

Title 2 ADMINISTRATION AND PERSONNEL

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Chapter 2.02 CITY COUNCIL

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2.02.010 City council generally.

The members of the city council shall be elected, shall have the qualifications and powers and shall perform the duties prescribed by Article II of the Charter.

(Prior code § 2-1)

2.02.020 Rules governing proceedings.

The council shall adopt rules governing the time of its meetings and its proceedings, which shall be kept on file with the city clerk.

(Prior code § 2-2)

2.02.030 City clerk--Appointment, term and duties.

The council shall elect a city clerk, who shall serve during the pleasure of the council.

The city clerk shall be the custodian of the seal and all deeds, contracts, ordinances and other official documents of the city. The city clerk shall keep the journal of proceedings of the council, authenticate by his or her signature all ordinances and resolutions, and perform such other duties as may be prescribed by the council, the Charter, the provisions of this code or any other ordinance.

(Prior code § 2-3)

2.02.040 Disclosure of conflicts of interest.

A. Declaration of Policy. The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the city.

B. Conflicts of Interest. The mayor or any member of the city council who has a substantial personal or private interest as defined by Sections 105.450 (10, 11) and 105.461.1 RSMo, in any measure, bill, order or ordinance proposed or pending before the city council, shall within twenty-four (24) hours, before he or she passes on the measure, bill, order or ordinance, file a written report of the nature of the interest with the city clerk and such statement shall be recorded in the record of proceedings of the city council.

C. Disclosure Reports. Each elected official, the city manager, the chief purchasing officer and the city attorney (if employed full-time) shall disclose in writing the following information by May 1st if any such transactions were engaged in during the previous calendar year:

1. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500.00), if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

2. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision; and

3. The city manager and the chief purchasing officer also shall disclose in writing by May 1st for the previous calendar year the following information:

a. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement;

b. The name and address of each sole proprietorship which he or she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he or she was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten (10) percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two (2) percent or more of any class of outstanding stock, limited partnership units or other equity interests;

c. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

D. Filing of Reports. The reports, in the attached format, shall be filed with the city clerk and thereafter with the ethics commission. The reports shall be available for public inspection and copying during normal business hours.

E. When Filed. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

1. Each person appointed to office shall file the statement within thirty (30) days of such appointment or employment;

2. Every other person required to file a financial interest statement shall file the statement annually not later than May 1st and the statement shall cover the calendar year ending the immediately preceding December 31st; provided that any member of the city council may supplement the financial interest statement to report additional interests acquired after December 31st of the covered year until the date of filing of the financial interest statement.

(Ord. 6702 §§ 1--5, 2007)

Chapter 2.04 CITY MANAGER

Sections:

[2.04.010 Qualifications, term and removal.](#)

[2.04.020 Powers and duties generally.](#)

[2.04.030 Vice-manager.](#)

2.04.010 Qualifications, term and removal.

The city manager shall be chosen by the city council on the basis of his or her executive and administrative qualifications with special reference to his or her actual experience in, or his or her knowledge of, accepted practice in the duties of his or her office. The city manager may or may not be a resident of the city at the time of his or her selection, but shall live therein during his or her tenure of office. The city manager shall be appointed for an indefinite term, subject to discharge as provided in the Charter, and shall devote his or her entire time to the duties of his or her office.

(Prior code § 2-4)

2.04.020 Powers and duties generally.

The city manager shall be the chief administrative officer of the city, and shall be responsible to the council for the proper administration of all the city's affairs. To that end the city manager shall have power and shall be required to:

- A. Appoint and, when necessary for the good of the service, remove all officers and employees of the city except as otherwise provided by the Charter;
 - B. Prepare the budget annually and submit it to the council and be responsible for its administration after adoption;
 - C. Prepare and submit to the council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year;
 - D. Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem to the city manager desirable;
 - E. Serve as the director of one department, and, with the consent of council, serve as the director of two or more departments;
 - F. Enforce all laws and ordinances and see that all contracts and franchises are faithfully performed;
 - G. Perform such other duties as may be prescribed by the Charter or required of the city manager by the council;
 - H. Execute leases for the city parking lots, provided such leases do not exceed a term of one year and provided such leases are approved on motion by a majority of the city council.
- (Prior code § 2-5)

2.04.030 Vice-manager.

The city manager shall designate a department director as vice-manager, who shall perform the duties of the city manager during any vacancy in such office, or during the absence or disability of the city manager.

(Prior code § 2-6)

Chapter 2.06 ELECTIONS

Sections:

[2.06.010 General elections.](#)

[2.06.020 Special elections.](#)

[2.06.030 Participation of city officers and employees in elections.](#)

2.06.010 General elections.

The general municipal election day for the election of a mayor and any other elective officers that may now or hereafter be elected by the city at large, and one councilmember for each ward, shall be the first Tuesday after the first Monday in April, 1998, and the first Tuesday after the first Monday in April every four years thereafter. The general municipal election day for a councilmember from each ward shall be the first Tuesday after the first Monday in April, 2000, and the first Tuesday after the first Monday in April every four years thereafter.

(Amended during 1998 codification: prior code § 11-1)

2.06.020 Special elections.

Special elections for any lawful purpose may be called by ordinance at a time to be fixed by the council.

(Prior code § 11-2)

2.06.030 Participation of city officers and employees in elections.

No person holding an appointive position as an officer or employee of the city, or as a member, officer or employee of any appointive board or bureau of the city, shall use his or her official authority or influence to coerce the political action of any person or body, or to interfere with any election, or shall take an active part in a political campaign, or shall seek or accept nomination, election or appointment as an officer of a political club or organization, or circulate or seek signatures to any petition provided for by any primary or election law, or act as a worker at the polls, or display badges, signs or cards favoring or opposing a candidate for election or nomination to a public office in the city; but nothing in this section shall be construed to prohibit or prevent any such person from becoming or continuing to be a member of a political club or organization or from attendance upon political meetings, from enjoying entire freedom from all interference in casting his or her vote, from expressing privately his or her opinions on all political questions, or from seeking or accepting election or appointment to public office; provided, however, that no active campaign for election shall be conducted by any such officer or employee unless he or she shall first resign his or her position. Every officer or employee holding an appointive office or position in the city, or who may hereafter be appointed to such office or position, shall have an indefinite tenure of office during good behavior, except where a definite term is prescribed by law. Every person charged with a violation of this section shall be given a hearing as prescribed by this code or by ordinance, and, if found guilty of such violation, shall be dismissed from the service of the city.

(Prior code § 11-13)

Chapter 2.08 CITY DEPARTMENTS GENERALLY

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[2.08.010 Departments enumerated--Heads of departments designated.](#)

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[2.08.060 Performing work for other departments.](#)

[2.08.070 Official bonds generally.](#)

2.08.010 Departments enumerated--Heads of departments designated.

The administrative service of the city shall be divided under the city manager into the following departments:

TABLE INSET:

Name	Official Head
Department of finance	Director of finance
Department of fire	Fire chief
Department of parks and recreation	Director of parks and recreation
Department of personnel	Personnel director
Department of planning	Director of planning
Department of police	Police chief
Department of public works	Director of public works

(Amended during 1998 codification: prior code § 2-8)

2.08.020 Residency of department heads.

Department heads hereafter employed by the city must be bona fide residents of the city, except at the time of appointment or employment when they need not be residents of the city, but shall establish residence in the city within one year from the date of appointment or employment. This provision may be waived by the city manager after advice of the city council. Department heads shall maintain an up-to-date record of residence address with the department of personnel.

(Prior code § 2-8.1)

2.08.030 Departmental organization generally.

The city manager and, with his or her approval, the director of each department established pursuant to Section 2.08.010 shall have authority within the respective departments or offices to organize such divisions, bureaus or other units and may assign work to them as may be necessary or convenient for the proper conduct of the work of the director's office or department. Departments or divisions established by this code or by ordinance may not be abolished except by ordinance, and the powers and duties conferred by this code or by ordinances upon any department, division or office may not be abolished, assigned or transferred elsewhere except by ordinance. Powers and duties additional to those assigned by this code or by ordinance may be assigned or transferred by the city manager.

(Prior code § 2-9)

2.08.040 Assignment of departmental employees.

Subject to the approval of the city manager, the director of each department of the city shall have the continuing power to assign any employee of such department or office to any work or position therein appropriate to the civil service classification of such employee.

(Prior code § 2-10)

2.08.050 Departmental rules and regulations.

The city manager may prescribe such general rules and regulations as the city manager may deem necessary or expedient for the general conduct of the administrative departments or agencies subject to the city manager's authority. The director of each department and the director's authorized representatives, subject to the authority of the city manager, may prescribe such rules and regulations as the director may deem necessary or expedient for the proper conduct of the director's department or office. The city manager may at any time revoke, suspend or amend any such rule or regulation so prescribed.

(Prior code § 2-11)

2.08.060 Performing work for other departments.

The city manager may direct any department or division to perform work for any other department or division.

(Prior code § 2-12)

2.08.070 Official bonds generally.

When required by the council or the city manager, any administrative officer or employee shall give bond to the city at the city's expense in such amount and on such conditions as may be prescribed.

(Prior code § 2-13)

Chapter 2.10 DEPARTMENT OF FINANCE

Sections:

[2.10.010 Director of finance--Appointment, qualifications and bond.](#)

[2.10.020 Director of finance--Powers and duties.](#)

[2.10.030 Purchasing agent-- Appointment and term.](#)

[2.10.040 Purchasing agent--Powers and duties.](#)

[2.10.050 Competitive bidding on city purchases and contracts.](#)

[2.10.060 Certain city contracts and purchases to be approved by council.](#)

2.10.010 Director of finance--Appointment, qualifications and bond.

The city manager shall be the director of finance, unless otherwise provided by the council, in which event the director shall be appointed by the city manager. The director of finance shall have knowledge of municipal accounting and taxation and shall have experience in budgeting and financial control. The director of finance shall provide a bond, furnished by an accredited surety company acceptable to the council in such amount as the council may require, the cost of which shall be paid by the city.

(Prior code § 2-14)

2.10.020 Director of finance--Powers and duties.

The director of finance shall have charge of the administration of the financial affairs of the city, subject to the supervision and direction of the city manager, and to that end the director of finance shall have authority and be required to:

- A. Expense and Capital Estimates. Compile both the current expense and capital estimates for the budget for the city manager;
- B. Disbursements and Expenditures. Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to insure that budget appropriations are not exceeded;
- C. Accounting System. Maintain a general accounting system for the city and each of its offices, departments and agencies; exercise financial control over the same; keep such books and records and submit such financial statements to the city manager or council as they may require;
- D. Taxes, Assessments, Fees, Etc. Collect all taxes, special assessments, license fees, or other revenue or moneys due the city from any source whatever; and receive from the various departments or agencies all fees or revenue collected by them;
- E. Deposit of Funds. Deposit all funds coming into the director of finance's hands in such depositories as may be designated by resolution of the council, or, in the absence of such resolution, by the city manager;
- F. Investments. Make and have custody of all investments of the city's funds, including those held in a fiduciary capacity, under such regulations as the council may prescribe;
- G. Forms of Receipts, Vouchers, Etc. Prescribe the forms of all financial records, receipts, vouchers, bills or claims to be used by all the officers, departments and agencies of the city;
- H. Certification of Contracts, Etc. Certify, before any contract, order, or other document has been executed by which the municipality incurs financial obligation, that the expenditure is within the purpose of the appropriation ordinance and the work program contemplated thereby, and that there is an unencumbered balance in the appropriation sufficient to pay the obligation;
- I. Audit and Approval of Invoices, Etc.; Checks and Vouchers. Audit and approve before payment all bills, invoices, payrolls and other evidences of claims, demands or charges against the city. The director of finance shall draw checks and vouchers in payment, which checks shall be valid only when countersigned by the city clerk;
- J. Inspection and Audit of Records. Inspect and audit any accounts or records of financial transactions which may be maintained in any office, department or agency of the city apart from or subsidiary to the accounts kept in the director of finance's office;
- K. Other Duties. Perform such other duties as may be imposed by this code or by any other ordinance.

(Prior code § 2-15)

2.10.030 Purchasing agent--Appointment and term.

There shall be in the department of finance a purchasing agent who shall be appointed by the city manager, and who shall hold such office during the pleasure of the city manager.

(Prior code § 2-16)

2.10.040 Purchasing agent--Powers and duties.

The purchasing agent shall contract for, purchase, store and distribute all supplies, materials and equipment required by any office, department or agency of the city. The purchasing agent shall also have power and be required to:

- A. Establish and enforce specifications with respect to supplies, materials and equipment required by the city;
- B. Inspect or supervise the inspection of all deliveries of supplies, materials and equipment, and determine their quality, quantity and conformance with specifications;
- C. Have charge of such general storerooms and warehouses as the city may maintain;
- D. Transfer to or between offices, departments or agencies, or sell, with the approval of the council, surplus, obsolete or unused supplies, materials or equipment.

(Prior code § 2-17)

2.10.050 Competitive bidding on city purchases and contracts.

A. Before the city purchasing agent makes any purchases or contracts, ample opportunity shall be given for competitive bidding. In the following cases competitive bidding shall not be required if, in the judgment of the purchasing agent, a lower price cannot be obtained by requiring competitive bids:

1. Articles or supplies needed at any time which do not cost more than two hundred fifty dollars (\$250.00);
 2. Articles of a special make or manufacture, such as do not enter into competition with other articles or supplies, when approved by the city manager;
 3. Where conditions are such on account of scarcity of materials or for other reason that competitive bids cannot be obtained, or in cases of emergency and it is impractical to secure such bids; provided, that such purchases shall be approved by the city manager.
- B. The subdivision of contracts and purchases for the purpose of evading requirements of competitive bidding shall not be permitted. (Prior code § 2-18)

2.10.060 Certain city contracts and purchases to be approved by council.

All purchases, contracts, or undertakings of any kind involving the expenditure of an amount greater than twenty-five thousand dollars (\$25,000.00) shall be approved by the city council. (Ord. 6715 § 1, 2007)

Chapter 2.12 DEPARTMENT OF LAW

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2.12.010 City counselor to be director--Qualifications.

