

BILL NO. _____, 2014

ORDINANCE NO. _____, 2014

Introduced by Councilmember O'Mara

AN ORDINANCE

AMENDING TITLE VIII SLCRO 1974 AS AMENDED,
"OCCUPATIONS, BUSINESSES AND LICENSING," BY
ENACTING AND ADDING A NEW CHAPTER TO BE KNOWN
AS CHAPTER 825, "RESIDENTIAL RENTAL PROPERTY
LICENSING CODE."

BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. LOUIS COUNTY,
MISSOURI, AS FOLLOWS:

SECTION 1. Title VIII SLCRO 1974 as amended, "Occupations,
Businesses and Licensing," is amended by enacting and adding a
new chapter to be known as Chapter 825, "Residential Rental
Property Licensing Code," which shall read as follows:

825.100 Short title and definitions.-1. This chapter shall
be known as "Residential Rental Property Licensing Code."
It shall be effective within the unincorporated parts of
St. Louis County, Missouri.

2. For the purpose of this Code, the following terms,
phrases and words shall have the meanings ascribed to them
herein and shall apply in the interpretation and
enforcement of this Code unless otherwise specifically
provided:

Director: The Director of the Department of Revenue or the
duly appointed designee thereof.

Dwelling: Any building or portion thereof designed or used
for dwelling purposes.

Dwelling, Duplex: A detached building designed for or
occupied by two (2) families living independently of each
other.

Dwelling, Multiple-Family: A building or portion thereof
used or designed as separate residences for three (3) or
more families, including apartments, apartment hotels and
group houses.

Dwelling, One-Family: A detached building designed for or
occupied exclusively by one (1) family.

Owner: The owner of record of residential rental property,

whether an individual(s), trust, partnership, corporation or other business entity.

Public Nuisance: Any activity declared a public nuisance by or prohibited by St. Louis County Revised Ordinances Chapter 607, Chapter 713, Chapter 716, Chapter 726, Section 619.010, Sections 607.070-.120, Section 701.110, Section 711.090, Section 712.140, or Section 1120.020.

Residential Rental Property: Dwellings, duplex dwellings, multiple-family dwellings and one-family dwellings occupied by or offered for rent, lease or occupancy to any person(s), who otherwise qualify for an occupancy permit, who are not the owners of record of said property.

825.200 Residential rental license required; exemptions.-

1. No person without a residential rental license issued pursuant to this Code shall permit occupancy of or offer for rent or lease, residential rental property to any person as principal occupant who is either: i. not the record owner of the property or; ii. approved as an exempt occupant pursuant to this Code.

2. Upon the filing and approval of an exemption declaration pursuant to this Code, no residential rental license shall be required for non-owner occupancy of a parcel of residential rental property where the principal occupant(s) of such parcel are:

- i. Beneficial owner(s) of the property.
- ii. Related to the owner of the property within the second degree of consanguinity.

825.250 License application; amendment; exemption declaration.-

1. Application for a license required by this Code shall be made annually not later than the earlier of:

- i. January 31st of each calendar year for all residential rental property owned on January 1st of that year; or
- ii. For later acquired residential rental property, prior to permitting any occupancy of, or offering such property for rent or lease, the owner shall provide to the Director the following information on a form provided by the Director and verified by the owner: the name, street address and telephone number of the owner of such residential rental property; and a list by street address of each residential rental property owned by such owner located in unincorporated St. Louis County.

2. On the license application, the owner may designate an

agent to be responsible for said property and to accept notices and service of process. The agent shall be identified by name, street address and telephone number. Any limitation of the agent's authority to rent, manage and make expenditures related to the property shall be set out in the application.

3. In the event of any change of circumstances subsequent to the filing of an application that would result in a change in the information required by the application, the owner shall promptly file an amendment of such application on forms provided by the Director.

