County, as adopted with amendments in Section 500.090.22, OSCCMo, to be a nuisance and order the removal of that motor vehicle or trailer.
- D.** Responsibility For Removal. Upon proper notice of such declaration and order, and if an opportunity to be heard is given, the owner of the motor vehicle or trailer and the owner and the occupant (if other than the owner) of the real property whereon the motor vehicle or trailer is situated shall be jointly and individually liable for the removal of that motor vehicle or trailer. In the event of removal or disposition or both by the County, the owner of the motor vehicle or trailer and the owner or occupant of the private property where same is located shall be jointly and individually liable for the expenses incurred.

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E. Notice Procedure.

1. The Director of Neighborhood Preservation or his/her designee shall give notice of the declaration and order authorized by Subsection (C), above, to the owner of the motor vehicle or trailer, if ascertainable, and to the owner or occupant of the private property where it is located. Such notice shall be given at least seven (7) days before the time set for compliance and shall also schedule a hearing on the same day as the date of compliance in the event any party seeks to be heard rather than comply with the order. Any request for an alternate date, which may be no later than three (3) days thereafter as provided by the notice, must be:
 - a. Filed with the Director of Neighborhood Preservation no later than three (3) days prior to the time set for compliance;
 - b. Filed on a form developed for that purpose by the Director of Neighborhood preservation and served with the above-mentioned notice; and
 - c. Served on all parties to whom the above-mentioned notice was addressed.
2. It shall constitute sufficient notice for a copy of the declaration and order a) to be left at the residence of the occupant, if any, of the private property on which the motor vehicle or trailer is located, b) to be placed on the motor vehicle or trailer, and c) to be sent by first class mail, postage prepaid, to the owner of the motor vehicle or trailer, if ascertainable, and d) to be sent by first class mail, postage prepaid, to the owner of the private property at the owner's last known address according to the records of St. Charles County.
3. The declaration and order shall provide the following information:
 - a. Cite the violation of the Property Maintenance Code of St. Charles County;
 - b. Declare that violation to be a nuisance;
 - c. Order the removal of the motor vehicle or trailer within the seven (7) day period;
 - d. State that there is a right to a hearing, set a date for such hearing no sooner than the end of the seven (7) day period mentioned above, and provide notice that at any time prior to the scheduled hearing date, any party may file with the Code Official and serve on all other parties a written request for an alternate hearing date, which the Code Official shall schedule forthwith, with notice to all parties; and
 - e. Advise that upon failure to comply with the order to remove, the County shall undertake such removal with the cost of removal to be levied against the owner or occupant of the real property upon which the vehicle is situated, or the owner of the vehicle.

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F. Removal Of Motor Vehicle Or Trailer From Private Property.

1. The Director of Neighborhood Preservation or his/her designee, including the St. Charles County Sheriff or his/her designee, shall have the right to enter upon private property to take possession of the motor vehicle or trailer and remove it from the premises if the violation has not been remedied within the seven (7) day compliance period, subject to the following provisos:
 - a. The timely request for an alternate hearing date shall stay the compliance period until such time as the Director of Neighborhood Preservation has entered a decision and for such additional period of time as shall be allotted by the Director of Neighborhood Preservation if abatement is ordered.
 - b. The Director of Neighborhood Preservation or his/her designee or the St. Charles County Sheriff or his/her designee shall not enter upon private property dedicated to residential use without the consent of its residential occupant(s) or a duly issued warrant from a court of competent jurisdiction.
2. It shall be unlawful for any person to interfere with, hinder or refuse to allow the Director of Neighborhood Preservation or his/her designee or the St. Charles County Sheriff or his/her designee to enter upon private property for the purpose of removing a motor vehicle or trailer in accordance with this Vehicle Removal Code.
3. Within seventy-two (72) hours of the removal of a motor vehicle or trailer from private property, the Director of Neighborhood Preservation or his/her designee or the St. Charles County Sheriff or his/her designee shall give notice to the Director of Revenue of the State of Missouri, the registered owner of the motor vehicle or trailer, if ascertainable, and to the owner and occupant, if any, of the private property from which the motor vehicle or trailer was removed, that said motor vehicle or trailer has been impounded and stored for violation of the Property Maintenance Code of St. Charles County. The notice shall describe the motor vehicle or trailer, give the location where it is stored, and state that its owner or the owner or occupant (if any) of the property from which it was removed will be charged with the cost of removal and storage.