The director of the law department shall be the city counselor. The city counselor shall be duly licensed to practice law in the courts of the state.

(Prior code § 2-20)

2.12.020 City counselor--Duties generally.

The city counselor shall have charge of all litigation in which the city is a party; represent the city in all legal matters and proceedings in which the city is a party or interested, or in which any of its officers are parties in their official capacity; advise the city council or any committee or member thereof, and the heads of all departments, and all other officers and agencies of the city as to all legal questions affecting the city's interest; and approve as to form all ordinances, contracts, deeds, bonds and any other documents to be signed in the name of, or made to or with, the city.

(Prior code § 2-21)

2.12.030 Special counsel.

Special counsel may be employed by the city manager with the consent of the council to perform any necessary legal services for the city; provided, however, that the city manager, whenever he or she deems it necessary or advisable to do so, may employ special counsel to represent the city in matters in the city court or circuit court of the county, on appeals from the city court, and pay such compensation therefor as may be agreed upon within the limits of the budget appropriation.

(Prior code § 2-22)

Chapter 2.14 DEPARTMENT OF PARKS AND RECREATION

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2.14.010 Established--Composition.

There is established a department of parks and recreation, which shall consist of a director of parks and recreation and a park commission of nine members, together with such subordinate employees as may be recommended by the city manager and approved by the council.

(Prior code § 2-42)

2.14.020 Appointment of director.

The director of parks and recreation shall be appointed by the city manager, and shall be the administrative head of the department.

(Prior code § 2-43)

2.14.030 Park commission--Number, appointment, qualifications, term, compensation and removal of members, vacancies.

The park commission shall consist of nine members who shall be appointed by the council and who shall have been residents of the city for at least two years immediately prior to their appointment. Such members shall be appointed for terms of three years, except that of those first appointed, three shall be appointed for terms of two years each and three for terms of one year each. Thereafter, on or before the first meeting in January of each year, the council shall make appointments to fill the terms expiring at that time. The members of the park commission shall receive no compensation for their services as such. The council may remove any member of the commission for misconduct or neglect of duty. Vacancies on the commission occasioned by removal, resignation or for any other cause shall be filled for the remainder of the term in like manner as in the case of original appointment.

(Prior code § 2-44)

2.14.040 Park commission--Meetings, organization, rules and regulations.

The park commission shall, immediately after the appointment of its members, meet and organize by the election of one of its members as president and by the election of such other officers as it may deem necessary. The commission shall make and adopt such rules and regulations for its own guidance and proceedings as may be expedient, not inconsistent with the Charter, the provisions of this code or other ordinances of the city.

(Prior code § 2-45)

2.14.050 Park commission--Powers and duties generally.

The park commission shall have the power and shall be required to:

- A. Survey and make plans for the maintenance of an adequate system of parks and recreational facilities and activities, and for the enlargement, improvement or acquisition of parks or recreational areas and activities and make recommendations therefor;
- B. Approve rules and regulations for the administration of the activities of the parks and recreation department, which rules shall become effective when approved by the council;
- C. Advise the council and the director of parks and playgrounds on problems concerning the administration of the parks;
- D. Make any investigation which it may consider desirable with reference to the administration of the parks and report to the council at least once a year its findings, conclusions and recommendations;
- E. Review that portion of the annual budget of the city pertaining to the parks department, and make recommendations thereon directly to the city manager and the council;
- F. Perform such other duties with reference to the administration of the department of parks and recreation, not inconsistent with the Charter, as may be provided by this code or by ordinance.

(Prior code § 2-46)

2.14.060 Certain ordinances to be referred to commission prior to consideration by council.

No ordinance pertaining to the parks department or the recreational activities of the city shall be considered by the council without first referring the same to the park commission and receiving its recommendation with reference thereto; provided, however, that if no recommendation is received from the commission within a period of thirty (30) days after the matter is referred to the commission, then the council may take action without such recommendation.

(Prior code § 2-47)

2.14.070 Donations for parks and recreation.

Any person desiring to make donations of money, personal property or real estate for the benefit of parks and recreation in the city shall have the right to vest the title to the money or property so donated in the city, to be held, used and controlled when accepted according to the terms of the deed, gift, devise or bequest of such property.

(Prior code § 2-48)

2.14.080 Closing time for city parks--Exception.

All city parks shall be closed to the use of the public between the hours of ten-thirty p.m. and the hour of five a.m. on each succeeding day. Any person within the confines of any city park between the hours of ten-thirty p.m. and five a.m. shall be guilty of a misdemeanor; provided, however, the director of parks and recreation is authorized to issue a permit for a date certain to any applicant upon application thereof; such permit may include the applicant and members of the applicant's group, and the use of the park thereunder may be authorized until the hour of twelve midnight.

(Prior code § 2-48.1)

2.14.090 Parks and recreation facilities designated.

A. The following are designated as parks within the meaning of this chapter and Section 98 of the City Charter with exceptions with respect to use only as specified herein:

Ackert Park

Balson Median (from Saxony to Wild Cherry)

Clemens Median (from Kingsland to Leland)

Clemens Plaza

Eastgate Park
Epstein Plaza
Flynn Park
Fogerty Park
Greensfelder Park
Greenway South
Heman Median (from Loop North to Clemens)
Heman Park, except those areas east of the tennis courts and River Des Peres and the fenced area adjacent to the west bank of the River Des Peres, now used for forestry, park maintenance, city garage, public works and the community center
High School Plaza
Jackson Median (from Amherst to Balson)
Kaufman Park, except for a residential building now located therein
Kingsbury Median (from Trinity to Melville)
Kingsland Park
Leland Median (from Loop North to Clemens)
Lewis Park
Majerus Park
Metcalf Park
Midland Median (from Delmar to Vernon)
Millar Park
Mooney Park
Northmoor Median (between Asbury and Essen)
Northmoor Park
Oakbrook Median (from Delmar to Balson)
Pershing Median (from Rossi to Linden)
Rabe Park
Ruth Park, except for that area now used for collecting and processing natural materials
Swarthmore Median (from Stanford to Groby)
Westgate Plaza

B. The locations and boundaries of the parks and recreational facilities established herein are as shown upon the park map, which is hereby incorporated into and made a part of this chapter. The park map, together with all notations, references and other information shown thereon and all amendments thereto shall be a part of this chapter and shall have the same force and effect as if the park map, together with all notations, references and other information shown thereon, were fully set forth and described herein.
(Amended during 1998 codification; prior code § 2-48.2)

Chapter 2.16 DEPARTMENT OF PERSONNEL

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2.16.010 Composition.

The department of personnel shall consist of a personnel director and a civil service board of five members.

(Prior code § 2-36)

2.16.020 Personnel director designated.

The city manager shall serve as personnel director or delegate such duties.

(Prior code § 2-37)

2.16.030 Personnel director--Duties generally.

It shall be the duty of the personnel director to:

- A. Hold competitive examinations for all appointments in the classified service;
- B. Give publicity to all announcements of competitive examinations;
- C. Establish training and educational programs for municipal employment;
- D. Report annually to the civil service board regarding the operation of the personnel provisions;
- E. Prepare and recommend to the civil service board such rules as the personnel director may consider appropriate to carry out the provisions of the Charter, the provisions of this code and other ordinances.

(Prior code § 2-38)

2.16.040 Civil service board--Appointment, term and removal of members--Filling vacancies.

Members of the civil service board shall be appointed by the council, which shall designate one of the five members as chairperson, and they shall serve without compensation. They shall be appointed for a term of three years, except that of the members first appointed, one shall be appointed to serve for one year and one for two years. Vacancies shall be filled by the council by appointment for the remainder of the term. A member of the board may be removed by the council for cause, after being given a written statement of the charges against him or her and after a public hearing thereon, if requested by him or her. A certified copy of the charges and a transcript of the record of any hearing thereon shall be filed with the city clerk.

(Prior code § 2-39)

2.16.050 Civil service board--Qualifications and oath of members.

Members of the civil service board shall be residents of the city and shall have resided therein for at least two years immediately prior to their appointment. Members of official political party committees shall be ineligible to serve as members of the board. Members of the board shall be required to take the oath of office prescribed by the Charter for city officers, including a statement therein that they are firm believers in the merit system for city employment.

(Prior code § 2-40)

2.16.060 Civil service board--Powers and duties.

The civil service board shall have the power and shall be required to:

- A. Advise the council and the director on problems concerning personnel administration;
- B. Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report to the council at least once a year its findings, conclusions and recommendations;
- C. Approve civil service rules;
- D. Hear appeals from disciplinary action;
- E. Perform such other duties with reference to personnel administration, not inconsistent with the Charter, as the council may require by ordinance.

(Prior code § 2-41)

Chapter 2.18 DEPARTMENT OF PLANNING

Sections:

[2.18.010 Established--Composition.](#)

[2.18.020 Appointment and term of office of director.](#)

[2.18.030 Duties.](#)

[2.18.040 Building commissioner.](#)

2.18.010 Established--Composition.

There is established a department of planning and development which shall consist of a director of planning together with such other officers and employees as may be authorized by law.

(Prior code § 2-55.1)

2.18.020 Appointment and term of office of director.

The director of the department of planning shall be appointed by the city manager and shall be the administrative head of the department. The head of such department shall serve until removed by the city manager.

(Prior code § 2-55.2)

2.18.030 Duties.

The department of planning shall have the responsibility to research, prepare studies and advise the city manager on all matters affecting the physical development of the city; to formulate and recommend to the city manager comprehensive plans for community development and modifications thereof, including the elements of land use, community facilities and transportation; to encourage the location and development in the city of appropriate new business, commerce, industry and other developments; to advise the city plan commission, board of adjustment, board of appeals, land clearance for redevelopment authority, industrial development authority, and the tax increment financing commission in all matters within their respective areas of concern and to provide all necessary staff assistance. The department shall also have the responsibility for the administration of codes and ordinances of the city pertaining to environmental control and shall issue permits and licenses, and perform inspections required by such codes and ordinances and such other inspectional duties as may be assigned by the city manager. The department shall review and make recommendations regarding proposed council action relating to land use and development regulations, urban renewal, environmental control codes, the implementation of a comprehensive plan or related matters. The department shall perform such other duties, not inconsistent with the Charter, as required by ordinance or as directed by the city manager.

(Amended during 1998 codification: prior code §§ 2-24 (part), 2-55.3)

2.18.040 Building commissioner.

There shall be a building commissioner who shall perform such duties as may be required of him or her. The building commissioner may designate one or more deputy building commissioners who shall exercise such powers and shall perform such duties as are prescribed by the building commissioner.

(Added during 1998 codification: prior code § 2-55.4)

Chapter 2.20 DEPARTMENT OF PUBLIC WORKS

Sections:

[2.20.010 Director--Departmental divisions.](#)

[2.20.020 Powers and duties generally.](#)

[2.20.030 City engineer.](#)

2.20.010 Director--Departmental divisions.

The department of public works shall be in the charge of the director of public works and shall consist of such divisions as may from time to time be assigned to it, as provided by this chapter.

(Prior code § 2-23)

2.20.020 Powers and duties generally.

The department of public works shall have charge of:

- A. The designing, construction, reconstruction, supervision and repairing of all municipal buildings, bridges, sidewalks, waterways, sewers, drains, public market facilities, tunnels and structures, including any repairs, additions and appurtenances thereto, and the maintenance of the same, unless otherwise provided by this code or by ordinance;
- B. The grading and improvement of all streets, alleys, highways, sidewalks, spaces and public ways, and keeping them open and in a safe condition for the use of the public;
- C. The construction, reconstruction and maintenance of all curbs, sidewalks and pavements;
- D. The lighting of public grounds and highways, the laying of conduits, the location, direction and construction of poles, and all other structures in, on, or over public grounds and highways;
- E. The granting of all permits to excavate upon any highway or public property, or to make any special use thereof;
- F. The supervision and control, as far as the city can exercise such control, over all privately owned or operated public utilities in the city, and the enforcement of the terms of all franchises and ordinances relating to such utilities;
- G. The making and keeping of records of all necessary plats, surveys, drawings and estimates, and the procuring of all information and reports relating to public works as may be required;
- H. The making and keeping of records of location, directions and depths in connection with all underground equipment.

(Amended during 1998 codification; prior code § 2-24 (part))

2.20.030 City engineer.

There shall be a city engineer who may be the director of public works or who shall be under the supervision of the director of public works, and who shall perform such duties as may be required of the city engineer by law, by this code or other ordinance or by the city engineer's superior officers.

(Prior code § 2-25)

Chapter 2.22 POLICE DEPARTMENT

Sections:

[2.22.010 Department composition--Duties of police chief.](#)

[2.22.020 Powers and duties generally.](#)

[2.22.030 Special police officers.](#)

[2.22.040 Park police officers.](#)

[2.22.050 Civilian employees.](#)

[2.22.060 Contract for common police service with other municipalities.](#)

2.22.010 Department composition--Duties of police chief.

The police department shall consist of a chief of police who shall be the director of the department, together with such inferior officers of police and detectives as may be deemed necessary for the proper conduct of the duties of the department, and such number of patrol officers, detectives and probationers as may be authorized from time to time. The chief of police shall have general supervision and control of the department, including the enforcement of discipline among the members thereof, and the instruction of the members in their duties.

(Prior code § 2-30)

2.22.020 Powers and duties generally.

The police department of the city shall see that all laws of the United States, the state and the provisions of this code and other ordinances of the city are observed and enforced and shall perform such services from time to time as the department may be required to perform by the city manager or the council. Police officers shall have the power at all times to make or order an arrest with proper process for any offense against the provisions of this code, other ordinances of the city or the laws of the state and keep the offender in

the city jail or other place to prevent the offender's escape until a trial can be had before the proper court. Unless such offender shall give a good and sufficient bond for the offender's release, the offender shall be held until the offender's appearance for trial. The members of the department shall also have power to make arrests without process in all cases in which any offense against any provision of this code, an ordinance of the city or any law of the state shall be committed in their presence or in all cases where any one is suspected of having committed a felony or a misdemeanor.

