

VILLAGE OF UPLANDS PARK, MISSOURI

AN ORDINANCE

INTRODUCED BY:

Marie Keys

BILL NO.

378

ORDINANCE NO.

378

AN ORDINANCE ADOPTING AND ENACTING THE BUILDING, RESIDENTIAL, EXISTING BUILDING, MECHANICAL, PLUMBING, ELECTRICAL AND PROPERTY MAINTENANCE CODES OF THE COUNTY OF SAINT LOUIS, MISSOURI AS AMENDED AS THE BUILDING, RESIDENTIAL, EXISTING BUILDING, MECHANICAL, PLUMBING, ELECTRICAL AND PROPERTY MAINTENANCE CODES OF THE VILLAGE OF UPLANDS PARK, MISSOURI

WHEREAS, the Village of Uplands Park, Missouri is desirous of adopting minimum requirements and standards for the construction, alteration, use and occupancy of buildings and structures, the installation of mechanical plumbing and Electrical systems, fixtures and equipment to protect the health, safety and welfare of the citizens of the Village of Uplands Park, Missouri.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF UPLANDS PARK, MISSOURI, AS FOLLOWS:

SECTION 1. The Saint Louis County Building, Residential, Existing Building, Mechanical, Plumbing, Electrical and Property Maintenance codes as amended by the County of Saint Louis, Missouri through date of last amendatory ordinances:

- 1) Building (County Ordinance 22,314 - Approved May 18, 2005)
- 2) Residential (County Ordinance 22,314 - Approved May 18, 2005)
- 3) Existing Building (County Ordinance 22,314 - Approved May 18, 2005)
- 4) Mechanical (County Ordinance 22,313 - Approved May 18, 2005)
- 5) Plumbing (County Ordinance 22,338 - Approved June 1, 2005)
- 6) Electrical (County Ordinance 22,556 - Approved November 29, 2005)
- 7) Property Maintenance (County Ordinance - 22,316 - Approved May 18, 2005)

codes respectively are hereby adopted as the Building,  
Residential, Existing Building, Mechanical, Plumbing, Electrical  
and Property Maintenance codes of the Village of Uplands Park,  
Missouri, as if fully set out herein.

APPROVED:

Carmen McClellan Chauhan

ATTEST:

Charlene Graham

Village Clerk

Municipal Seal:

VILLAGE OF UPLANDS PARK, MISSOURI

AN ORDINANCE

INTRODUCED BY: Marie Keys

BILL NO. 378

ORDINANCE NO. 378

AN ORDINANCE AUTHORIZING AMENDMENT OF AN EXISTING CONTRACTUAL AGREEMENT WITH THE COUNTY OF SAINT LOUIS, MISSOURI FOR THE PROVISION OF CODE ENFORCEMENT SERVICES

WHEREAS, the Village of Uplands Park, Missouri is desirous of amending the "Scope of Services covered by the existing contractual agreement with County of Saint Louis, Missouri for construction and property related code enforcement services pursuant to revised agreement attached hereto.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF UPLANDS PARK, MISSOURI, AS FOLLOWS:

SECTION 1: The Chairperson of the Board of Trustees of the Village of Uplands Park, Missouri is hereby authorized to amend the "SCOPE OF SERVICES" of the existing contractual agreement with the County of Saint Louis, Missouri first entered into on February 13, 1995, for code enforcement services pursuant to revised agreement attached hereto and incorporated herein as if fully set forth herein.

SECTION 2: All ordinances, parts of ordinances or provisions of the Municipal Code of the Village of Uplands Park, Missouri in conflict with any provisions of this ordinance are hereby repealed.

APPROVED: Carmen McClendon Chairwoman

ATTEST: Chauhi Graham Village Clerk

Municipal Seal:

VILLAGE OF UPLANDS PARK, MISSOURI

ACTION TO AMEND SCOPE OF SERVICES OF EXISTING CONTRACTUAL AGREEMENT WITH COUNTY OF SAINT LOUIS, MISSOURI FOR CODE ENFORCEMENT SERVICES.

This Amendment to Scope of Services of Existing Contractual Agreement for Code Enforcement services between COUNTY OF SAINT LOUIS, MISSOURI, hereinafter referred to as "COUNTY", and the VILLAGE OF UPLANDS PARK, MISSOURI, hereinafter referred to as "MUNICIPALITY", is effective when approved, accepted, signed and dated by both parties.