4. In the exercise of sound discretion, the Director may grant an exemption to the license requirement upon application of the owner of residential rental property. An owner desiring an exemption to the requirement of a residential rental license may file a verified declaration with the Director, on forms provided thereby, setting forth the name, street address, telephone number of the owner of record of such residential rental property; the name of the principal occupant(s) of the property; and an explanation of the basis for exemption. An exemption granted by the Director shall remain valid and need not be renewed unless the circumstances meriting the exemption as described in the declaration change or cease; provided however, the Director may periodically request verification of the qualifications for the exemption status.

825.300 Fee.-The annual fee for each calendar year or portion thereof for the license required by this Code shall be fifteen dollars (\$15.00) per owner for all of such owner's residential rental property located unincorporated St. Louis County, due and payable at the time of application. A late payment fee, calculated at the rate of two dollars (\$2.00) for each month or portion thereof, shall be assessed for late payment of an application fee. Such late fee may be waived by the Director of Revenue for good cause shown.

825.350 Occupancy without a license prohibited.-Unless and until the annual application is filed by the owner and all fees due hereunder are paid in full, and all outstanding fines imposed by the St. Louis County Municipal Court for any housing, Property Maintenance or Building Code violations by such owner are paid in full, no residential rental license shall be issued to such owner nor shall any

new occupancy permit be issued for the occupancy of any parcel of residential rental property of such owner. Failure to obtain and maintain a valid residential rental license shall constitute grounds for the revocation of all outstanding occupancy permits issued for any parcel of residential rental property of such owner.

825.400 Rules.—The Director may issue such rules and regulations as the Director deems necessary to implement the provisions of this Code and the policies contained herein. Any such rules and regulations shall be filed with the Administrative Director and will be effective upon approval by the County Council.

825.450 Suspension and revocation.—1. The Director may suspend or revoke a license issued pursuant to this Code upon the grounds specified in this section. Notice of the suspension or revocation shall be provided in writing and served upon the owner by means reasonably calculated to provide actual notice to the owner.

i. A license may be suspended if property is found by the Director to be out of compliance with the Property Maintenance Code and corrections are not made to bring the property back into compliance within thirty (30) days from the date of notice of non-compliance.

ii. A license may be suspended if an owner makes material false statements on a license application or declaration for exemption; or fails to report a change of occupancy of any property owned or managed for which a license under this Code has been issued.

iii. In the exercise of sound discretion by the Director, a license may be suspended or revoked if the owner has been notified by the Director of three (3) or more acts by occupants of licensed residential rental property which constitute a public nuisance.

iv. A license may be suspended for conviction of a misdemeanor, felony or ordinance violation by the owner or by occupants occurring on or about licensed residential rental property.

v. A license may be revoked if the owner has more than two (2) license suspensions in any twelve (12) month timeframe.

2. An owner whose license has been revoked may not apply for reinstatement until all licensed residential rental property is returned to compliance with this Code and the owner has paid a re-inspection fee of one hundred dollars

(\$100.00) for each unit that was the subject of revocation.

3. An owner whose license has been suspended or revoked shall not rent residential rental property subject to the revocation or suspension, or any other residential rental property subject to this Code until all corrections have been made to the property subject to the revocation or suspension, and such corrections have been approved by the Director. In the case of a revocation, the re-inspection of the property subject to the revocation must be complete and found to be in compliance before a license will be reinstated.

4. An owner whose license has been suspended or revoked may appeal the suspension or revocation in writing to the Director within five (5) working days of notification of suspension or revocation. The Director shall hold a contested hearing as soon as reasonably practicable and shall issue written findings of fact and conclusions of law not later than ten (10) days following conclusion of the hearing.

ADOPTED: _____

APPROVED: _____

CHAIR, COUNTY COUNCIL

ATTEST: _____
ADMINISTRATIVE DIRECTOR

COUNTY EXECUTIVE

APPROVED AS TO LEGAL FORM:

COUNTY COUNSELOR