The chief of police and the chief's subordinates shall serve as the marshal and deputy marshals of the city court and shall prepare the complaints in all cases therein and shall execute and return all papers and orders issued by the city court or other department of the city under any provision of this code or other ordinance or law. The chief of the department shall compile such account of all money collected by or in the chief's office as may be required by the director of finance and shall report the same to the director of finance and pay over all money collected by the chief as fees, fines or from other sources unless other disposition shall have been provided by law, this code or other ordinance. The chief of police shall have charge of the city jail and shall be responsible for the proper care and condition thereof. The chief of police shall keep the city manager and council properly advised as to the condition of the streets, alleys, culverts and sidewalks within the city, and perform all other duties required of the chief by the city manager or city council and such other duties as may be necessary to conserve the peace and welfare of the city and its inhabitants.
(Prior code § 2-31)

2.22.030 Special police officers.

Applications for appointment as special police officers shall be made to the chief of police, who shall make an investigation of the character and fitness of the applicant and the necessity or reasons for the applicant's appointment. In all cases in which the applicant expects to be employed as a private watchperson by a group of property owners and residents in any area of the city, such application must be accompanied by a petition containing the signatures of at least fifty (50) persons who expect to employ such watchperson, and who request that the appointment be made. In case the applicant is to be employed by fewer than fifty (50) persons, then the petition must be signed by all those who expect to employ such applicant. The chief of police shall refer such application, together with the chief's recommendation, to the city manager who may either approve or reject such application. Special police officers so appointed shall not become members of the police department, and shall receive no salary from the city. Each special police officer shall furnish to the city a bond in the sum of one thousand dollars (\$1,000.00) to be approved by the city manager, and shall deposit with the director of finance the sum of ten dollars (\$10.00) for a badge to be furnished the special police officer by the city, which deposit shall be returned to the special police officer when his or her services are discontinued and the badge is returned. All appointments so made may be revoked at any time by the city manager, and it shall be the duty of the appointee, upon being notified of such revocation, to immediately surrender his or her badge to the director of finance.

(Prior code § 2-32)

2.22.040 Park police officers.

Supervisory park department employees, employed and designated in the city budget as "Park Watchman II," may apply for appointment as park police. Such application shall be made to the chief of police, who shall make an investigation of the character and fitness of the applicant and the necessity or reasons for his or her appointment. The chief of police shall refer such application, together with the chief's recommendations, to the city manager, who may either approve or reject such application. Park police officers so appointed shall not become members of the police department of this city and shall receive no salary other than salary as park employees of the city. Park police appointed hereunder shall have the full powers and duties of a regular police officer as outlined in this chapter only during such periods of the year that they serve as park watchpersons. All appointments as park police officers made hereunder may be revoked at any time by the chief of police.

(Prior code § 2-32.1)

2.22.050 Civilian employees.

Persons other than those enumerated under Section 2.22.010 whose services are employed within the police department or who work under the direction of the chief of police shall not become members of such department.

(Prior code § 2-33)

2.22.060 Contract for common police service with other municipalities.

This city contracts and agrees to cooperate with each and every city, town and village within the county and with the city of St. Louis, Missouri, for certain common police service under the terms and conditions herein contained.

This contract for mutual cooperation shall become effective with respect to each municipality or county upon the passage of a like ordinance authorizing such contract by such municipality or county.

This contract in so far as it is applicable to any particular municipality or county may be terminated, at any time by any party hereto, thirty (30) days after service upon the clerk of the other contracting municipalities or county of a certified copy of an ordinance terminating this contract of such municipality or county.

The members of the police force of this municipality shall respond to requests for assistance within the boundary limits of any other contracting municipality or county, pursuant to the directions and approval of the office of the chief of police of the city of University City.

It shall be the duty of the members of the police force of this community to perform police services in any municipality or county that is a party to this contract, when requested by such municipality or county and authorized to do so by the office of the chief of police of the city of University City.

Each police officer performing services in any other municipality or county in accordance with the terms of this contract shall have all the powers, rights, privileges, duties and immunities as the members of the police force of the municipalities or county requesting assistance but shall remain on the employment and under the direction, supervision and control of the proper officers and authorities of their own respective municipalities or county.

Consideration for this contract shall be the mutual agreements of the parties hereto and no compensation shall be paid by any participating municipality or county to any other.

Equipment and property utilized in the carrying out of the common police services provided by this contract shall be at the risk of the municipality or county owning the same and any loss or damage thereto shall be borne by such owner municipality or county; provided, that nothing herein contained shall be construed to limit the liability of any municipality or county or of its agents, servants or employees arising out of tortious conduct.

Nothing herein contained shall be construed to mean that police officers of another municipality or of St. Louis County injured, killed, or who die from injuries sustained while performing services in the city of University City under this agreement shall be covered under workmen's compensation insurance of this city or under any of the injury or death benefits of the police and firemen's retirement fund of the city of University City. Nor shall anything herein contained be construed to mean that police officers of the city of University City who may be injured or killed or die as a result of injuries while serving in another municipality or in St. Louis County, Missouri, shall not be covered by workmen's compensation insurance provided by this city, or shall not be entitled to injury or death benefits provided by the police and firemen's retirement fund of the city of University City, if such person(s) is a member thereof, or to the benefits of coverage under any other insurance carried by the city of University City or any of its departments, where applicable. (Prior code § 2-33.1)

Chapter 2.24 FIRE DEPARTMENT

Sections:

[2.24.010 Department composition--Duties of fire chief.](#)

[2.24.020 Powers and duties generally.](#)

[2.24.030 Civilian employees.](#)

2.24.010 Department composition--Duties of fire chief.

The fire department shall consist of a chief who shall be the director of the department, together with such inferior officers within the department as may be deemed necessary for the proper performance of the duties of the department, and such number of firefighters and probationers as may be authorized from time to time. The chief of the fire department shall have general supervision and control of the department, including the enforcement of discipline among the members thereof and the instruction of the members in the duties of their employment.

(Prior code § 2-27)

2.24.020 Powers and duties generally.

The fire department shall have the superintendence and control of all engines and engine houses, hose carriages, and fire and life saving apparatus and equipment of every kind belonging to the city. It shall be the duty of the department to protect the citizens of the city and all property located therein against fires, to carry out and enforce all the provisions of this code or other ordinances relating to fire protection and prevention, and perform such other duties as may be assigned.

(Prior code § 2-28)

2.24.030 Civilian employees.

Persons other than those enumerated under Section 2.24.010 whose services are employed within the fire department or who work under the direction of the chief of the fire department shall not become members of such department.

(Prior code § 2-29)

Chapter 2.26 MUNICIPAL COURT

Sections:

[2.26.010 Court established.](#)

[2.26.020 Jurisdiction.](#)

[2.26.030 Selection of judge.](#)

[2.26.040 Term of office.](#)

[2.26.050 Vacation of office.](#)

[2.26.060 Qualifications for office.](#)

[2.26.070 Superintending authority.](#)

[2.26.080 Report to city council.](#)

[2.26.090 Docket and court records.](#)

[2.26.100 Municipal judge--Powers and duties generally.](#)

[2.26.110 Traffic violations bureau.](#)

[2.26.120 Issuance and execution of warrants.](#)

[2.26.130 Arrests without warrants.](#)

[2.26.140 Jury trial.](#)

[2.26.150 Duty of the city's prosecuting attorney.](#)
[2.26.160 Summoning of witnesses.](#)
[2.26.170 Transfer of complaint to associate circuit judge.](#)
[2.26.180 Jailing of defendants.](#)
[2.26.190 Parole or probation, when granted--Certificate-- Conditions of probation--Modification of conditions.](#)
[2.26.200 Right of appeal.](#)
[2.26.210 Breach of recognizance.](#)
[2.26.220 Disqualification of municipal judge from hearing particular case.](#)
[2.26.230 Absence of judge--Procedure.](#)
[2.26.240 Marshal and deputy marshal.](#)
[2.26.250 Bailiff of court.](#)
[2.26.260 Clerk of the municipal court.](#)
[2.26.270 Assessment of general court costs.](#)
[2.26.280 Assessment of special court costs, surcharges and judgments.](#)
[2.26.290 Service costs, witness fees and jail costs.](#)
[2.26.300 Costs assessed against prosecuting witnesses.](#)
[2.26.310 Installment payment of fines.](#)

2.26.010 Court established.

There is established in this city a municipal court, to be known as the University City municipal court, a division of the twenty-first judicial circuit court of the state of Missouri. This court is a continuation of the municipal court of the city as previously established, and is termed in this chapter "the municipal court."

(Prior code § 8-1)

2.26.020 Jurisdiction.

The jurisdiction of the municipal court shall extend to all cases involving alleged violations of the ordinances and codes of the city.

(Prior code § 8-2)

2.26.030 Selection of judge.

The judge of the city's municipal court shall be known as the municipal judge of the twenty-first judicial circuit court, and shall be selected as follows: he or she shall be appointed to his or her position by the city manager, for a term specified in this chapter.

(Prior code § 8-3)

2.26.040 Term of office.

The municipal judge shall hold his or her office until the expiration of his or her term on December 31, 1998. Thereafter, the municipal judge shall hold his or her office for a period of two years and shall take office from January 1, 1999. If for any reason the municipal judge vacates his or her office, his or her successor shall complete that term of office, even if the same is for less than two years.

(Amended during 1998 codification; prior code § 8-4)

2.26.050 Vacation of office.

The municipal judge shall vacate his or her office under the following circumstances:

- A. Upon removal from office by the State Commission on the Retirement, Removal and Discipline of Judges, as provided in Missouri Supreme Court Rule 12; or
- B. Upon attaining his or her seventy-fifth birthday; or
- C. If he or she should lose his or her license to practice law within the state.

(Prior code § 8-5)

2.26.060 Qualifications for office.

A. The municipal judge shall possess the following qualifications before he or she shall take office:

1. The municipal judge must be a licensed attorney, qualified to practice law within the state.
2. The municipal judge must reside within the city.
3. The municipal judge must be a resident of the state.
4. The municipal judge must be between the ages of twenty-one (21) and seventy-five (75) years.
5. The municipal judge may serve as municipal judge for any other municipality.
6. The municipal judge may not hold any other office within the city government.

B. The municipal judge shall be considered as holding a part-time position, and as such may accept (within the requirements of the Code of Judicial Conduct, Missouri Supreme Court Rule 2) other employment.

(Prior code § 8-6)

2.26.070 Superintending authority.

The municipal court of the city shall be subject to the rules of the circuit court of which it is a part, and to the rules of the State Supreme Court. The municipal court shall be subject to the general administrative authority of the presiding judge of the circuit court, and the judge and personnel of said court shall obey the presiding judge's directives.
(Prior code § 8-7)

2.26.080 Report to city council.

The municipal judge shall cause to be prepared within the first ten days of every month a report indicating the following: a list of all cases heard and tried before the court during the preceding month, giving in each case the name of the defendant, fine imposed, if any, the amount of costs, names of the defendants committed and the cases where there was an application for trial de novo, respectively. The same shall be prepared under oath by the municipal court clerk or the municipal judge. This report will be filed with the city clerk, who shall thereafter report the same to the city council of the city for examination. The municipal court shall, within ten days after the first of the month, pay to the director of finance the full amount of all fines collected during the preceding month, if they have not previously been paid.
(Prior code § 8-8)

2.26.090 Docket and court records.

The municipal judge shall be a conservator of the peace. The municipal judge shall keep a docket in which he or she shall enter every case commenced before him or her and the proceedings therein, and he or she shall keep such other records as may be required. Such docket and record shall be records of the circuit court of the county. The municipal judge shall deliver this docket and record of the municipal court, and all books and papers pertaining to his or her office, to his or her successor in office or to the presiding judge of the circuit court.
(Prior code § 8-9)

2.26.100 Municipal judge--Powers and duties generally.

The municipal judge shall be and is authorized to:

- A. Establish a traffic violations bureau as provided for in the Missouri Rules of Practice and Procedure in Municipal Court and Traffic Courts in Section 479.050 of the Revised Statutes of Missouri;
 - B. Administer oaths and enforce due obedience to all orders, rules and judgments made by him or her, and may fine and imprison for contempt committed before him or her while holding court, in the same manner and to the same extent as a circuit judge;
 - C. Commute the term of any sentence, stay of execution of any sentence, suspend any fine or sentence, and make such other orders as a municipal judge deems necessary relative to any matter that may be pending in the municipal court;
 - D. Make and adopt such rules of practice and procedure as are necessary to implement and carry out the provisions of this chapter, and to make and adopt such rules of practice and procedure as are necessary to herein decide matters pending before municipal court, and to implement and carry out the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts. Any and all rules made or adopted under this chapter may be annulled or amended by an ordinance limited to such purpose, provided that such ordinance does not violate or conflict with the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts, or state statutes;
 - E. The municipal judge shall have such other powers, duties and privileges as are or may be prescribed by the laws of this state, by this code or other ordinances of the city.
- (Prior code § 8-10)

2.26.110 Traffic violations bureau.

- A. The municipal judge having original jurisdiction of traffic offenses may establish by court order a traffic violations bureau, which shall be subject to the supervision of the circuit court.
 - B. A clerk shall be designated by the judge as the violations clerk. The clerk shall perform the duties designated by the court including accepting appearance, waiver of trial, plea of guilty, and payment of fine and costs in traffic offenses, subject to the limitations hereinafter prescribed.
 - C. The traffic offenses within the authority of the violations clerk shall be designated by order of the judge. Such designated traffic offenses may be amended from time to time but shall in no event include the following:
 1. Any violation resulting in personal injury or property damage;
 2. Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
 3. Operating a vehicle with a counterfeited, altered, suspended or revoked license;
 4. Fleeing or attempting to elude an officer.
 - D. The judge, by order prominently posted at the place where the fines are to be paid, shall specify by schedule the amount of fines and costs to be imposed for each traffic offense.
 - E. Within the time fixed by the judge and subject to the judge's order, any person charged with a traffic offense, except those requiring court appearance, may deliver by mail or otherwise the specified amount of the fine and costs to the violations bureau. Said delivery constitutes a guilty plea and waiver of trial.
- (Amended during 1998 codification: prior code § 8-11)