WHEREAS, COUNTY and the MUNICIPALITY entered into a Contractual Agreement, attached and incorporated herein by reference, dated February 13, 1995 for COUNTY to provide certain common services to MUNICIPALITY; and

WHEREAS, the parties desire to amend the SCOPE OF SERVICES of said Contractual Agreement; and

WHEREAS, MUNICIPALITY has enacted Ordinance Numbers: 378, copies of which are attached hereto and made a part hereof, said ordinance being identical in substance with COUNTY's:

- 1) Building (County Ordinance 22,314 - Approved May 18, 2005)
- 2) Residential (County Ordinance 22,314 - Approved May 18, 2005)
- 3) Existing Building (County Ordinance 22,314 - Approved May 18, 2005)
- 4) Mechanical (County Ordinance - (County Ordinance 22,313 - Approved May 18, 2005))
- 5) Plumbing (County Ordinance (County Ordinance 22,314 - Approved June 1, 2005)
- 6) Electrical (County Ordinance - 22,556 - Approved November 29, 2005)
- 7) Property Maintenance Code (County Ordinance - 22,316 - Approved May 18, 2005)

codes, as amended; and

WHEREAS, MUNICIPALITY has duly enacted Ordinance Number: 378 a copy of which is attached hereto and made a part hereof, authorizing these amendments to the Contractual Agreement first entered into on February 13, 1995; and

NOW, THEREFORE, the parties hereby agree as follows:

1. Article I, Section 1.1 SCOPE OF SERVICES in the code enforcement Contractual Agreement dated February 13, 1995, is hereby amended to read as follows:

"COUNTY shall provide MUNICIPALITY code enforcement services in the manner proscribed in the applicable code provisions for the following areas:-

- 1) Building Code
- 2) Residential Code
- 3) Existing Building Code
- 4) Mechanical Code
- 5) Plumbing Code
- 6) Electrical Code
- 7) Property Maintenance Code - Including the enforcement of the City's ordinance requiring re-occupancy permits for existing Residential Dwellings.
- 8) Explosives Code"

2. In all other respects, said contract dated February 13, 1995, shall continue in effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seal the day and year as written below:

MUNICIPAL APPROVAL

VILLAGE OF UPLANDS PARK, MISSOURI

Approved: *Carmen M. Clendon*

Attest: *Christie Hickam*      *Village Clerk*

Municipal Seal:

COUNTY OF ST. LOUIS, MISSOURI ACCEPTANCE

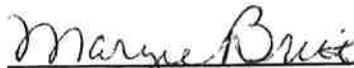
IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals this 18<sup>th</sup> day of June, 2007.

ST. LOUIS COUNTY, MISSOURI

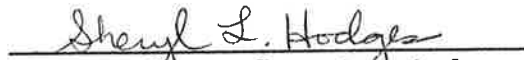
(SEAL)

  
By \_\_\_\_\_  
County Executive

ATTEST:

  
Administrative Director of the Dep Co. Clerk  
St. Louis County Council

APPROVED:

  
St. Louis County Department of  
Public Works

APPROVED AS TO LEGAL FORM:

  
County Counselor 6-18-07

ACCOUNTING OFFICER'S CERTIFICATION:

~~APPROVED~~ I hereby certify that an unencumbered balance, sufficient to pay the contract sum, remains in the appropriation account against which this obligation is to be charged.

  
Accounting Officer

# CONTRACT AGREEMENT

THIS AGREEMENT, made and entered into this 13th day of February, 1995, by and between ST. LOUIS COUNTY, MISSOURI, hereinafter referred to as "COUNTY", and The Village of Uplands Park, hereinafter referred to as "MUNICIPALITY".

WITNESSETH:

WHEREAS, Article II, Section 2.180 (20) of the 1979 Charter of ST. LOUIS COUNTY, MISSOURI, authorized the COUNTY to contract with MUNICIPALITY for a common service; and

WHEREAS, the provisions of Section 70.210 to 70.320 inclusive, R.S.Mo. 1978, as amended, empower municipalities and other political subdivisions to contract and cooperate with each other for a common service; and

WHEREAS, Section (s)

- |                 |                           |                         |
|-----------------|---------------------------|-------------------------|
| 1) "Building"   | 4) "Mechanical"           | 7) "Weights & Measures" |
| 2) "Electrical" | 5) "Plumbing"             | 8)                      |
| 3) "Explosives" | 6) "Property Maintenance" | 9)                      |

SLCRO 1974, as amended, authorize(s) COUNTY to contract with MUNICIPALITY for administration of MUNICIPALITY'S

- |                 |                           |                         |
|-----------------|---------------------------|-------------------------|
| 1) "Building"   | 4) "Mechanical"           | 7) "Weights & Measures" |
| 2) "Electrical" | 5) "Plumbing"             | 8)                      |
| 3) "Explosives" | 6) "Property Maintenance" | 9)                      |

Code(s) and

WHEREAS, MUNICIPALITY has duly enacted Ordinance(s) Number(s) 292, said ordinance(s) being identical in substance with COUNTY'S

- |                 |                           |                         |
|-----------------|---------------------------|-------------------------|
| 1) "Building"   | 4) "Mechanical"           | 7) "Weights & Measures" |
| 2) "Electrical" | 5) "Plumbing"             | 8)                      |
| 3) "Explosives" | 6) "Property Maintenance" | 9)                      |

Code(s) as amended; and

WHEREAS, MUNICIPALITY has duly enacted Ordinance Number 293, a certified copy of which is attached hereto and made a part hereof, authorizing the execution of this agreement on behalf of MUNICIPALITY.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants, and obligations hereinafter stated, the COUNTY and MUNICIPALITY mutually agree as follows, to-wit:

ARTICLE I  
SCOPE OF SERVICES

1.1 SCOPE OF SERVICES. COUNTY shall provide MUNICIPALITY code enforcement services in the manner proscribed in the applicable code provision for the following areas:

- |                 |                           |                         |
|-----------------|---------------------------|-------------------------|
| 1) "Building"   | 4) "Mechanical"           | 7) "Weights & Measures" |
| 2) "Electrical" | 5) "Plumbing"             | 8)                      |
| 3) "Explosives" | 6) "Property Maintenance" | 9)                      |

ARTICLE II  
TERM OF AGREEMENT

2.1 TERM OF AGREEMENT. This Agreement shall commence on the 1<sup>st</sup> day of APRIL, 1995, and shall continue in effect from year to year unless terminated as provided in ARTICLE IX herein.

