

AN ORDINANCE AMENDING ORD. NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, CHAPTER 500, ADOPTION OF BUILDING CODES; ARTICLE I, NATIONAL BUILDING CODE, SECTION 500.020 AMENDMENTS, CHANGES AND DELETIONS IN THE BUILDING CODE: 17. SECTION 113.0, RESIDENTIAL OCCUPANCY CERTIFICATE, AND SECTION 114.0, NON RESIDENTIAL OCCUPANCY CERTIFICATE, BY ADDING NEW DEFINITION OF DWELLING SPACE, AMENDING FEE AMOUNTS AND ESTABLISHING NEW REGULATIONS AND FEES REGARDING OCCUPANCY PERMIT PROCEDURES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. Chapter 500, Adoption of Building Codes, Article I, National Building Code, Section 500.020 Amendments, Changes and Deletions in the Building Code: 17. Section 113.0, Residential Occupancy Certificate, and Section 114.0, Non Residential Occupancy Certificate is hereby amended as follows:

ES-113.1 (remains the same)

ES-113.2 Occupancy permit; certificate of compliance; fees; false statements:

- (A) Prior to issuance of an occupancy permit, a building or dwelling unit and common spaces shall be inspected by the building commissioner for compliance with the building and housing codes of the City of Richmond Heights.
- (B) The owner or agent shall request an inspection to determine the degree of compliance. The request shall be in writing on an application form available from the office of the building inspector. Such inspection shall be sixty-five (\$65.00) effective September 1, 2009.
- (C) Premises inspected and complying with the minimum standards of the City of Richmond Heights shall be issued a certificate of compliance.
- (D) The certificate of compliance shall be valid for no more than one hundred eighty (180) days from the date of issuance. The owner or agent of a premise may allow occupancy of said building within the one hundred eighty (180) day period, provided the tenant or resident owner has secured an occupancy permit from the building commissioner within this one hundred eighty (180) day period. The fee for such occupancy permit shall be fifteen dollars (\$15.00).

(E) No person shall knowingly make a false statement in an application for an occupancy permit concerning the name, ages, relationship, or number of persons who shall occupy the premises for which the permit is sought.

(F) A fee of twenty dollars (\$20.00) shall accompany each request for a residential temporary occupancy permit.

(G) Prior to a building, dwelling unit or tenant space being occupied, the proposed space to be occupied shall be inspected and approved, with an occupancy permit issued before the building owner shall allow occupancy. Should occupancy occur prior to the issuance of an occupancy permit, the building owner shall pay a penalty fee of one hundred dollars. (\$100.00).

SECTION ES-114.0 NON RESIDENTIAL OCCUPANCY PERMIT

ES-114.1 & ES-114.2-(remains the same)

ES-114.3. Fees:

1. A fee of one hundred dollars (\$100.00) shall be paid to the City and shall accompany each request for inspection and issuance of an occupancy permit for a non-residential building or portion thereof.
2. The fee of twenty dollars (\$20.00) shall accompany each request for a non-residential temporary occupancy permit.
3. Prior to a building, dwelling unit or tenant space being occupied, the proposed space to be occupied shall be inspected and approved, with an occupancy permit issued before the building owner shall allow occupancy. Should occupancy occur prior to the issuance of an occupancy permit, the building owner shall pay a penalty fee of one hundred dollars. (\$100.00).

SECTION 2. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 3. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 3rd day of August, 2009.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: July 20, 2009
Second reading: August 3, 2009