2.26.120 Issuance and execution of warrants.

All warrants issued by a municipal judge shall be directed to the city marshal, chief of police or any other police officer of the municipality, or to the sheriff of the county. The warrant shall be executed by the marshal, chief of police, police officer or sheriff any place within the limits of the county, and not elsewhere, unless the warrants are endorsed in the manner provided for warrants in criminal cases and, when so endorsed, shall be served in other counties, as provided for in warrants and criminal cases.
(Prior code § 8-12)

2.26.130 Arrests without warrants.

The city marshal, chief of police, or other police officer of the city may, without a warrant, make arrests of any person who commits an offense in his or her presence, but such officer shall, before the trial, file a written complaint with the judge hearing violations of municipal ordinances and codes.
(Prior code § 8-13)

2.26.140 Jury trial.

Any person charged with a violation of an ordinance or code of the city shall be entitled to a trial by jury, as in prosecutions for misdemeanors before an associate circuit judge. Whenever a defendant accused of a violation of an ordinance or code demands trial by jury; the municipal court shall certify the case to the presiding judge of the circuit court for reassignment, as provided in Section 2 of Section 517.520, RSMo.
(Prior code § 8-14)

2.26.150 Duty of the city's prosecuting attorney.

It shall be the duty of an attorney designated by the municipality to prosecute the violation of the city's ordinances and codes before the municipal judge or before any circuit judge hearing violations of the city's ordinances and codes. The salary or fees of the attorney and the attorney's necessary expenses incurred in such prosecution shall be paid by the city. The compensation of such attorney shall not be contingent upon the result in any case.
(Prior code § 8-15)

2.26.160 Summoning of witnesses.

It shall be the duty of the municipal judge to summon all persons whose testimony may be deemed essential as witnesses at the trial and to enforce their attendance by attachment, if necessary. The fees of witnesses shall be the same as those fixed for witnesses in trials before associate circuit judges and shall be taxed as other costs in the case. When a trial shall be continued by a municipal judge, it shall not be necessary to summon any witnesses who may be present at the continuance; but the municipal judge shall orally notify such witnesses as either party may require to attend before the municipal judge on the day set for trial to testify in the case and enter the names of such witnesses on the municipal judge's docket, which oral notice shall be valid as a summons.
(Prior code § 8-16)

2.26.170 Transfer of complaint to associate circuit judge.

If, in the progress of any trial before a municipal judge, it shall appear to the judge that the accused ought to be put upon trial for an offense against the criminal laws of the state and not cognizable before him or her as municipal judge, the municipal judge shall immediately stop all further proceedings before him or her as municipal judge and cause the complaint to be made before some associate circuit judge of the county.
(Prior code § 8-17)

2.26.180 Jailing of defendants.

If the city has no suitable or safe place of confinement, the municipal judge may commit the defendant to the county jail, and it shall be the duty of the sheriff, if space for prisoner is available in the county jail, upon receipt of a warrant of commitment from the judge, to receive and safely keep such prisoner until discharge by due process of law. The municipality shall pay the board of such prisoner at the same rate as may now or hereafter be allowed to such sheriff for the keeping of such prisoner in his custody. The same shall be taxed as cost.
(Prior code § 8-18)

2.26.190 Parole or probation, when granted--Certificate--Conditions of probation--Modification of conditions.

- A. Any judge hearing violations of municipal ordinances may, when in his or her judgment it may seem advisable, grant a parole or probation to any person who shall plead guilty or who shall be convicted after a trial before such judge. When a person is placed on probation he or she shall be given a certificate explicitly stating the conditions on which he or she is being released.
- B. In addition to such other authority as exists to order conditions of probation, the court may order conditions which the court believes will serve to compensate the victim of the crime, any dependent of the victim, or society in general. Such conditions may include, but need not be limited to:
1. Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and
 2. The performance of a designated amount of free work for a public or charitable purpose or purposes, as determined by the judge.
- C. A person may refuse probation conditioned on the performance of free work. If he or she does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly.

D. The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

(Amended during 1998 codification: prior code § 8-19)

2.26.200 Right of appeal.

The defendant shall have a right to a trial de novo, except where there has been a plea of guilty, before a circuit judge or on assignment before an associate circuit judge. An application for a trial de novo shall be filed within ten days after judgment and shall be filed in such form and perfected in such manner as provided by Supreme Court rules.

(Prior code § 8-20)

2.26.210 Breach of recognizance.

In case of a breach of any recognizance entered into before a municipal judge or an associate circuit judge during an ordinance or code violation case, the same shall be deemed forfeited, and the judge shall cause the same to be prosecuted against the principal and surety, or either of them, in the name of the municipality as plaintiff. Such action shall be prosecuted before a circuit judge or an associate circuit judge, and in the event of cases caused to be prosecuted before a circuit judge or an associate circuit judge, and in the event of cases caused to be prosecuted by a municipal judge, such shall be on the transcripts of the proceedings before the municipal judge. All moneys recovered in such actions shall be paid over to the municipal treasury to the general revenue fund of the municipality.

(Prior code § 8-21)

2.26.220 Disqualification of municipal judge from hearing particular case.

A municipal judge shall be disqualified to hear any case in which the judge is in any way interested, or if before the trial has commenced, the defendant or the prosecutor files an affidavit that the defendant or the municipality, as the case may be, cannot have a fair and impartial trial by reason of the interest or prejudice of the judge. Neither the defendant nor the municipality shall be entitled to file more than one affidavit of disqualification in the same case.

(Prior code § 8-22)

2.26.230 Absence of judge--Procedure.

A. If a municipal judge be absent, sick or disqualified from acting, the mayor may request the presiding judge of the circuit court to designate a special municipal judge as provided in subsection B of this section or the mayor may designate some competent, eligible person to act as municipal judge until such absence or disqualification shall cease.

B. The presiding judge of the circuit court may appoint any other municipal judge within the circuit to act as a special municipal judge for a municipal judge of the circuit who is absent, sick or disqualified from acting. The presiding judge shall act only upon the request of the mayor for a special municipal judge.

C. Any person designated to act as municipal judge under the provisions of this section shall receive compensation as provided by ordinance.

(Amended during 1998 codification: prior code § 8-23)

2.26.240 Marshal and deputy marshal.

The chief of police and the chief's subordinates shall serve as marshal and deputy marshal to the city court and shall enforce its orders, judgments and decrees.

(Prior code § 8-24)

2.26.250 Bailiff of court.

Municipal court employees, employed and designated in the city budget as "bailiff of court," may apply for appointment as court bailiff. Such application shall be made to the chief of police, who shall make an investigation of the character and fitness of the applicant and the necessity or reasons for his/her appointment. The chief of police shall refer such application, together with his/her recommendations, to the city manager, who may either approve or reject such application. Persons so appointed shall not become members of the police department of this city, and shall receive no salary other than salary as municipal court employee of the city. Court bailiffs appointed hereunder shall have full powers and duties of a regular police officer as outlined in this division only during such court sessions that they serve as court bailiff. All appointments as court bailiff made hereunder may be revoked at any time by the chief of police.

(Prior code § 8-24.1)

2.26.260 Clerk of the municipal court.

There shall be a clerk of the municipal court. The duties of the clerk shall include the following:

- A. To collect fines and court costs for ordinance violations;
- B. To take oaths and affirmations;
- C. To accept signed complaints, and allow the same to be signed and sworn to or confirmed before him or her;
- D. To sign and issue subpoenas and summonses;
- E. To perform such duties as directed by the city manager;
- F. To perform all other duties required by law.

(Amended during 1998 codification: prior code § 8-25)

2.26.270 Assessment of general court costs.

A. A judge of the municipal court may assess court costs against a defendant in an amount not to exceed twelve dollars (\$12.00) per case for each municipal ordinance violation case filed before a municipal judge in the event the defendant pleads guilty or is found guilty, except in those cases where the defendant is found by the judge to be indigent and unable to pay the court costs.

B. The court costs authorized in this section are in addition to service costs, witness fees and jail costs that may otherwise be authorized to be assessed, but are in lieu of other court or judge costs or fees.

C. The court costs authorized in this section shall be collected by the clerk of the municipal court and paid to and deposited not less frequently than monthly into the city treasury.

(Prior code § 1-8.1)

2.26.280 Assessment of special court costs, surcharges and judgments.

A. In addition to all other court costs:

1. A surcharge of seven dollars and fifty cents (\$7.50) shall be assessed as court costs against a defendant in each court proceeding for violation of a municipal ordinance except that no such fee shall be collected when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the city. The clerk of the municipal court shall collect such court costs.

2. At least monthly, ninety-five (95) percent of the court costs collected by the municipal court clerk pursuant to this subsection shall be paid to the Missouri Director of Revenue for the crime victims' compensation fund and the services to victims' fund, and the remaining five percent shall be paid into the city treasury.

B. In addition to all other court costs:

1. A judge of the municipal court may assess a surcharge of up to one dollar (\$1.00) as court costs against a defendant in each court proceeding for violation of a municipal ordinance, provided that no such fee shall be collected in any proceeding when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the city. The clerk of the municipal court shall collect such court costs.

2. The court costs collected by the municipal court clerk pursuant to this subsection shall be disbursed to the Missouri Treasury to the credit of the peace officer standards and training commission fund created in Section 590.178 RSMo.

C. In addition to all court costs:

1. A judge of the municipal court may assess a surcharge against a defendant in an amount not to exceed two dollars (\$2.00) per case for each municipal ordinance violation case filed before a municipal judge. No surcharge shall be collected in any proceeding when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the city. The clerk of the municipal court shall collect such surcharges.

2. The surcharges collected by the municipal court clerk pursuant to this subsection shall be disbursed to St. Louis County at least monthly to use only for the purpose of providing operating expenses for shelters for battered persons as defined in Sections 455.200 to 455.230 RSMo.

D. In addition to all court costs:

1. A judge of the municipal court shall enter a judgment of five dollars (\$5.00) against any defendant who violates a municipal ordinance as an operator of a motorcycle or motortricycle. The clerk of the municipal court shall collect such judgments.

2. A judge of the municipal court shall enter a judgment of five dollars (\$5.00) against any defendant who violates a municipal ordinance as an operator of a motor vehicle where the violation involves a motorcycle or motortricycle or where the defendant as an operator of a motor vehicle causes an accident involving a motorcycle or motortricycle. The clerk of the municipal court shall collect such judgments.

3. The amounts assessable as judgments under this subsection shall be doubled if the defendant at fault violated any municipal ordinance relating to the consumption of alcohol.

4. The judgments collected by the municipal court clerk pursuant to this subsection shall be paid into the state treasury monthly to the credit of the motorcycle safety trust fund.

E. In addition to all court costs:

1. A judge of the municipal court shall enter a judgment of twenty-five dollars (\$25.00) against any defendant who is convicted of an intoxication-related offense, as defined by Section 577.023 RSMo. Said judgment shall be in favor of the spinal cord injury fund created by Section 304.027 RSMo, and it shall be collected by the clerk of the municipal court.

2. The judgments collected by the clerk of the municipal court pursuant to this subsection shall be paid into the state treasury to the credit of the spinal cord injury fund. The court clerk shall collect and disburse such judgment amounts as provided in Sections 488.010 to 488.020 RSMo.

(Ord. 6337 § 1, 2001)

2.26.290 Service costs, witness fees and jail costs.

In addition to all other court costs, a judge of the municipal court may assess the following costs and fees against a defendant in each court proceeding for violation of a municipal ordinance in the event the defendant pleads guilty or is found guilty, except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs or fees:

A. Notice to appear in court following the original notice (summons, letter, etc.) . . . \$ 1.00

B. Service of a subpoena . . . 1.00

C. Service of a warrant, inside of the city(following original notice to appear) . . . 25.00

- D. Service of a warrant, outside of the city(following original notice to appear) . . . 35.00
- E. Witness fee . . . 3.00
- F. The cost of incarceration chargeable to the city for the defendant's apprehension and confinement.
(Added during 1998 codification: prior code § 1-8.2.5)

2.26.300 Costs assessed against prosecuting witnesses.

The cost of any action may be assessed against the prosecuting witness, and judgment be rendered against him or her that he or she pay the same and stand committed until paid, in any case where it appears to the satisfaction of the municipal judge that the prosecution was commenced without probable cause or from malicious motives; or in the event any complainant, prosecutor or person other than a city officer, at whose instance or upon whose information any suit may be instituted by the city, neglects and fails to appear and prosecute the same; or in the event any complainant refuses to prosecute such complaint.
(Prior code § 8-27)

2.26.310 Installment payment of fines.

When a fine is assessed for violating an ordinance or code, it shall be within the discretion of the judge assessing the fine to provide for the payment of a fine on an installment basis under such terms and conditions as the judge may deem appropriate.
(Prior code § 8-28)

Chapter 2.28 COMMISSIONS, AUTHORITIES, BOARDS AND COMMITTEES GENERALLY

Sections:

- [2.28.010 Municipal commission on arts and letters.](#)
- [2.28.020 City plan commission.](#)
- [2.28.030 Historic preservation commission.](#)
- [2.28.040 Park commission.](#)
- [2.28.050 Tax increment financing commission.](#)
- [2.28.060 Traffic commission.](#)
- [2.28.070 Industrial development authority.](#)
- [2.28.080 Land clearance for redevelopment authority.](#)
- [2.28.090 Board of adjustment.](#)
- [2.28.100 Board of appeals.](#)
- [2.28.110 Civil service board.](#)
- [2.28.120 Library board.](#)
- [2.28.130 Board of trustees of the nonuniformed employees retirement fund.](#)
- [2.28.140 Board of trustees of the police and firemen's retirement fund.](#)
- [2.28.150 Committee for access and local origination programming.](#)