ARTICLE III  
PERMITS, INSPECTIONS, LICENSING AND APPROVAL OF PLANS

3.1 PERMITS. COUNTY through its Department of Public Works shall issue all permits required by the code(s) as set forth in Paragraph 1.1 herein.

3.2 INSPECTIONS. COUNTY through its Department of Public Works shall execute all inspections required by the code(s) as set forth in Paragraph 1.1 herein.

3.2.1 RE-OCCUPANCY AND COMPLAINT INVESTIGATIONS. Inspections under the Property Maintenance Code for purposes of approved re-occupancy of existing dwelling units or to investigate complaints of alleged violations shall be specifically and exclusively requested by MUNICIPALITY.

3.3 LICENSING. COUNTY through its Department of Public Works shall license all persons as required by the code(s) as set forth in Paragraph 1.1 herein.

3.4 APPROVAL OF PLANS. COUNTY through its Department of Public Works shall examine all plans to determine their compliance with the code(s) as set forth in Paragraph 1.1 herein.

ARTICLE IV  
RESTRICTIVE PROVISIONS

4.1 RESTRICTIVE PROVISIONS. If MUNICIPALITY has adopted provisions applicable to the services as set forth in Paragraph 1.1 herein said provisions being more restrictive than those contained in COUNTY'S code(s), MUNICIPALITY shall approve all plans, prior to submission to COUNTY'S Department of Public Works for issuance of permits.



ARTICLE V  
REGULATORY ORDINANCES

5.1 REGULATORY ORDINANCES. MUNICIPALITY shall approve all plans for compliance with zoning or other regulatory ordinances prior to submission to COUNTY's Department of Public Works.

ARTICLE VI  
ENFORCEMENT OF MUNICIPAL ORDINANCE

6.1 ENFORCEMENT. COUNTY shall not take any action, either at law or in equity, to enforce the provisions of MUNICIPALITY'S ordinance(s) as the same shall apply hereto. COUNTY shall notify MUNICIPALITY of any known violations of MUNICIPALITY'S ordinance(s).

ARTICLE VII  
FEES

7.1 FEES. All fees including, but not limited to "No Permit" penalties and administrative penalties, shall be paid to COUNTY in accordance with the appropriate St. Louis COUNTY Ordinances and shall be collected and retained by St. Louis COUNTY as payment for their services rendered pursuant to this CONTRACT. MUNICIPALITY shall collect and retain all fines and costs arising from MUNICIPALITY'S prosecution of code violations.

ARTICLE VIII  
AMENDMENTS TO COUNTY CODE

8.1 AMENDMENTS. In the event COUNTY shall add to, delete or amend sections of the code(s) as set forth in Paragraph 1.1 herein, MUNICIPALITY shall amend its ordinance to make it identical in substance to COUNTY'S amended code. COUNTY shall supply MUNICIPALITY with a copy of its proposed amendment prior to its effective date and MUNICIPALITY shall amend its ordinance within ninety (90) days of the effective date of said COUNTY amendment. In the event COUNTY shall fail to provide a copy of its proposed amendment as provided above, MUNICIPALITY shall have Ninety (90) days to amend its Ordinance after receipt of COUNTY'S amendments.

8.2 CERTIFIED COPY. MUNICIPALITY shall supply COUNTY with a certified copy of all amendments to its ordinance within five (5) days of said amendment's effective dates.

ARTICLE IX  
TERMINATION

9.1 FAILURE TO AMEND. In the event MUNICIPALITY shall fail to amend its ordinance as provided in Paragraph 8.1 herein this Agreement shall be terminated.

9.2 TERMINATION FOR CONVENIENCE. Either COUNTY or MUNICIPALITY may terminate this Agreement at any time by giving Ninety (90) days prior written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

ST. LOUIS COUNTY, MISSOURI

Bryce W. Westfall  
County Executive

By James E. Cullenandis

\_\_\_\_\_ of \_\_\_\_\_,  
MISSOURI

Title: Chairman Board

Municipality: VILLAGE OF UPHANOS PARK

Attest:

Janette O. Hoop  
Deputy Administrative Director

Attest:

Glenn D. McKinney Carter  
Municipal Clerk

Approved:

John F. Hoffmann  
County Director of Public Works

Approved as to Legal Form:

John A. Ross  
St. Louis County Counselor

Approved:

Gene M. Lane  
Accounting Officer