

1st Reading 6/25/2024
2nd Reading 6/25/2024

BILL NO. 24-18

ORDINANCE NO. 5466

AN ORDINANCE AMENDING SECTIONS 7-6 AND 7-7 OF ARTICLE I OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF CRESTWOOD, MISSOURI, REGARDING INSPECTION FEES AND STOP WORK ORDERS, as amended.

WHEREAS, pursuant to Article VI, § 19(a) of the Missouri Constitution, the Charter of the City of Crestwood (the “City”) gives the City all powers the General Assembly of the State of Missouri has authority to confer upon any city, provided such powers are consistent with the Constitution and are not limited or denied either by the Charter or by statute, and provides that the City shall, in addition to its home rule powers, have all powers conferred by law; and

WHEREAS, City staff has undertaken a comprehensive review of Chapter 7 of the Municipal Code of the City of Crestwood, Missouri (the “Code”), relating to buildings and building regulations; and

WHEREAS, City staff has documented an increase in expenditures and staff time necessary for persistent re-inspections pursuant to permit applications, and an increase in expenditures for staff time necessary to inspect properties that have been issued a stop-work order under City Code for noncompliance with permitting requirements;

WHEREAS, City staff recommends amendment of Article I of Chapter 7 of the Code relating to required permit inspections and stop work orders to account for such increases in expenditures; and

WHEREAS, pursuant to the authority granted to the City by its Charter, the Constitution of the State of Missouri, and Missouri statutes, the Board of Aldermen finds that the proposed amendments to Chapter 7 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 7-6 and 7-7 of Article I of Chapter 7 of the Municipal Code of the City of Crestwood, Missouri, pertaining to buildings and building regulations, are hereby amended, to read as follows (with new language in red):

Sec. 7-6 Denial or revocation of permits.

- (a) The Director of Public Works may deny applications for building, excavation, electrical, plumbing or occupancy permits if, in connection with any pending matter in the City the applicant or his principal has failed to comply with the building code or other applicable ordinances of the City or has failed to comply with any lawful order, ordinance or requirement of the City, the Metropolitan St. Louis Sewer District or the County or State Health Department and continues to remain in violation or default at the time of his application. None of the permits mentioned in this section may be issued contrary to the provisions of the zoning regulations.
- (b) The Director of Public Works may deny or revoke any building, electrical, plumbing, excavation or occupancy permit in the following cases:
 - (1) At any time before any occupancy or before any work has commenced under the building, excavation, electrical, plumbing or occupancy permits. In such case the permittee is authorized to claim a refund of the permit fees;
 - (2) If any person acting under and by virtue of the permits violates any ordinance of the City, the Metropolitan St. Louis Sewer District or the County or State Health Department;
 - (3) If any such person fails to comply with any lawful order or directive or other requirement of the City, the Metropolitan St. Louis Sewer District or the County or State Health Department; or
 - (4) If the Board of Aldermen shall, by resolution, declare its intention or desire to rezone or consider the rezoning of any tract of land or change the use regulations pertaining thereto, or to lease, purchase or otherwise acquire any tract or parcel of land for municipal purposes, a copy of such resolution shall within 10 days be filed with the Planning and Zoning Commission and a copy thereof posted on the bulletin board in the City Clerk/Collector's office, and in such case no variance, building or occupancy permit, subdivision approval, special permit, zoning district change or use change pertaining to such land or any part thereof shall be granted, issued, recommended or approved during a period of 120 days after the date of adoption of such resolution.
- (c) **The City, through its Building Commissioner, Fire Marshal, and/or their respective designees, shall inspect all work authorized by this Article and evaluate all permit applications before final approval and issuance of any permit. If any applicant fails three consecutive inspections on the same application for any permit, an additional**

fee may be required for any additional inspections, in an amount set by the Board of Aldermen.

Sec. 7-7 Stop work orders.

- (a) All officials who are authorized to issue permits for work or improvements to be performed or done in the City are hereby authorized to suspend any permit so issued in the event the permittee, his agents, servants or contractors violate any provision of the applicable ordinances of the City, and may order all work authorized by such permit to be suspended so long as the violation of the applicable ordinances continues; and no work shall be done after the issuance of such stop work order except as such as may be specifically authorized by the official for the purpose of accomplishing compliance with the provisions of the applicable ordinance or ordinances.
- (b) Any person performing, authorizing or directing any work in violation of a stop work order issued by the authorized official of this City shall be punished by a fine or imprisonment, or both, in the same manner and to the same extent as though he had violated a provision of the ordinance authorizing the issuance of the permit, and each day that work is continued in violation of such stop work order after posting of the stop work notice as hereinafter provided, shall constitute a separate offense.
- (c) Upon the issuance of a stop work order under the provisions of this section, a notice of the order shall be conspicuously posted on the premises, if private property is involved, or in close proximity to where any portion of the work is being done on any public place or on a street or sidewalk, and the posting of such notice shall constitute notice to the owners, contractors, subcontractors and all workmen and employees engaged in doing any work authorized under the permit.
- (d) For any project that has been issued a Stop Work Order, a fee in an amount set by the Board of Aldermen shall be imposed upon reinspection of the project to verify compliance with this Article, in addition to any fine levied by the Court.

SECTION 2: The remaining provisions of Article I 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 25th day of June, 2024.



Mayor

ATTEST:


City Clerk

APPROVED this 25th day of June, 2024.


Mayor