2.28.010 Municipal commission on arts and letters.

The municipal commission on arts and letters acts in an advisory capacity to the city council in connection with artistic, cultural and scholarly development within the city. The commission is charged with the task of encouraging the beautification of the city and the improvement of its cultural life. There are fifteen (15) members with at least one from each of the following arts or professions: painting, sculpture, literature, music and architecture. The term of office is four years. For more information, see Chapter 2.30 .
(Added during 1998 codification)

2.28.020 City plan commission.

The city plan commission is responsible for overseeing the master plan of the city and recommending changes to the plan. It also acts as the zoning commission. The commission has seven members who must have been residents for at least two years and are qualified by knowledge and experience to act on questions pertaining to the city's development and administration of zoning laws. The term of office is three years. Ex officio nonvoting members include a city councilmember, the city manager, director of planning and the zoning administrator. For more information, see Chapter 2.32.
(Added during 1998 codification)

2.28.030 Historic preservation commission.

The historic preservation commission acts in an advisory capacity to the zoning administrator in matters concerning applications to designate historic landmarks; to review proposed changes within a historic district; to consider applications for permission to demolish and for conditional use permits for a historic landmark or within a historic district; and to establish other rules and regulations consistent with the intent and purpose of the historic landmarks and districts ordinance. The commission has nine members appointed to three-year terms. Members should have special interest, education and/or experience in historic preservation. Members must include at least two architects and one attorney. Members may not hold any other elected or appointed position in city government. For more information, see the zoning code.
(Added during 1998 codification)

2.28.040 Park commission.

The park commission is an advisory body whose duties are to survey and plan for an adequate system of parks and recreational facilities, approve park department rules and regulations, and advise and investigate problems in administration of the parks. There are nine members on the commission, and all must have been residents for two years prior to appointment. The term of office is three years. For more information, see Chapter 2.14 .

(Amended during 1998 codification)

2.28.050 Tax increment financing commission.

The tax increment financing (TIF) commission, subject to the approval of the city council, may exercise all powers delegated under the Real Property Tax Increment Allocation Act (RSMo), and in particular those enumerated in Section 99.820 (RSMo), i.e., to make recommendations to the city council concerning the adoption of redevelopment plans and projects and the designation of redevelopment project areas pursuant to the notice and hearing requirements of Sections 99.800 to 99.865 (RSMo). The commission is composed of nine members. The term of office is four years. For more information, see Chapter 2.34 .

(Added during 1998 codification)

2.28.060 Traffic commission.

The traffic commission acts in an advisory capacity to the city council. The commission studies traffic and parking problems and advises the council and city manager on same, carries on educational activities in traffic matters, and makes recommendations on ways and means of improving traffic conditions and administering and enforcing traffic regulations. The commission has ten members, including seven citizens and a member of the police department, a representative of the public works department, and a member of the city council. The term of office is three years. For more information, see Chapter 2.36 .

(Added during 1998 codification)

2.28.070 Industrial development authority.

The industrial development authority is an organization which is devoted to helping attract industrial development and economic expansion in University City. It is a quasi-independent group governed by Missouri Statutes and is empowered to sell industrial development or revenue bonds. There are seven members, all of whom are appointed by the mayor with the concurrence of the city council. The term of office is six years. For more information, see Chapter 2.38.

(Added during 1998 codification)

2.28.080 Land clearance for redevelopment authority.

The land clearance for redevelopment authority takes its authority from and is governed by Missouri State Statutes. The authority may, with city council approval, prepare, recommend, and carry out redevelopment and/or urban renewal plans in blighted or insanitary areas or where development or redevelopment is needed. There are five commissioners, all of whom must be taxpayers who have resided in the city for five years. Members are appointed by the mayor to four-year terms. For more information, see Chapter 2.40.

(Added during 1998 codification)

2.28.090 Board of adjustment.

The board of adjustment hears and determines all appeals for variances in zoning matters, as provided by the City Charter and under state law. The board has five citizen members and must include a structural engineer with not less than five years' professional experience; an architect with not less than five years' professional experience; a member with not less than five years' experience in the real estate business; and two members appointed at large. There are also three alternate members. The term of office is five years. For more information, see Chapter 2.42 .

(Added during 1998 codification)

2.28.100 Board of appeals.

The board of appeals (board of building code appeals) has jurisdiction to hear and decide appeals where it is alleged that there is error in any order, requirement or decision made by the building commissioner. The board has five citizen members and meets on call. At least three of the members must have ten years' experience as a licensed architect, builder, superintendent of building construction or licensed professional engineer with structural, civil or architectural engineering experience. For more information, see Chapter 2.44.

(Added during 1998 codification)

2.28.110 Civil service board.

The civil service board advises the council and director of personnel on problems regarding personnel administration, hears appeals from disciplinary action, makes investigations it considers necessary concerning personnel administration in the municipal service, and approves civil service rules. The board consists of five members who must have been residents for at least two years prior to appointment. The term of office is three years. Members of official political party committees are not eligible to serve. For more information, see Charter Sections 50 to 52.

(Added during 1998 codification)

2.28.120 Library board.

The library board establishes policy and is the governing board of the library, with the primary purpose of ensuring high quality library service to the community. The board appoints the library director, who supervises the expenditure of all funds credited to the library. The board consists of nine members who are appointed to three-year terms. No member of municipal government may be a board member, nor may anyone related to a board member be employed by the board. For more information, see Chapter 2.46. (Added during 1998 codification)

2.28.130 Board of trustees of the nonuniformed employees retirement fund.

The board of trustees of the nonuniformed employees retirement fund is responsible for the management and control of all matters relating to the administration of the retirement fund for nonuniformed employees in accordance with state statutes and city code provisions. There are nine members consisting of five citizens, two salaried members of the nonuniformed employees (both of whom are elected by their peers), the city manager and a member of the city council. The latter two are nonvoting members. The term of office is four years. For more information, see Chapter 2.48. (Added during 1998 codification)

2.28.140 Board of trustees of the police and firemen's retirement fund.

The board of trustees of the police and firemen's retirement fund is responsible for the management and control of all matters relating to the administration of the retirement fund for uniformed police and fire personnel, in accordance with state statutes and city code provisions. There are nine members consisting of five citizens, a salaried member of the fire department and a salaried member of the police department (both of whom are elected by their peers), the city manager, and a member of the city council. The latter two are nonvoting members. The term of office is four years. For more information, see Chapter 2.50. (Added during 1998 codification)

2.28.150 Committee for access and local origination programming.

The committee for access and local origination programming (CALOP) is responsible for studying the educational and cultural programming needs of University City and encouraging development of programs that meet those needs. There are five voting members who must be residents. At least one member is chosen from a group of three nominees submitted to council by the franchisee. Members should have a background or knowledge of at least one of three areas: telecasting/cablecasting, educational programs, cultural activities. There are four nonvoting members--the city manager or the city manager's representative, a councilmember, and a representative from the school district and the franchisee. The term of office is three years. For more information, see Chapter 2.52.

(Added during 1998 codification)

Chapter 2.30 MUNICIPAL COMMISSION ON ARTS AND LETTERS

Sections:

[2.30.010 Established.](#)

[2.30.020 Terms of commissioners.](#)

[2.30.030 Compensation.](#)

[2.30.040 Officers--Administrative procedures.](#)

[2.30.050 Authority--Duties.](#)

[2.30.060 Acceptance of works of art.](#)

2.30.010 Established.

There is established a municipal commission on arts and letters to act in an advisory capacity to the city council of the city in connection with the artistic, cultural and scholarly development within the city. The commission shall consist of fifteen (15) members to be appointed by the city council. Not less than three appointees to the commission shall be lay members, and the other members shall preferably include at least one member from each of the following arts and professions: Painting, sculpture, music, literature and architecture.

(Prior code § 2-102)

2.30.020 Terms of commissioners.

Two of the commissioners who are appointed with terms commencing January 2, 1975, shall be designated to serve for terms of one year, two of the commissioners with terms commencing January 2, 1975, shall be designated to serve terms of two years, two of the commissioners who are appointed with terms commencing January 2, 1975, shall be designated to serve for terms of three years, and the remaining three commissioners who are appointed with terms commencing January 2, 1975, shall be designated to serve for terms of four years, respectively, from the date of the appointment; but thereafter commissioners shall be appointed as aforesaid for a term of office of four years except that all vacancies shall be filled for the unexpired term. A commissioner shall hold office until the commissioner's successor has been appointed, confirmed and has qualified. After the passage of the ordinance codified in this chapter, two additional commissioners shall be designated to serve for terms of one year. Two additional commissioners shall be designated to serve for terms of two years and the remaining two additional commissioners shall be designated to serve for terms of three years respectively, but thereafter the commissioners shall be appointed for a term of office of four years, except that all vacancies shall be filled for the unexpired term.

(Prior code § 2-103)

2.30.030 Compensation.

Members of the municipal commission on arts and letters shall serve without compensation from the city or any firm, trust, donation or legacy to or on behalf of the city; however, a member of the commission, or the firm, company or corporation with whom the member is associated, shall not be precluded from receiving compensation from the city under any contract for services rendered which have no relation to the member's duties as a member of the municipal commission on arts and letters.

(Prior code § 2-104)

2.30.040 Officers--Administrative procedures.

The commission shall organize by electing one of their members as chairperson, who shall hold such office for two years or until the chairperson's successor shall have been elected and qualified. The commission may adopt such administrative procedures as are necessary to accomplish the purposes set forth in this chapter. The city officers and the staff of city departments may consult and advise with the commission from time to time on matters coming within the scope of this chapter; and the commission may consult and advise with such city staff and officers.

(Prior code § 2-105)

2.30.050 Authority--Duties.

A. The municipal commission on arts and letters shall have the authority and duty to solicit gifts of art on behalf of the city and to encourage public-spirited citizens to contribute funds, as well as permanent works of art, to the city and thereby help to beautify the city and the public buildings and grounds situated therein.

B. The commission may advise owners of private property in relation to the beautification of such property; and anyone contemplating the erection of any building or the making of any improvements thereon may submit the plans and designs or sketches thereof to the commission for advice and suggestions, for which no charge shall be made by the commission.

C. The commission may also recognize scholarly works in any field, be it art, science, education, medicine, business, etc., in ways appropriate to the contribution of the work to its field and the standing of the creator in the community, providing such recognition is consistent with the powers and duties of the commission as spelled out herein.

(Prior code § 2-106)

2.30.060 Acceptance of works of art.

A. No work of art shall be contracted for or placed on property of the city or become the property of the city by purchase, gift or otherwise, except for a museum or gallery, unless such work of art, or a design or model of the same as required by the municipal commission on arts and letters, together with the proposed location of such work of art, shall first have been submitted to the commission for its recommendation to the city government. The term "work of art" as used in this chapter shall comprise of paintings, mural decorations, stained glass, statues, bas-reliefs or other sculptures, monuments, fountains, decorative arches or other structures of permanent or temporary character intended for ornament or commemoration. No existing work of art in the possession of the city shall be removed, relocated or altered in any way without being submitted to the commission for report and recommendation.

B. The commission may prepare specifications for the maintenance of works of art and shall inspect such maintenance work for the guidance of the city departments concerned.

(Prior code § 2-107)

Chapter 2.32 CITY PLAN COMMISSION

Sections:

[2.32.010 Established--Purpose.](#)

[2.32.020 Powers and duties generally.](#)

[2.32.030 Duty to prepare and recommend legislation.](#)

2.32.010 Established--Purpose.

In order to make adequate provision for and to stimulate, guide, direct, arrange and beautify the city and the future development and growth of the city, there shall be a commission known as the city plan commission. Membership, officers, powers, duties, responsibilities and rules shall be as provided in the Charter, this chapter and the zoning code.

(Amended during 1998 codification: prior code § 2-56)

2.32.020 Powers and duties generally.

The city plan commission shall have the duty and authority to prepare and submit to the council a master plan for the physical development of the city, including the general location, character and extent of streets, bridges, parks, waterways, and other public ways, grounds and spaces, together with the general location and arrangement of public buildings, other public property, public utilities, and the extent and location of any public housing or slum clearance project, and shall recommend such modifications of such plan, from time to time, as it deems to be in the city's interest. It shall act as the zoning commission, and shall have the authority to prepare, adopt and recommend to the council for enactment a comprehensive plan for the zoning of the city, with such regulations as to the location, height, width and bulk of buildings and other structures, and the size of the yards, courts and other open spaces surrounding the same, and the use of such buildings, structures and land as it shall determine to be necessary or desirable for the promotion of the health, safety, morals and general welfare of the inhabitants of the city, and may recommend changes or amendments

therein from time to time as may seem desirable. It shall consider all proposals for amendments or changes in the zoning law, and make its recommendations thereon to the council. Plans for all proposed subdivisions shall, before approval by the council, be submitted to the plan commission for its recommendations with respect thereto.
(Prior code § 2-61)

2.32.030 Duty to prepare and recommend legislation.

It shall also be the duty of the city plan commission to prepare and recommend such national, state and municipal legislation as may be necessary in carrying out the recommendations or suggestions of the commission.
(Prior code § 2-62)

Chapter 2.34 TAX INCREMENT FINANCING COMMISSION

Sections:

[2.34.010 Established--Composition.](#)

[2.34.020 Terms of office.](#)

[2.34.030 Duties.](#)

[2.34.040 Chairperson and vice-chairperson--Procedures.](#)

[2.34.050 Transfer of obligations.](#)

[2.34.060 TIF commission procedures.](#)

2.34.010 Established--Composition.

There is hereby established the tax increment financing commission of the city of University City, Missouri (the "TIF commission"). The TIF commission shall consist of twelve (12) members to be appointed as follows:

- A. Six members appointed by the St. Louis County executive;
- B. Three members appointed by the cities, towns, or villages in St. Louis County which have tax increment financing districts, in a manner in which the chief elected officers of such cities, towns or villages agree;
- C. Two members appointed by the school boards whose districts are included in St. Louis County, in a manner in which the school boards agree; and
- D. One member appointed by all other districts levying ad valorem taxes in the proposed redevelopment area, in a manner in which all such districts agree.

(Ord. 6758 § 1, 2008; Ord. 6066 § 2, 1996)

2.34.020 Terms of office.

Members appointed to the TIF commission, except those six members appointed by the St. Louis County executive, shall serve on the TIF commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, designation of a redevelopment area, or any amendment thereto is considered for approval by the TIF commission. The six members appointed by the St. Louis County executive shall serve on the TIF commission until replaced.

(Ord. 6758 § 2, 2008; Ord. 6066 § 3, 1996)

2.34.030 Duties.

The TIF commission shall have the following duties:

- A. To hold public hearings required by Sections 99.800 to 99.865, RSMo. (the "TIF Act") on any proposed redevelopment plan, redevelopment project, designation of a redevelopment area or any amendments thereto. The TIF commission shall fix a time and place for such public hearing within fifteen (15) days from receipt of a redevelopment plan meeting the minimum requirements of Section 99.810 of the TIF Act, as determined by counsel to the city. Such public hearing shall take place no later than seventy-five (75) days from receipt of the redevelopment plan.
- B. Provide all notices as required by the TIF Act.
- C. Vote and make recommendations to the city council on all proposed redevelopment plans, redevelopment projects, designations of redevelopment areas, and amendments thereto within thirty (30) days following the completion of the public hearing. If the TIF commission fails to vote within thirty (30) days following the completion of the public hearing referred to in Section 99.825 of the TIF Act concerning the proposed redevelopment plan, redevelopment project, or designation of redevelopment area, or any amendments thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the TIF commission.

(Ord. 6758 § 3, 2008; Ord. 6066 § 4, 1996)

2.34.040 Chairperson and vice-chairperson--Procedures.

The TIF commission shall elect from its membership a chairperson and vice-chairperson, each for a term of one year. The TIF commission may adopt from time to time such rules of procedure as the TIF commission may deem necessary to effectuate the duties under this chapter.

(Ord. 6066 § 5, 1996)

2.34.050 Transfer of obligations.

As of the effective date of the ordinance codified in this chapter, the TIF commission established pursuant to Section 2.34.010 shall assume all outstanding obligations of any previously established tax increment financing commission of the city and any such

previously established tax increment financing commission shall cease to exist, except as may be necessary to complete a public hearing for which notice under Section 99.830 of the TIF Act has been provided prior to August 28, 2008 and to vote or make recommendations relating to the redevelopment plans, redevelopment projects, designation of redevelopment areas, or amendments thereto that are the subject of such public hearing.

(Ord. 6758 § 4, 2008; Ord. 6066 § 6, 1996)

2.34.060 TIF commission procedures.

The city hereby adopts the following procedures for bids and proposals for the implementation of redevelopment projects:

- A. The city or the TIF commission shall solicit proposals with respect to the implementation of each proposed redevelopment project.
- B. Each request for proposals shall state the primary objectives of the proposed redevelopment area or redevelopment project.
- C. Each request for proposals (or notice thereof) shall be mailed to those persons or firms that the city's director of community development or the city's planning consultant determines might be interested in submitting a bid, and shall be published in a newspaper of general circulation in the city. Each request for proposals shall provide at least thirty (30) days for the submission of a proposal.
- D. Each proposal must demonstrate that "but for" the use of tax increment financing, the project is not feasible and would not be completed.
- E. Criteria for the selection of proposals will include the impact of the proposed project on the city and other taxing jurisdictions, including the projected term for which tax increment financing will be utilized. The city or the TIF commission may establish such additional criteria as it deems appropriate for the selection of bids and proposals. Each request for proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids.

(Ord. 6758 § 5, 2008)

Chapter 2.36 TRAFFIC COMMISSION

Sections:

[2.36.010 Established--Composition.](#)

[2.36.020 Powers and duties.](#)

[2.36.030 Qualifications, appointment and terms of members--Filling vacancies--Officers and procedure.](#)

[2.36.040 Reports.](#)

2.36.010 Established--Composition.

There is established a traffic commission which shall consist of ten members, seven of whom shall be citizens of the city not otherwise connected with the city government, one of whom shall be a member of the police department, one of whom shall be from the personnel of the public works department, and one of whom shall be a member of the city council.

(Prior code § 2-86)

2.36.020 Powers and duties.

The traffic commission shall act in an advisory capacity to the council. It shall make a continuous study of the traffic problems and conditions of the city in general, and among other things shall have the following powers and duties, but this enumeration shall not be deemed to be exclusive:

- A. Advise the council and the city manager from time to time with reference to traffic and parking problems on the streets of the city;
- B. Carry on educational activities in traffic matters;
- C. Receive and investigate complaints having to do with traffic matters;
- D. Recommend to the council and the city manager ways and means of improving traffic conditions and the administration and enforcement of traffic regulations;
- E. Initiate a long-range master traffic improvement plan;
- F. Perform such other duties with reference to traffic and parking and related problems not inconsistent with the Charter, as the council may request.

(Prior code § 2-88)

2.36.030 Qualifications, appointment and terms of members--Filling vacancies--Officers and procedure.

On the first day of the month following the adoption of the ordinance codified in this chapter, the council shall appoint seven members of the traffic commission. Of those first appointed, one shall be appointed for a term of one year, three for a term of two years, and three for a term of three years each. Thereafter all appointments shall be for terms of three years. Vacancies on the commission shall be filled by the council by appointment for the unexpired term. Such members shall be residents of the city and shall hold no other office in the city government. At the same time, on recommendation of the city manager, the council shall appoint as members of the commission one from the police department of the city and one from the personnel of the public works department, who shall remain members of the commission unless removed by the city manager, with the consent of the council, both of whom shall be nonvoting members. The council shall also appoint one of its own members as a nonvoting member of such commission. Such member shall hold office at the pleasure of the council. One of the citizen members shall be appointed chairperson of the commission by the council for the first year, and thereafter the commission shall elect one of its members chairperson and one shall be elected secretary. The commission shall establish its own rules of procedure.

(Prior code § 2-87)

2.36.040 Reports.

The traffic commission shall report to the council at such times and as often as the council may request or the commission may deem necessary, but shall make at least one report annually.

(Prior code § 2-89)

Chapter 2.38 INDUSTRIAL DEVELOPMENT AUTHORITY

Sections:

[2.38.010 Formation.](#)

2.38.010 Formation.

The city approves the application submitted by the electorate for the formation of the industrial development corporation and the city further authorizes the applicants to proceed to form the industrial development corporation for the purposes set out in the resolution codified in this chapter. The city approved the form of the Articles of Incorporation filed with the application.

(Resolution dated 5/7/79)

Chapter 2.40 LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY

Sections:

[2.40.010 Creation--Statutory authority.](#)

[2.40.020 Appointment and oath of commissioners.](#)

2.40.010 Creation--Statutory authority.

Pursuant to the provisions of Sections 99.300 et seq. of the RSMo, 1959, there is created a land clearance for redevelopment authority for the city. The exercise in the city of the powers, functions and duties of such authority is approved.

(Prior code § 2-81)

2.40.020 Appointment and oath of commissioners.

The commissioners of the land clearance for redevelopment authority shall be appointed by the mayor. Before entering upon his or her duties, each commissioner of the authority shall take, subscribe and file with the city clerk an oath or affirmation as set forth in Section 111 of the Charter.

(Prior code § 2-82)

Chapter 2.41 ECONOMIC DEVELOPMENT RETAIL SALES TAX BOARD

Sections:

[2.41.010 Established--Number of members.](#)

[2.41.020 Appointment and terms of members--Filling vacancies.](#)

[2.41.030 Officers and rules of procedure.](#)

[2.41.040 Revenue generated by the tax--Special trust fund.](#)

[2.41.050 Use of revenue generated by the tax.](#)

[2.41.060 Special taxing districts.](#)

[2.41.070 Duties of the board.](#)

[2.41.080 Annual reports.](#)

2.41.010 Established--Number of members.

An economic development retail sales tax board ("board") is established by the city and shall consist of five members. The volunteer board shall receive no compensation or operating budget.

(Ord. 6678 § 1 (part), 2007)

2.41.020 Appointment and terms of members--Filling vacancies.

A. Board members shall be appointed as follows:

1. One member shall be appointed by the school districts included within any economic development plan or area funded by the economic development sales tax imposed by ordinance as authorized under Section 67.1305 RSMo (the "tax"). Such member shall be appointed in any manner agreed upon by the affected districts;
2. Three members shall be appointed by the mayor with the consent of the majority of the city council; and
3. One member shall be appointed by the St. Louis County council.

B. Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(Ord. 6678 § 1 (part), 2007)

2.41.030 Officers and rules of procedure.

The board may elect from its members a chairperson, a vice-chairperson, and a secretary. It may adopt such rules of procedures as it deems necessary to effectuate the provisions of this chapter.

(Ord. 6678 § 1 (part), 2007)

2.41.040 Revenue generated by the tax--Special trust fund.

All revenue generated by the tax shall be deposited by the finance director in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the city council in accordance with applicable laws relating to the investment of city funds.

(Ord. 6678 § 1 (part), 2007)

2.41.050 Use of revenue generated by the tax.

A. No revenue generated by the tax shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five (25) percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

B. At least twenty (20) percent of the revenue generated by the tax shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

1. Acquisition of land;
2. Installation of infrastructure for industrial or business parks;
3. Improvement of water and wastewater treatment capacity;
4. Extension of streets;
5. Public facilities directly related to economic development and job creation; and
6. Providing matching dollars for state and federal grants relating to such long-term projects.

C. The remaining revenue generated by the tax may be used for, but shall not be limited to the following:

1. Marketing;
2. Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
3. Training programs to prepare workers for advanced technologies and high skill jobs;
4. Legal and accounting expenses directly associated with the economic development planning and preparation process; and
5. Developing value-added and export opportunities for Missouri agricultural products.

(Ord. 6678 § 1 (part), 2007)

2.41.060 Special taxing districts.

Notwithstanding any other provision of the law to the contrary, the tax, when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any tax shall be used for the purposes of any such district unless recommended by the board and approved by the city council.

(Ord. 6678 § 1 (part), 2007)

2.41.070 Duties of the board.

A. The board, subject to approval of the city council, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty (30) days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the city council within ninety (90) days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The city council shall have the final determination on use and expenditure of funds received from the tax.

B. The board may consider and recommend using funds received from the tax for plans, projects, or area designations outside the boundaries of the city if, and only if:

1. The city receives significant economic benefit from the plan, project, or area designation; and
2. The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project of area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project, or area designation.

(Ord. 6678 § 1 (part), 2007)

2.41.080 Annual reports.

A. The board and the city council shall report at least annually to the city council and any other governing body of the city or county, respectively, on the use of the funds provided under this chapter and on the progress of any plan, project, or designation adopted under this chapter and shall make such report available to the public.

B. Not later than the first day of March each year the board shall submit to the Missouri Joint Committee on Economic Development a report, which must include the following information for each project using the tax:

1. A statement of its primary economic development goals;
 2. A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
 3. A statement of total expenditures during the preceding calendar year in each of the following categories:
 - a. Infrastructure improvements,
 - b. Land and or buildings,
 - c. Machinery and equipment,
 - d. Job training investments,
 - e. Direct business incentives,
 - f. Marketing,
 - g. Administration and legal expenses, and
 - h. Other expenditures.
- (Ord. 6678 § 1 (part), 2007)

Chapter 2.42 BOARD OF ADJUSTMENT

Sections:

- [2.42.010 Established--Number, qualifications, term, etc., of members--Filling vacancies--Organization and rules of procedure.](#)
[2.42.020 Jurisdiction, powers and proceedings.](#)

2.42.010 Established--Number, qualifications, term, etc., of members--Filling vacancies--Organization and rules of procedure. A board of adjustment is established. The board shall consist of five members, who shall be residents of the city and who shall be selected by the council. The term of office of the members of the board of adjustment shall be for five years, excepting that the five members first appointed shall serve respectively for terms of one year, two years, three years, four years, and five years each. Three alternate members may be appointed to serve in the absence of or in the disqualification of regular members. All members and alternates shall be removable for cause by the city council upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term only. The board shall elect its own chairperson and vice-chairperson, who shall serve for one year. The board shall adopt from time to time such rules and regulations as deemed necessary to carry into effect the provisions of this chapter. Membership, officers, powers, duties, responsibilities and rules shall be as provided in the Charter, this chapter and the zoning code. (Amended during 1998 codification: prior code § 2-63)

2.42.020 Jurisdiction, powers and proceedings.

The board of adjustment shall hear and determine all appeals in zoning matters as provided by the zoning ordinances of the city or the statutes of the state with reference to building zones, and its jurisdiction and proceedings shall be as set forth in such ordinances or statutes.
(Prior code § 2-65)

Chapter 2.44 BOARD OF BUILDING CODE APPEALS

Sections:

- [2.44.010 Board of building code appeals--Applicability of BOCA building code.](#)

2.44.010 Board of building code appeals--Applicability of BOCA building code. The following numbered subsections of the BOCA Basic National Building Code, Thirteenth Edition, 1996,* are amended by additions, insertions, deletions and changes, including the changing of subsection titles and the addition of new subsections, so that such amended and added subsections read as follows:

(SECTION 121.0 MEANS OF APPEAL)

121.1 Application for appeal: Any interested person shall have the right to appeal a decision of the code official to the Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction can be used.

121.1.1 Filing procedure: All appeals shall be filed in writing with the code official within thirty (30) days after the decision to be appealed is rendered by the code official. Appeals must be accompanied by a fee in the amount specified in local ordinances.

121.2 Membership of board: The Board of Appeals shall consist of seven members appointed by the City Council. Board members shall be appointed for five year terms and serve until a successor has been appointed.

121.2.1 Qualifications of board members: At least three of the members shall each have at least ten (10) years experience as a registered architect, builder, superintendent of building construction or as a registered professional engineer with structural, civil or architectural engineering experience.

(Ord. 6112 § 1 (part), 1997: prior code § 6-1 (part))

*Editor's Note: The building code was adopted by Ord. 6112 as codified in Section 15.04.010 of this code.

Chapter 2.46 BOARD OF DIRECTORS OF THE PUBLIC LIBRARY

Sections:

- [2.46.010 Established--Number, appointment, etc., of directors.](#)
[2.46.020 Term of office and removal of directors.](#)
[2.46.030 Filling vacancies--Compensation of directors--Certain persons ineligible for employment by board.](#)

[2.46.040 Organizations--Powers and duties generally--Library funds.](#)

[2.46.050 Use of library--Rules and regulations.](#)

[2.46.060 Annual report of librarian to city council.](#)

[2.46.070 Donations for library purposes.](#)

2.46.010 Established--Number, appointment, etc., of directors.

There shall be a board of directors for the public library and reading room of nine members, who shall be appointed by majority vote of all members of the council, chosen from the citizens at large with reference to their fitness for such office, and no member of the municipal government shall be a member of such board.

(Prior code § 2-67)

2.46.020 Term of office and removal of directors.

The first board of directors of the public library appointed shall hold office, one-third for one year, one-third for two years, and one-third for three years from the first of June following their appointment, and at their first regular meeting shall cast lots for the respective terms. Annually thereafter, the council, by majority vote of all its members, shall, before the first of June of each calendar year, appoint three directors to fill the terms of those expiring, who shall hold office for three years and until their successors are appointed. The council may, after notice and hearing, and by majority vote thereof, remove any director for misconduct or neglect of duty.

(Prior code § 2-68)

2.46.030 Filling vacancies--Compensation of directors--Certain persons ineligible for employment by board.

Vacancies in the board of directors of the public library, occasioned by removals, resignations or otherwise, shall be reported to the council and be filled in like manner as original appointments. No director shall receive compensation as such, and no person shall be employed by such board of library directors who is related either by blood or by marriage to any director of such board.

(Prior code § 2-69)

2.46.040 Organizations--Powers and duties generally--Library funds.

The directors of the public library shall annually elect one of their number president, and such other officers as they may deem necessary. They shall have power to make and adopt such bylaws, rules and regulations for their own guidance and for the government of the library and reading room as may be expedient, not inconsistent with this chapter. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose; provided, that all moneys received for such library shall be deposited in the treasury of the city to the credit of the library fund, and shall be kept separate and apart from other moneys of the city, and drawn upon by the proper officers of the city, upon the properly authenticated vouchers of the library board. The board shall have power to purchase or lease grounds, to occupy, lease or erect an appropriate building or buildings for the use of the library; shall have, power to appoint a suitable librarian and necessary assistants, and fix their compensation, and shall also have power to remove all such appointees; and shall in general carry out the spirit and intent of this chapter in establishing and maintaining a public library and reading room.

(Prior code § 2-70)

2.46.050 Use of library--Rules and regulations.

The public library and reading room shall be forever free to the use of the inhabitants of the city, always subject to such reasonable rules and regulations as the library board may adopt in order to render the use of such library and reading room of the greatest benefit to the greatest number. The board may exclude from the use of the public library and reading room all persons who shall wilfully violate such rules, and the board may extend the privileges and use of such library and reading room to persons residing outside of the city in this state, upon such terms and conditions as the board may, from time to time, by its regulations prescribe.

(Prior code § 2-71)

2.46.060 Annual report of librarian to city council.

The librarian of the public library shall make, within eight weeks after the end of the fiscal year of the library, an annual report to the board of directors of the public library, stating the condition of the library and its services on the last day of the fiscal year, the various sums of money received from the library fund and from other sources, and how the moneys have been expended and for what purposes, and such other statistics, information and suggestions as may be of general interest. This report, and one copy, shall be transmitted by the board to the city council. A copy shall be transmitted at the same time to the Missouri state library.

(Amended during 1998 codification: prior code § 2-72)

2.46.070 Donations for library purposes.

Any person desiring to make donations of money, personal property or real estate for the benefit of the city public library shall have the right to vest the title to the money or real estate so donated in the board of directors created under this chapter, to be held and controlled by such board, when accepted according to the terms of the deed, gift, devise or bequest of such property, and as to such property the board shall be held and considered to be special trustees.

(Prior code § 2-73)

Chapter 2.48 BOARD OF TRUSTEES OF THE NONUNIFORMED EMPLOYEES RETIREMENT FUND

Sections:

[2.48.010 Board of trustees created--Composition and meetings.](#)

[2.48.020 Board--Powers, duties and responsibilities.](#)

2.48.010 Board of trustees created--Composition and meetings.

A. There shall be a board of trustees to consist of nine members to be known as the board of trustees of the nonuniformed employees retirement fund. The members of the board shall consist of the city manager and a member of the city council, neither of whom shall be a voting member of the board, two employees of the city (as defined in Section 2.64.010) and five additional members who are bona fide citizens of the city and members of the board of trustees of the police and firemen's retirement fund appointed by the council.

B. The members other than the city manager and councilmember shall be appointed for terms of four years each. The appointment shall be made at the first meeting of the council in July, and the terms shall be so arranged that four of them expire at one time and three, two years later, and upon the adoption of the ordinance codified in this chapter one additional member shall be appointed for a term to expire July 1967, or July 1969, as may be determined by the council. The city manager shall serve during his or her tenure of office and the member of the city council shall serve during the pleasure of the council. The board of trustees shall elect one of its members as chairperson, one as a vice-chair-person and appoint a secretary who may or may not be a member of the board. The director of finance of the city shall serve as treasurer of the board. No member of the board shall receive any compensation for this service as such. Vacancies on the board shall be filled for the remainder of the term in like manner as original appointment.

C. At least one regular meeting of the board of trustees of the nonuniformed employees retirement fund shall be held each quarter, together with such additional meetings as may be required for the transaction of its business.

(Prior code § 25-34 (part))

2.48.020 Board--Powers, duties and responsibilities.

A. The board of trustees provided for by Section 2.48.010 shall be vested with the exclusive management and control of all matters pertaining to the administration of the nonuniformed employees retirement fund, the investment and reinvestment thereof and may sue or be sued in their capacity as such board of trustees. The board shall receive and hold all moneys, securities and other property in the name of the board of trustees for the use and benefit of such retirement fund, or its nominee may accept donations therefor. The board shall be vested with full power and authority to employ and fix the compensation of necessary employees and to incur and pay such medical, legal, actuarial and other expenses as may be found necessary and desirable in the performance of their duties; provided, that the expenses shall bear a reasonable relation to the income of the retirement fund.

B. The board shall keep minutes of all its meetings, as well as full and complete records of all receipts, securities and other property coming into its hands, in such manner as may be prescribed by the director of the department of finance of the city, and all such minutes or records shall be open to public inspection; provided, that the records of any medical examinations made of any retired employees or applicants for retirement shall not be subject to public inspection.

C. The board shall have exclusive jurisdiction to receive, hear and rule upon all claims for benefits from the fund and to hear and determine all such claims in the first instance. All decisions of the board shall be by a majority vote of the members thereof, and the board shall take and preserve the evidence of any disputed claim, and such evidence, records, findings and decisions shall be subject to judicial review on certiorari, with the full right to appeal from the decisions of the reviewing court, as in other civil cases. Whenever the maximum earnings base for taxes and benefits under the Federal Social Security Act is changed in the future, the board of trustees shall study the effect of total contributions and total benefits provided by the Federal Social Security Act and by this retirement system and shall make recommendations as to the desirability of changes in this retirement system to the city council.

D. The board of trustees created pursuant to this chapter shall have power to prescribe rules for its own meetings and proceedings, and shall be required to provide suitable forms of application and other forms to be used in making claims for benefits from the retirement fund, and shall have power to prescribe rules and regulations not inconsistent with state laws, the Charter or this code, to govern and control the hearing, consideration and disposition of all claims and other administrative matters before it.

E. The board of trustees of the nonuniformed employees retirement fund shall exercise a high degree of care to keep the surplus funds in its hands safely invested in such securities as will afford the highest return consistent with safety of principal; provided, that only such investments shall be made as are lawful for the investment of pension systems under the laws of the state.

In the exercise of its powers of investment, the board of trustees may enter into an agreement or agreements with one or more investment advisers containing such provisions as are deemed necessary and appropriate including but not limited to the custody and safekeeping of the assets of the system, the holding of securities in bearer form or in the name of a nominee, the collection of income and principal and the investment and reinvestment of the funds of the system with the consent and approval of the board.

F. The board of trustees of the nonuniformed employees retirement fund shall set up a system of accounts, such as will be required for an actuary to determine annually the financial condition of the fund and the contributions required annually for the sound actuarial operation of the plan and shall furnish to the council, upon request, such information in order that the city council may have the necessary data concerning the tax requirements of the fund.

(Prior code § 25-34 (part))

Chapter 2.50 BOARD OF TRUSTEES OF POLICE AND FIREMEN'S RETIREMENT FUND

Sections:

[2.50.010 Created--Composition and terms of office.](#)

[2.50.020 Powers and jurisdiction.](#)

[2.50.030 Claims--Power to prescribe rules and regulations.](#)

[2.50.040 Meetings generally.](#)

[2.50.050 Meeting minutes--Records.](#)

[2.50.060 Investment of surplus funds.](#)

[2.50.070 Accounting system--Requirements.](#)

[2.50.080 Authority not limited.](#)

2.50.010 Created--Composition and terms of office.

There is created a board of trustees to consist of nine members and to be known as the board of trustees of police and firemen's retirement fund. The members of the board shall consist of the city manager and a member of the city council, neither of whom shall be voting members of such board, one salaried member of the fire department, and one salaried member of the police department and five additional members who are bona fide citizens of the city, all of which members, except the city manager, shall be appointed by the council. The members other than the city manager and councilmember shall be appointed for terms of four years each. The appointments shall be made at the first meeting of the council in July, and the terms shall be so arranged that four of them expire at one time and three, two years later, and upon the adoption of the ordinance codified in this chapter one additional member shall be appointed for a term to expire July, 1967, or July, 1969, as may be determined by the council. The city manager shall serve during his or her tenure of office and the member of the city council shall serve during the pleasure of the council. The board of trustees shall elect one of its members as chairperson, one as vice-chairperson, and appoint a secretary who may or may not be a member of the board. The director of finance of the city shall serve as treasurer of the board. No member of the board shall receive any compensation for his or her services as such. Vacancies on the board shall be filled for the remainder of the term in like manner as original appointment.

(Prior code § 2-74)

2.50.020 Powers and jurisdiction.

The board of trustees provided for by this chapter shall be vested with the exclusive management and control of all matters pertaining to the administration of the police and firemen's retirement fund, the investment and reinvestment thereof and may sue or be sued in their capacity as such board of trustees. The board shall receive and hold all moneys, securities and other property in the name of the board of trustees or its nominee for the use and benefit of such retirement fund and may accept donations therefor. The board shall be vested with full power and authority to employ and fix the compensation of necessary employees and to incur and pay such medical, legal, actuarial and other expenses as may be found necessary and desirable in the performance of their duties; provided, however, that the expenses shall bear a reasonable relation to the income of the retirement fund.

The board shall have exclusive jurisdiction to receive, hear and rule upon all claims for benefits from the fund and to hear and determine all such claims in the first instance. All decisions of the board shall be by a majority vote of the members thereof, and the board shall take and preserve the evidence on any disputed claim, and such evidence, records, findings and decisions shall be subject to judicial review on certiorari, with the full right to appeal from the decisions of the reviewing court, as in other civil cases.

(Prior code § 2-76 (part))

2.50.030 Claims--Power to prescribe rules and regulations.

The board of trustees created pursuant to this chapter shall have power to prescribe rules for its own meetings and proceedings, and shall be required to provide suitable forms of application and other forms to be used in making claims for benefits from the retirement fund, and shall have power to prescribe rules and regulations not inconsistent with state laws, the Charter or this code, to govern and control the hearing, consideration and disposition of all claims and other administrative matters before it.

(Prior code § 2-77)

2.50.040 Meetings generally.

At least one regular meeting of the board of trustees of the police and firemen's retirement fund shall be held each quarter, together with such additional meetings as may be required for the transaction of its business.

(Prior code § 2-75)

2.50.050 Meeting minutes--Records.

The board shall keep minutes of all its meetings, as well as full and complete records of all receipts, securities and other property coming into its hands, in such manner as may be prescribed by the director of the department of finance of the city, and all such minutes or records shall be open to public inspection; provided, that the records of any medical examinations made of any retired employees or applicants for retirement shall not be subject to public inspection.

(Prior code § 2-76 (part))

2.50.060 Investment of surplus funds.

The board of trustees of the police and firemen's retirement fund shall exercise a high degree of care to keep the surplus funds in its hands safely invested in such securities as will afford the highest return consistent with safety of principal; provided, that only such investments shall be made as are lawful for the investment of police and firemen's pension systems under the laws of the state.