G. Procedure For Hearing.

1. A public hearing shall be conducted before the Director of Neighborhood Preservation. Formal rules of evidence shall not apply; however, the parties shall have the right to present evidence, confront and cross-examine witnesses, and receive a written decision based upon the facts adduced at the hearing.
2. The public hearing held by the Director of Neighborhood Preservation is to determine whether there are reasonable grounds to believe that the motor vehicle or trailer ordered to be towed violates the Property Maintenance Code of St. Charles County.
3. If after hearing the Director of Neighborhood Preservation is satisfied that there are reasonable grounds to believe that such a violation exists, the Director shall order the vehicle's

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removal. The Director may impose such conditions and take such other action as deemed appropriate under the circumstances to carry out the purpose of this code and may delay the time for the removal of the motor vehicle or trailer if, in the Director's opinion, the circumstances justify it. In the alternative, the Director of Neighborhood Preservation shall enter an order allowing such vehicle to remain if the he or she finds no violation or nuisance. The costs of removal, storage and advertising expenses, if any, shall be charged against the County or the owner of the vehicle or private property as deemed appropriate by the Director of Neighborhood Preservation.

H. Method Of Removal And Disposition Of Motor Vehicles, Trailers And Property.

1. If a motor vehicle or trailer declared to be a nuisance or ordered removed is not timely removed or if that declaration and order is not rescinded after hearing pursuant to this Vehicle Removal Code, the Director of Neighborhood Preservation shall notify the St. Charles County Sheriff to remove or cause to be removed any motor vehicle or trailer. Upon receiving that notification, the St. Charles County Sheriff or his/her designee may remove or cause to be removed any such motor vehicle or trailer in accordance with the provisions of this Vehicle Removal Code by requesting such services of a service station, towing operator, salvage dealer or motor vehicle repair shop under contract with St. Charles County for towing services. Such vehicles or trailers shall be placed in a garage, towing service facility, auto repair shop or other place designated or maintained by the St. Charles County Sheriff.
2. Neither the Director of Neighborhood Preservation, nor the St. Charles County Sheriff, nor any of their designees, nor, finally, anyone having custody of a motor vehicle or trailer towed pursuant to this Vehicle Removal Code shall be liable for any damage to such motor vehicle or trailer occasioned by its removal other than damages occasioned by gross negligence or by willful or wanton acts or omissions, except as provided by Section 304.154, Revised Statutes of Missouri, as amended.
3. The owner of a motor vehicle or trailer removed pursuant to this Section shall be responsible for payment of all reasonable charges for towing and storage of such motor vehicle or trailer, except that if it has been reported as stolen or taken without the consent of the owner, the owner shall be responsible only for its storage for any period after five (5) business days after receiving the notice of removal provided by the Missouri Director of Revenue pursuant to Section 304.155 Revised Statutes of Missouri, as amended.
4. Upon the towing of any vehicle under this Section, the Department shall make an inquiry with the National Crime Information Center and any statewide Missouri law enforcement computer system to determine if the vehicle has been reported as stolen. The Department shall submit a report to the Missouri Director of Revenue within five (5) working days of the towing of the vehicle. Such report shall include the following:
 - a. The year, model, make and vehicle identification number of the motor vehicle or trailer;
 - b. A description of any damage to the motor vehicle or trailer noted by the Law Enforcement Officer;

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- c. The license number;
 - d. The storage location of the towed motor vehicle or trailer;
 - e. The name and address of the tower;
 - f. The date of the authorization to tow the vehicle; and
 - g. The date of the inquiry of the National Crime Information Center and any statewide Missouri law enforcement computer system to determine if the motor vehicle or trailer had been stolen.
5. The owner of such vehicle or the holder of a valid security interest thereon which is in default may reclaim it from the service station, towing operator, salvage dealer or motor vehicle repair shop upon proof of ownership or valid security interest which is in default and upon payment of all reasonable charges for the towing and storage of the motor vehicle or trailer.
6. Any person who removes a motor vehicle or trailer at the direction of the St. Charles County Sheriff as provided in this Section shall have a lien for all reasonable charges for the towing and storage of the vehicle, until possession of the motor vehicle or trailer is voluntarily relinquished to the owner of the motor vehicle or trailer or to the holder of a valid security interest thereon which is in default. Such lien shall be enforced in the following manner:
- a. The lienholder in possession shall request the St. Charles County Sheriff to make inquiry with the National Crime Information Center and any statewide Missouri law enforcement computer system to determine if the vehicle had been reported stolen and in whose name the vehicle is registered;
 - b. The lienholder in possession shall notify by registered mail, postage prepaid, the owner, if known, and any lienholders of record at their last known addresses that application for a certificate of title will be made unless the owner or lienholder of record makes satisfactory arrangements with the person holding the vehicle for payment of towing and storage within thirty (30) days of the mailing of the notice. This notice shall be supplied by the use of a form designed and provided by the Missouri Director of Revenue;
 - c. Thirty (30) days after the notification form has been mailed and the vehicle is unredeemed and no satisfactory arrangement has been made with the lienholder in possession for continued storage, the lienholder in possession may apply to the Missouri Director of Revenue for a certificate of title if the towed vehicle is titled in Missouri. The application shall be accompanied by:
 - (1) The original or a conformed or photostatic copy of the Department's written report authorizing the tow;

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- (2) An affidavit of the lienholder in possession that he has been in possession of the towed vehicle for thirty (30) days and that the owner has failed to make arrangements for payment of towing and storage charges;
 - (3) A copy of the receipt indicating that the owner or lienholder of record has received the notice required by Subdivision (b) of this Subsection;
 - (4) An inspection certificate shall be completed by the Department on a form provided by the Missouri Department of Revenue. If the officer who authorized the tow is not available to inspect the vehicle and complete the certificate, the Department may designate another officer to inspect the vehicle and complete the form. The inspection shall be made at least thirty (30) days after the date of towing. The inspection certificate shall be dated to reflect the date of the inspection;
 - (5) Any fee as provided by State Statute.
7. If a certificate of ownership has not been previously issued in Missouri on the towed vehicle, the lienholder in possession of the vehicle shall obtain ownership verification from the State in which the vehicle was last registered or titled, if known. If the lienholder is unable to determine the last known State of issuance of certificate of ownership or registration, he shall request ownership verification through any available nationwide network of vehicle records and shall notify the last owner of record and lienholder. The lienholder, upon notification of the last owner and any lienholder of record, shall comply with Subsection (6) of this Section before a certificate of ownership is issued.
8. Towing operators, service stations, salvage dealers, or motor vehicle repair shops who tow or store vehicles according to this Section shall keep a record for three (3) years on each vehicle towed and not reclaimed by the owner of the vehicle. Such record shall contain a copy of the Department's authorization to tow, copies of all correspondence with the Missouri Department of Revenue concerning the vehicle, and information concerning the final disposition of the possession of the vehicle.
9. Personal property found within a vehicle, except items affixed to the vehicle, shall be considered and treated as lost property.
10. Any other provision of this Chapter notwithstanding, when the Department sells an abandoned vehicle in accordance with the terms of this Chapter, the Department may transfer ownership by means of a bill of sale signed by the County Registrar or his/her deputy and sealed with the official County Seal. Such bill of sale shall contain the make and model of the vehicle, the complete vehicle identification number and the odometer reading of the vehicle and shall be lawful proof of ownership for any dealer registered under the provisions of Section 301.218 or 301.251, Revised Statutes of Missouri, as amended, or for any other person. Any dealer or other person purchasing such a vehicle from the Department shall apply within thirty (30) days of purchase for a certificate of ownership as provided in Section 301.190, Revised Statutes of Missouri, as amended, or for a junking certificate as provided in Section 301.227, Revised Statutes of Missouri, as amended.

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- I. Redemption Of Impounded Vehicles. The owner of any vehicle seized under the provisions of this Vehicle Removal Code may redeem the vehicle at any time during the normal business hours after the vehicle removal, but prior to the sale or destruction of the vehicle upon proof of ownership and payment to the St. Charles County Sheriff or his/her designee of such sum as may be determined and fixed by the Sheriff or his/her designee for the actual and reasonable expense of removal, storage and advertising expenses, if any.

SECTION 500.096: INTERFERENCE WITH DIRECTOR OF NEIGHBORHOOD PRESERVATION WHEN REMOVING VEHICLE IN ACCORDANCE WITH SECTION 500.095

- A. Interference Prohibited. It shall be unlawful for any person to interfere with, hinder or refuse to allow the Director of Neighborhood Preservation or his/her designee or the St. Charles County Sheriff or his/her designee to enter upon private property for the purpose of removing a motor vehicle or trailer in accordance with a duly authorized order issued under the Vehicle Removal Code of St. Charles County, Section 500.095, OSCCMo.
- B. Penalty. Any person violating Subsection (A) above shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than one thousand dollars (\$1,000.00) and/or one (1) year's imprisonment for a term not exceeding one (1) year. Each act in violation of Subsection (A) above shall be deemed a separate offense.

SECTION 500.100: MOBILE OR MANUFACTURED HOMES -- INSTALLATION AND TIE-DOWN -- MAINTENANCE -- ALTERATION -- DAMAGE -- ADOPTION BY REFERENCE OF FEDERAL AND STATE REGULATIONS -- VIOLATIONS

- A. *Installation And Tie-Down--As Required By Applicable State Regulations.* An owner or occupant of a mobile or manufactured home shall ensure that it is installed and tied down as required by the applicable regulations promulgated by the Public Service Commission of the State of Missouri.
- B. *Maintenance--As Required By The **International** Property Maintenance Code--Exceptions And Conditions.* An owner or occupant of a mobile or manufactured home shall be subject to the Property Maintenance Code of St. Charles, Missouri, Section 500.090, Ordinances of St. Charles County, Missouri ("OSCCMo") with the following exceptions and conditions.
 - 1. Such owner or occupant shall not be subject to codes referenced in the **International** Property Maintenance Code if those referenced codes are pre-empted by applicable regulations of the United States Department of Housing and Urban Development or the Public Service Commission of the State of Missouri.
 - 2. An owner or occupant of a mobile or manufactured home shall maintain it in conformity with applicable regulations of the United States Department of Housing and Urban Development or the Public Service Commission of the State of Missouri in force at the time of the home's manufacture.

