

BILL NO. 1184

ORDINANCE NO. 1150

AN ORDINANCE AMENDING SUBSECTIONS "D" and "E" OF SECTION 510.150 AND DELETING SUBSECTION "I.4" OF SECTION 510.150 TO COMPLY WITH THE NEW PROVISIONS OF HOUSE BILL 2062

**Whereas**, the City of Bel-Nor requires an owner or agent to apply for a Certificate of Occupancy and an inspection within three (3) calendar days after advertising or marketing a property for the purpose of selling or otherwise conveying ownership or possession; and

**Whereas**, the rationale for such requirement was to put prospective buyers on notice of repairs and work necessary to qualify for a Certificate of Occupancy; and

**Whereas**, during the 2024 legislative session, the Missouri General Assembly passed House Bill 2062 which was later signed by the Governor; and

**Whereas**, in House Bill 2062, the legislature adopted a new provision which states, "436.337. Notwithstanding any other provision of law to the contrary, no political subdivision shall require a property owner to have a home inspection conducted of a residential property prior to the sale of the property. This provision shall not apply to any inspection requirement of new construction or occupancy permits"; and

**Whereas**, Section 510.150 of the Municipal Code must be revised to be consistent with this new state law.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BEL-NOR, MISSOURI, AS FOLLOWS:**

**Section 1.** Subsections "D" and "E" of Section 510.150 of Chapter 510 of Title V of the Municipal Code is hereby amended to read as follows: [those subsections and provisions of Section 510.150 which are not specifically set forth herein are not amended in any way and remain in full force and effect].

TITLE V                      BUILDINGS AND BUILDING REGULATIONS

CHAPTER 510            HOUSING CODE

SECTION 510.150            OCCUPANCY PERMIT.

...

D. Pre-Transfer Activity. No inspection of property shall be required prior to the sale of the property. Upon request of the owner, a real estate broker or agent or any prospective purchaser and payment of an appropriate inspection fee, the City may conduct an inspection of the property and document all violations of Code. A copy of the inspection report shall be provided to the requesting party and the owner (if not the requesting party). The Owner shall provide a copy to all prospective buyers. Such inspection report shall be valid for 180 days or until conveyance of the property, whichever period is shorter.

E. Transfer Of Ownership — Certificate Of Compliance Required.

1. Immediately upon transfer of ownership or possession of real property, the owner, lessor or agent shall apply for a Certificate of Compliance from the City. This shall include sales or transfers considered to be in "as-is" condition. The application shall be required although occupancy is not immediately planned.

2. On application by an owner, lessor, or agent, the City's inspector shall have the property inspected for compliance with this Code.

3. Upon an inspection, if the building official determines the property to be in compliance with the provisions of this Code, the building official shall issue a certificate of compliance. Such certificate of compliance shall be valid for one hundred eighty (180) days unless revoked by the building official for good cause. In the event an occupancy permit is not issued within said one hundred eighty (180) days, said certificate of compliance shall be null and void, and a new application for a certificate of compliance must be made and a new inspection occur before any occupancy permit may be issued.

4. Upon an inspection, if the building official determines that the property is in violation of the requirements of this Code, the building official shall issue an occupancy inspection report which shall list all conditions which fail to satisfy the requirements of this Code and a deadline by which the violations must be corrected. The Code violations must be corrected regardless of whether an occupancy permit is ever issued. No occupancy permit shall be issued as long as the property is subject to violations of this Code.

5. A fee shall be charged for each initial and subsequent inspection.

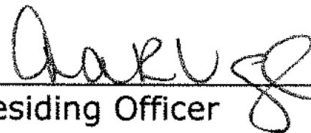
6. This Section shall not apply to transfers of a structure or building wherein the transferee executes an affidavit directed to the City attesting to the fact that the structure(s) and/or building(s) on the property so

transferred will be demolished within ninety (90) days of transfer. The structure or building shall not be occupied by any person between transfer and demolition.

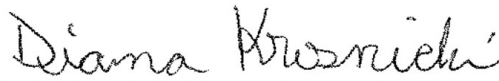
**Section 2.** Subparagraph "4" of Subsection "I" of Section 510.150 of the Municipal Code is hereby deleted. No other subparagraphs of Subsection I are altered in any way and remain in full force and effect.

**Section 3.** This Ordinance shall be in full force and effect from and after the date of its passage and approval.

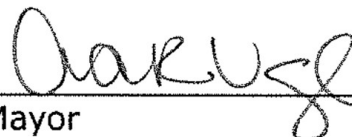
**PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF BEL-NOR ON THIS 16th DAY OF September, 2024.**

  
\_\_\_\_\_  
Presiding Officer


Attest:

  
\_\_\_\_\_  
City Clerk

**APPROVED BY THE MAYOR ON THIS 16th DAY OF September 2024.**

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk