

BILL NO. 2024 - 59

ORDINANCE NO. 1766

AN ORDINANCE OF THE CITY OF PAGEDALE, MISSOURI, ENACTING SECTIONS 515.010, 515.015, 515.020, 515.025, 515.030, 515.035, 515.040 AND 515.045 OF TITLE V, CHAPTER 515, ARTICLE I, MINIMUM HOUSING STANDARDS REQUIRED FOR RESIDENTIAL AND MULTIPLE FAMILY DWELLINGS.

WHEREFORE, the City of Pagedale Board of Alderpersons wishes to protect the health, safety and welfare of its residents from unsafe, unsanitary and/or dilapidated properties and seeks to enact the City's first Minimum Housing Standards to assure residential properties in the City of Pagedale, Missouri are safe and code compliant.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF PAGEDALE, MISSOURI, AS FOLLOWS:

Section 1. The Board of Alderpersons for the City of Pagedale, Missouri, hereby enacts sections 515.010, 515.015, 515.020, 515.025, 515.030, 515.035, 515.040 AND 515.045, of Title V, Chapter 515, Article I of the Pagedale Municipal Code, which shall read as follows:

Section 515.010: Purpose.

(a) It is the purpose of this Section to promote housing quality for owner occupied housing and all occupants and tenants of rental housing. Furthermore, it is the intent of this Article to ensure for property owners, occupants and tenants that minimum standards of fitness exist for all housing types and upon habitation of such that property owners, occupants and tenants share responsibility for maintaining those standards pursuant to this Article.

(b) It is hereby declared that it is unsafe to allow dwellings which are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents and other calamities; lack of ventilation, light and sanitary facilities; and other conditions rendering such dwellings unsafe or unsanitary, dangerous and detrimental to the health, safety and morals, and otherwise impactful to the welfare of the residents of Pagedale.

(c) To protect the health, safety and welfare of the residents, it is the purpose of this Article to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, whether single or multi-family.

Section 515.015: Definitions.

The following definitions shall apply in the interpretation and enforcement of this Article:

BASEMENT The portion of a building which is partly or completely below grade.

BASEMENT, A STORY ABOVE GRADE

A basement of which the finished floor above the basement is:

- (a) More than six (6) feet above grade.
- (b) More than six (6) feet above the finished ground level for more than fifty percent (50%) of the total building perimeter; or
- (c) More than twelve (12) feet above the finished ground level at any point.

DETERIORATED

A dwelling that is unfit for human habitation and can be repaired, altered, or improved to comply with all of the minimum standards established by this Article at a cost not in excess of fifty percent (50%) of its value, as determined by finding of the Inspector.

DILAPIDATED

A dwelling that is unfit for human habitation and cannot be repaired, altered or improved to comply with all of the minimum standards established by this Article at a cost not in excess of fifty percent (50%) of its value, as determined by finding of the Inspector.

DWELLING

Any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any dwelling which is used solely for a seasonal vacation purpose. The term shall include within its meaning the term "rooming unit," as defined in this Section.

EXTERMINATION

The control and elimination of insects, rodents or other pests by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating or trapping; or by any other recognized and legal pest elimination methods approved by the Inspector.

GARBAGE

The organic waste resulting from the handling, preparation, cooking and consumption of food.

GLAZED OPENING

A window including the glassed portions of doors.

HABITABLE ROOM

A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers or communicating corridors, closets and storage spaces.

INFESTATION

The presence, within or around a dwelling, of any insects, rodents or other pests in such numbers as to constitute a menace to the health, safety or welfare of the occupants or the public.

INSPECTOR

The Building Commissioner of the City of Pagedale or any authorized agent thereof.

MANUFACTURED HOME

A structure, transportable in one (1) or more sections, which in traveling mode is eight (8) body feet or more in width, or forty (40) body feet or more in length, or, when erected on a site, is three hundred twenty (320) or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured Home" includes any structure that meets all of the requirements of this Subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974, 42 USC 5401, et seq. For manufactured homes built prior to June 15, 1976, "Manufactured Home" means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of thirty-two (32) feet in length and more than eight (8) feet in width. "Manufactured Home" also means a double-wide manufactured home, which is two (2) or more portable manufactured housing units designed for transportation or their own chassis that connect on site for placement on a temporary or semi-permanent foundation having a measurement of more than thirty-two (32) feet in length and more than eight (8) feet in width.

MULTIPLE-FAMILY DWELLING

Any dwelling containing two (2) or more dwelling units.

OCCUPANT

Any person living, sleeping, cooking, or eating in, or having actual possession of a dwelling.

OPERATOR

Any person who has charge, care or control of a building, or a part thereof, in which dwelling units or rooming units are let.

OWNER

Any person who alone, jointly, or severally with others:

(a) Has title to any dwelling with or without accompanying actual possession thereof; or

(b) Is a mortgagee of record for any dwelling; or

(c) Has charge, care or control of any dwelling, as owner or agent of the actual owner, or as executor, administrator, trustee or guardian of the estate of the actual owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Article, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

PARTY OR PARTIES IN INTEREST

All persons who have interest of record in a dwelling and any persons who are in possession thereof.

PERSON Any individual, corporation, firm, partnership, association, organization or other legal entity.

PLUMBING All of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, mechanical garbage disposal units (mechanical sink grinders), sewage disposal pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

PUBLIC AUTHORITY

The City of Pagedale Building Department or any officer who is in charge of the department.

ROOMING UNIT

Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

RUBBISH

Non-organic waste materials. The term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass and dust.

SUPPLIED

Paid for, furnished, or provided by, or under the control of the owner or operator.

TEMPORARY HOUSING

Any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utility system on the same premises for more than thirty (30) consecutive days.

UNFIT FOR HUMAN HABITATION

When conditions exist in a dwelling which violates or does not comply with one (1) or more of the minimum standards of fitness or one (1) or more of the requirements established by this Article.

Section 515.020: Standards.

(a) Minimum Standards - Fitness For Dwellings. The following shall be the minimum acceptable standards for evaluating the fitness of dwellings for human habitation:

(1) Every dwelling used for human habitation, or held out for such human habitation shall comply with all of the minimum standards of fitness for human habitation and all of the requirements of Subsections (b) through (g) of this Section.

(2) No person shall occupy as owner-occupant, or let to another for occupancy or use for human habitation, any dwelling which does not comply with all of the minimum standards of fitness for human habitation and all of the requirements of Subsections (b) through (f) of this Section.

(3) Interpretations of the Inspector concerning Subsections (b) through (f) of this Section shall be based upon minimum conditions necessary to ensure the safety of the occupant(s).

(b) Minimum Standards - Structural Condition. The following shall be the minimum acceptable

standards for the structural condition of a dwelling:

- (1) Walls, partitions, supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated or damaged so as to create a hazardous or unsafe condition, and shall not have holes or cracks which might admit rodents.
- (2) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.
- (3) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged so as to create a hazardous or unsafe condition.
- (4) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in such condition that they do not lean or buckle, and shall not be rotted, deteriorated or damaged so as to create a hazardous or unsafe condition.
- (5) Facilities for egress in case of fire or panic shall be provided.
- (6) Interior walls, floors and ceilings of all rooms, closets and hallways, excluding basements shall be finished of suitable materials, which will, by use of reasonable household methods promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable the occupants to maintain reasonable privacy between various spaces.
- (7) The roof, flashing, exterior walls, basement walls, floors, and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather-tight.
- (8) There shall be no chimneys in use or parts thereof which are defective, deteriorated or in such condition or location as to constitute a fire hazard. No chimney shall be in danger of falling.
- (9) There shall be no use of the ground for floors.

(c) *Minimum Standards - Basic Plumbing, Heating, And Electrical Equipment And Facilities.* The following shall be the minimum acceptable standards for basic plumbing, heating, and electrical equipment and facilities:

- (1) *Plumbing system.* Every dwelling shall have facilities for providing plumbing in accordance with the following:
 - a. Each dwelling unit which is or has been connected to a potable water supply and to a public sewer or other approved sewage disposal system must remain connected and maintained in working order.
 - b. All plumbing fixtures shall be maintained in a state of good repair and in good working order.
- (2) *Heating system.* Every dwelling shall have a safe and adequate method for providing heat.
- (3) *Electrical system.* Every dwelling shall have facilities for providing electricity in accordance with the following:
 - a. Every dwelling shall be wired for electric lights and receptacle outlets. Every habitable room shall contain at least one (1) floor or wall-type electric receptacle, connected in such manner as determined by the Electrical Code adopted by the City. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one (1) supplied ceiling or wall-type electric light fixture. In the event wall or ceiling light fixtures are not provided in any habitable room then each such habitable room shall contain at least two (2) floor or wall-type receptacle outlets.
 - b. Every public hall and stairway in every multiple dwelling shall be provided electric lights.
 - c. All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe and capable of being used.
 - d. The electrical service must remain connected and maintained in working order at all times.

(d) *Minimum Standards - Use And Location.* The following shall be the minimum acceptable standards for use and location of a habitable room within a dwelling unit:

(1) *Generally.* The rooms within a dwelling unit which comply with the minimum standards as described in this division shall be deemed habitable.

(2) *Basements.* No basement or basement story above grade shall be used for living purposes unless the floor and walls are substantially watertight.

(e) *Minimum standards - Safe And Sanitary Maintenance.* The following shall be the minimum acceptable standards for safe and sanitary maintenance of habitable dwellings:

(1) *Exterior foundation, walls and roofs.* Every foundation wall, exterior wall and exterior roof shall be substantially weather-tight and rodent-proof; shall be kept in sound condition; and shall be safe to use and capable of supporting the load which normal use would cause to be placed thereon.

(2) *Interior floors, walls and ceilings.* Every floor, interior wall and ceiling shall be substantially rodent-proof; shall be kept in sound condition; and shall be safe to use and capable of supporting the load which normal use would cause to be placed thereon.

(3) *Windows and doors.* Every window, exterior door, basement door or hatch shall be substantially weather-tight and rodent-proof and shall be kept in sound working condition.

(f) *Minimum Standards - Control Of Insects, Rodents And Infestations.* The following shall be the minimum acceptable standards for the control of insects, rodents, and infestations:

(1) *Infestation.* Every occupant of a dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises. Whenever infestation is caused by failure of the owner to maintain a dwelling in a substantial rodent-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.

(2) *Garbage storage, etc.* Garbage, rubbish and materials to be recycled shall be stored in a manner that will resist harborage to rodents and vectors and will not create a fire hazard.

(g) *Responsibilities Of Owners And Occupants.* The following shall be the minimum acceptable standards with respect to other owner and occupant responsibilities:

(1) *Cleanliness.* Every occupant, tenant or lessee of a dwelling or dwelling unit shall keep clean and in a sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls. The occupant, tenant, or lessee shall be responsible for the disposal of all garbage and rubbish accumulated on a regular basis to a common collection site or facility which is permitted to receive the waste.

(2) *Public areas.* Where a common collection site for the collection and disposal of solid waste is provided on the premises by the owner, it shall be the responsibility of the owner to remove or cause to be removed all solid wastes from the collection site on a regular basis.

(3) *Care of facilities, equipment and storage.* No occupant, tenant or lessee shall willfully destroy, deface or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit.

Section 515.025: Powers and Duties of Inspector.

(a) The enforcement and administration of this Article shall be by the Inspector as he deems appropriate to administer and enforce the provisions of this Article. Such duties may be assigned by the Inspector to other City personnel to conduct inspections and other duties of administration

deemed necessary.

(b) The Inspector shall have the following powers and duties:

(1) To investigate the dwelling conditions, and to inspect dwellings located in the City, in order to determine which dwellings are unfit for human habitation, and for the purpose of carrying out the objectives of this Article with respect to the repair, closing or demolition of such dwellings.

(2) To take such action, together with other appropriate departments and agencies, public and private, as may be necessary to affect rehabilitation of housing which is deteriorated.

(3) To keep a record of the results of inspections made under this Article and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed.

(4) To administer oaths and affirmations, examine witnesses and receive evidence.

(5) To enter upon premises for the purpose of making examinations and inspections: provided, such entries shall be made in accordance with Subsection (a) of this Section, below, and State law, and shall be made in such a manner as to cause the least possible inconvenience to the persons in possession.

(6) To appoint and fix the duties of such officers, agents, and employees as he deems necessary to assist in carrying out the purpose of this Article, and to delegate any of his functions and powers to such officers, agents and employees.

(7) To perform such other duties as may be prescribed herein or by the City.

Section 515.030: Failure to Comply With Order.

If the owner of any deteriorated dwelling shall fail to comply with an order of the Inspector to repair, alter or improve, or to vacate and close as a human habitation the same within the time specified therein, or if the owner of a dilapidated dwelling or dwelling unit shall fail to comply with an order of the Inspector to repair, alter or improve, or to vacate and close and remove or demolish the same within the time specified therein, the Inspector shall place a placard on such dwelling preventing the occupancy of the structure. It shall be unlawful for any person to enter or occupy a dwelling after the Inspector has placed a placard thereof, which offense is punishable in the City of Pagedale Municipal Court as provided in the City's general penalty provision. Any person who enters or occupies a dwelling unit after the Inspector has placed a placard thereon shall be subject to immediate arrest and removal from the dwelling.

Section 515.035: Methods of Service of Complaints and Orders.

Notices or orders issued by the Inspector shall be served upon persons either personally or by Registered or Certified Mail. If the whereabouts of such persons are unknown and the same cannot be ascertained by the Inspector in the exercise of reasonable diligence, the Inspector may serve the notice or order by posting same in a conspicuous place on the premises.

Section 515.040: Alternative Remedies.

Neither this Section nor any of its provisions shall be construed to impair or limit in any way the power of the City to define and declare nuisances and to cause their abatement by summary action or otherwise, or enforce this Article by criminal process. The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

Section 2. Sections 515.010 through 515.040 are hereby enacted in their entirety and are to be read in conjunction with Title V, Chapter 515 of the Pagedale Municipal Code.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Board of Alderpersons and Approval by the Mayor.

Passed and Approved by the City of Pagedale Board of Alderpersons and Mayor on this 4th day of June, 2024.



Honorable Mayor Faye Millet

Attest:



Lois Sampson-Hooker, City Clerk