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- C.** *Alteration--Permit Required--Conformity To Applicable Federal And State Regulations And County Codes Required.* No owner or occupant of a mobile or manufactured home shall alter it unless:
1. Such owner or occupant obtains a building permit from the Division of Building Code Enforcement, which shall be subject to the conditions and requirements set out in Chapter 1, Sections R101 through R114 of the **International** Residential Code for One- and Two-Family Dwellings of St. Charles County, Section 500.070, OSCCMo; and
 2. Such owner or occupant submits plans for the proposed alteration demonstrating conformity with:
 - a. Applicable regulations, including building, mechanical and plumbing regulations, of the United States Department of Housing and Urban Development or the Public Service Commission of the State of Missouri in force at the time of the home's manufacture; and
 - b. Applicable provisions of the Electric Code of St. Charles County, Sections 500.030--500.040, OSCCMo; and
 - c. Applicable provisions the Unified Development Ordinance of St. Charles County, Chapters 405--412, OSCCMo; and
 3. Such owner or occupant pays an application fee for such permit as authorized by ordinance.
- D.** *Damage Or Alterations That Impair Structural Integrity.* A mobile or manufactured home may be subject to administrative proceedings to condemn, close or demolish it pursuant to the **International** Property Maintenance Code of St. Charles County, Section 500.090, OSCCMo, as provided below.
1. The Director of Neighborhood Preservation shall institute such proceedings if he makes the following determinations.
 - a. The structure of a mobile or manufactured home has been altered or has been damaged by neglect or deterioration or by fire, wind or flooding, and
 - b. That alteration or damage affects the integrity of the structure.
 2. However, in all such cases, an owner or occupant of any such mobile or manufactured home may submit to the Building Code Enforcement Division for its review and approval a building permit application with plans showing alterations made or alterations to be made in order to repair structural damage.
 - a. In the event the Director of the Building Code Enforcement Division cannot make a determination that such alterations or repairs will result in a structure that is structurally sound and in conformity with applicable regulations of the United States Department of Housing and Urban Development or the Public Service Commission of the State of Missouri in force at the time of the home's manufacture, such plans shall be disapproved.
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- b. However, an owner or occupant of any such mobile or manufactured home may rebut that denial by submitting a report by an engineer licensed in the State of Missouri and bearing that engineer's original seal and signature certifying that the mobile or manufactured home, as altered or despite damage to it, is either:
 - (1) Structurally sound and in conformity with applicable regulations of the United States Department of Housing and Urban Development or the Public Service Commission of the State of Missouri in force at the time of the home's manufacture; or
 - (2) Capable of repairs rendering it structurally sound and in conformity with the regulations identified above, in which case the engineer's report must be supported by a permit application for such repairs meeting the requirements of Subsection (C) of this Section.
 - 3. The Director of Neighborhood Preservation may stay proceedings under Subparagraph (1) above pending review of building permit applications under Subparagraph (2) above if public safety is not affected adversely.
 - 4. The Director of Neighborhood Preservation shall terminate proceedings under Subparagraph (1) above upon approval of any building permit application under Subparagraph (2) above.
- E.** *Adopted Federal And State Standards.* St. Charles County adopts by reference the following Federal and State regulations applicable to mobile or manufactured homes promulgated by the United States Department of Housing and Urban Development or by the Public Service Commission of the State of Missouri:
- 1. 24 Code of Federal Regulations ("CFR") Part 3280 (Manufactured Home Construction and Safety Standards) as currently in force or as amended hereafter;
 - 2. Earlier versions of 24 CFR Part 3280 if and as applicable at the time of the manufacture of a mobile or manufactured home subject to this Section;
 - 3. 4 Code of State Regulations ("CSR") Chapter 120 (New Manufactured Homes) as currently in force or as amended hereafter;
 - 4. 4 CSR Chapter 121 (Pre-Owned Manufactured Homes) as currently in force or as amended hereafter;
 - 5. 4 CSR Chapter 124 (Manufactured Home Tie-Down Systems) as currently in force or as amended hereafter; and
 - 6. 4 CSR Chapter 125 (Manufactured Home Installers) as currently in force or as amended hereafter.

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- F.** *Violations.* Any person who violates any provision of this Section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for a term not exceeding one (1) year or by both fine and imprisonment, and each day's continuance of a violation may be deemed a separate offense.
- G.** *Enforcement.* Enforcement of this Section shall be the responsibility of the County Counselor's office.