In the exercise of its power of investment, the board of trustees may enter into an agreement or agreements with one or more investment advisers containing such provisions as are deemed necessary and appropriate including but not limited to the custody and safekeeping of the assets of the system, the hold of securities in bearer form or in the name of a nominee, the collection of income and principal and the investment and reinvestment of the funds of the system with the consent and approval of the board.
(Prior code § 2-78)

2.50.070 Accounting system--Requirements.

The board of trustees of the police and firemen's retirement fund shall set up a system of accounts, such as will be required for an actuary to determine annually the financial condition of the fund and the contributions required annually for the sound actuarial operation of the plan and shall furnish to the council, upon request, such information in order that the city council may have the necessary data concerning the tax requirements of the fund.
(Prior code § 2-79)

2.50.080 Authority not limited.

The enumeration of the specific powers of authority of the board of trustees of the police and firemen's retirement fund in this chapter shall not be construed in limitation of their powers and authority to do all other things necessary or reasonably required to carry out and make effective the specific powers granted by this chapter.
(Prior code § 2-80)

Chapter 2.52 COMMITTEE FOR ACCESS AND LOCAL ORIGINATION PROGRAMMING

Sections:

[2.52.010 Establishment.](#)

[2.52.020 Responsibilities.](#)

[2.52.030 Five-year plan--Amendments and review.](#)

[2.52.040 Funds and budget.](#)

[2.52.050 Membership and appointment.](#)

[2.52.060 Qualifications of voting members.](#)

[2.52.070 Meetings--Procedures.](#)

[2.52.080 Compensation--Vacancies.](#)

2.52.010 Establishment.

The Committee for Access and Local Origination Programming, which was created by Ordinance No. 5284, shall hereinafter be known as the University City Commission for Access and Local Origination Programming, and shall continue to be referred to as CALOP.
(Ord. 6613 § 1, 2006)

2.52.020 Responsibilities.

It shall be the duty and responsibility of CALOP to study the educational and cultural programming needs of the city and to encourage the development of programs to meet those needs. To meet those duties and responsibilities, CALOP will, within six months from the effective date of the ordinance codified in this chapter (May 6, 1981), draft a five-year plan for the educational and cultural cablecasting programming goals and objectives for the city. CALOP shall have a public hearing before and after the drafting of the five-year plan and shall then submit the plan to the city council for comment within forty-five (45) days following the final public hearing.
(Prior code § 2-99 (part))

2.52.030 Five-year plan--Amendments and review.

The five-year plan shall include but not be limited to a statement of current cablecasting programming available to the city; the objectives of programming needed by the city as a whole; any additional cablecasting programming needs given in a prioritized order, with the greatest needs listed first; and methods by which to obtain increased and improved cablecasting programming. The plan may be amended at any time by CALOP, but any amendment shall follow the same procedure as the adoption of the original plan. CALOP may review the plan at any time but shall review the plan at a minimum of every twenty-four (24) months following its adoption.
(Prior code § 2-99 (part))

2.52.040 Funds and budget.

CALOP shall operate on the same fiscal year as that of the city. It shall have the power to collect, hold, manage, control and use all funds appropriated and provided for it. CALOP shall formulate guidelines for the awarding of grants so as to maximize other private and public funding sources. The guidelines are to be developed within the scope of the five-year plan and should result in financial assistance in proportion to the areas given priority in the plan. CALOP shall prepare an operating budget for each fiscal year. CALOP shall submit both its guidelines and budget to the city council no later than March 15th, prior to the beginning of each fiscal year. Final budget adoption by CALOP shall be not earlier than May 15th, or later than June 30th, each year.
(Prior code § 2-100)

2.52.050 Membership and appointment.

CALOP shall consist of seven voting members, appointed by the city council, who shall each serve a three-year term. At least one of the seven voting members shall be selected from a group of at least three nominees submitted to the city council by Charter Communications Entertainment I, LLC, hereinafter referred to as the "company." The remainder of the members shall be selected by the city council upon the recommendation by either members of the city council, city staff or any resident citizen of the city. In addition to the seven voting members of CALOP there shall be four nonvoting ex-officio members: one will be a member of the city council; one will be appointed by the company; one will be appointed by the University City School District; and one will be appointed by the Higher Education Consortium of Metropolitan St. Louis. Ex-officio members shall receive all minutes of all meetings of CALOP, and may submit written reports and recommendations. Ex-officio members may comment during any public discussion segment of any meeting.

(Ord. 6603 § 1, 2006)

2.52.060 Qualifications of voting members.

Voting members must be residents of the city during their term in office. They may hold no other office in the city government nor may they be an officer, employee or consultant for any potential grantee agency of CALOP funds. Each member must have a background or knowledge of at least one of the following three areas: Telecasting/cablecasting; educational programs; and cultural activities. There shall be at least two members with background or knowledge of each of the following three areas: Telecasting/cablecasting; educational programs; and cultural activities.

(Prior code § 2-97)

2.52.070 Meetings--Procedures.

At the first meeting of CALOP, the members shall elect from their number a chairperson, vice-chairperson, secretary-treasurer and such other officers as they may deem necessary. CALOP shall make and publish such rules of procedure as may be deemed necessary.

(Prior code § 2-101)

2.52.080 Compensation--Vacancies.

Voting members shall not receive any compensation for service but may be reimbursed for actual expenses. Members shall serve until their successors have been duly appointed. Vacancies shall be filled by the city council in like manner as original appointment, which shall be for the unexpired term only.

(Prior code § 2-98)

Chapter 2.54 PARKVIEW GARDENS SPECIAL BUSINESS DISTRICT ADVISORY COMMISSION

Sections:

[2.54.010 Findings.](#)

[2.54.020 Established.](#)

[2.54.030 Rate of property levy.](#)

[2.54.040 Use of revenue.](#)

[2.54.050 Commission established--Duties and terms.](#)

2.54.010 Findings.

The city council of the city of University City makes the following findings, determinations and statements:

- A. The city council adopted a resolution on January 9, 1996, at seven-thirty p.m. as the resolution of intention to establish a Parkview Gardens special business district pursuant to which the ordinance codified in this chapter is adopted; and
- B. The city council held a hearing on January 22, 1996, at seven-thirty p.m. in the council chambers, City Hall, 6801 Delmar Boulevard, University City, Missouri to consider the formation of the Parkview Gardens special business district; and
- C. The Parkview Gardens special business district shall have a boundary as described in Exhibit A, attached to and incorporated in this chapter by reference.

(Ord. 6050 § 1, 1996)

2.54.020 Established.

The Parkview Gardens special business district is established.

(Ord. 6050 § 3, 1996)

2.54.030 Rate of property levy.

The initial rate of levy to be imposed upon property lying within the Parkview Gardens special business district shall be eighty-five cents (\$0.85) on the one-hundred-dollar (\$100.00) assessed valuation and there is imposed, subject to the requisite majority of the qualified voters of the Parkview Gardens special business district voting thereon, upon all real property lying within the Parkview Gardens special business district a tax levy at the rate of eighty-five cents (\$0.85) on the one-hundred-dollar (\$100.00) assessed valuation.

(Ord. 6050 § 2, 1996)

2.54.040 Use of revenue.

The uses to which the additional revenue shall be put shall be:

- A. Marketing and promotion;
- B. Neighborhood/district beautification;
- C. Youth recreation programs; and
- D. Crime prevention programs.

(Ord. 6050 § 4, 1996)

2.54.050 Commission established--Duties and terms.

- A. There is created and established a Parkview Gardens special business district advisory commission (the "commission"). The commission shall consist of five persons who shall be residents of, owners of real property within, or operators of business located within the Parkview Gardens special business district.
- B. The commission shall have the following duties and responsibilities only:
 - 1. To make recommendations to the city council as to the use of revenue from any tax imposed within the Parkview Gardens special business district under the Special Business District Act; and
 - 2. To undertake such other tasks, duties and responsibilities as the city council shall from time to time designate.
- C. The terms of members first appointed shall be staggered as follows: one member shall be designated to serve a term of one year; two members shall be designated to serve a term of two years; two members shall be designated to serve a term of three years. Subsequent terms shall be for three years. Appointments to fill vacancies shall be for the unexpired portion of a term only. The commission shall annually elect a chairperson, vice chairperson, and secretary and shall adopt such rules or bylaws as the commission shall deem necessary or convenient to carry out the duties and responsibilities under this section.

(Ord. 6050 § 5, 1996)

Chapter 2.56 UNIVERSITY CITY LOOP SPECIAL BUSINESS DISTRICT ADVISORY COMMISSION

Sections:

[2.56.010 Scope.](#)

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2.56.010 Scope.

It is the intention of the city council to establish a University City Loop special business district, as a mechanism whereby local merchants and property owners can collectively enhance their environment and promote retail trade activities, as provided by Chapter 71, Sections 71.790 through 71.808 inclusive, of the RSMo.

(Ord. 5247 § 1, 1980)

2.56.020 Definitions.

As used in this chapter:

"Advisory commission" means the University City Loop special business district advisory commission.

"City" means the city of University City, Missouri.

"City council" means the city council of the city of University City, Missouri.

"District" means the University City Loop special business district.

"Special business district" means a body corporate and politic, and a political subdivision of the state of Missouri, whose main purpose is the improvement of the environment and the promotion of business in the area it encompasses, as authorized by Chapter 71, Sections 71.790 through 71.808 inclusive, of the RSMo.

(Ord. 5247 § 2, 1980)

2.56.030 Boundaries.

A special business district, to be known as the University City Loop special business district, is established for the area of University City, Missouri, shown on the special business district map which accompanies, and is declared to be a part of, the ordinance codified in this chapter. The boundaries of the district are broadly described as: The boundaries of the retail commercial, RC zone on both sides of Delmar between Kingsland and the eastern municipal limits including commercial establishments fronting on Kingsland, New Enright, Leland, Melville, Westgate and Delmar. This district area includes properties described by the following computer reference locator numbers, as shown in the records of the director of revenue for St. Louis County, Missouri:

TABLE INSET:

Locator Number	Locator Number
18H 42 0067	18H 41 0244
18H 42 0012	18H 41 1740
18H 42 0078	18J 62 0879
18H 42 0089	18J 62 0880
18H 41 0145	18H 41 1432
18H 42 0023	18J 62 0781
18H 41 0189	18J 62 0231
18H 41 0035	18J 62 0220
18H 41 0046	18H 41 0288
18H 41 0068	18H 41 0343
18H 41 0080	18H 41 0376
18H 41 0255	18H 41 0398
18H 41 0079	18J 62 0846
18H 41 0020	18J 62 0297
18H 41 0091	18J 62 0329
18H 41 1713	18J 62 0363
18H 41 1564	18H 41 0266

(Ord. 5247 § 3, 1980)

2.56.040 Revenue.

For the purpose of paying for all costs and expenses incurred in the operation of the district, and/or the provision of services and improvements authorized in Section 2.56.090:

- A. The businesses and individuals licensed by the city to do business within the district, except vendors at the Market in the Loop, shall be subject to an additional business license tax of fifty (50) percent over any other business license taxes levied by the city; and
- B. The real property in the district shall be subject to an additional tax of eighty-five cents (\$0.85) per one-hundred-dollar (\$100.00) assessed valuation; and
- C. The special assessment provided or by this chapter shall be collected by the city and held in a special account for dispersal to the district with the approval by the city council.

(Ord. 5247 § 4, 1980)

2.56.050 Tax abatement.

No real property within the district subject to partial tax abatement under the provisions of the Urban Redevelopment Ordinance No. 5085, and/or the Urban Redevelopment Corporations Law of Missouri, shall be exempt from the taxes levied in Section 2.56.040.

(Ord. 5247 § 5, 1980)

2.56.060 Bonds.

For the purposes of paying all costs and expenses to be incurred in the acquisition, construction, improvement and/or expansion of any of the facilities of the district, the district may incur indebtedness and issue general obligation and/or revenue bonds, or notes for the payment thereof, subject to the requirements for such instruments found in the RSMo.

(Ord. 5247 § 6, 1980)

2.56.070 Advisory commission.

The city council shall have sole discretion as to how the revenues of the district shall be used within the scope of this chapter. To assist in exercising this discretion, a University City special business district advisory commission is created:

- A. **Membership.** The advisory commission shall consist of nine members, chosen from individuals who own property or operate a municipally-licensed business within the boundaries of the district, with reference to their fitness for such offices. No member of the municipal government shall be a member of the advisory commission.
- B. **Term of Office.** Upon passage and approval of the ordinance codified in this chapter, the mayor, with the approval of the city council, shall appoint to the members of said advisory commission two additional members so that each of the nine members shall

hold office for three years. With respect to the term of office of the two members added by this amendment, their terms shall be deemed to have commenced on the first of January, 1989. Annually thereafter the mayor shall, before the first of January of each year, appoint, as before, replacement members for those members whose terms shall have expired, and those replacement members shall hold office for three years, and/or until their successors are appointed.

C. Dismissals. The city council may remove any member of the advisory commission for misconduct or neglect of duty.

D. Vacancies. Vacancies on the advisory commission, occasioned by removal, resignation or otherwise, shall be reported to the city council and shall be filled in like manner as normal appointments within thirty (30) days of the report to the council. Members appointed to fill vacancies shall assume the term of membership held by the vacated member.

E. Compensation. No member of the advisory commission shall receive compensation for his or her duties.

F. Conflict of Interest. No person shall be employed by the district who is related to a member of the advisory commission either by blood or marriage, and no business shall be conducted with firms which are owned in whole, or part, by a person related to a member of the advisory commission either by blood or marriage.

(Ord. 5700 § 2, 1989; Ord. 5247 § 7, 1980)

2.56.080 Duties of advisory commission.

The advisory commission has the responsibility of performing the primary administrative functions of the district. These functions include, but are not limited to, the following:

A. Officers and Committees. The original members of the advisory commission shall meet within thirty (30) days of their appointment and organize themselves by the election of one of their number as chairperson, another as vice chairperson, and yet another as secretary-treasurer, and by the election of such other officers as they may deem necessary. Thereafter, new elections among the members of the advisory commission for all officer positions shall occur annually during the month of January. The chairperson, vice chairperson and secretary-treasurer of the advisory commission shall function as an executive committee, and the members of the advisory commission may create such other committees as they deem necessary.

B. Bylaws. The advisory commission shall make and adopt such bylaws, rules and regulations for their own guidance and for the administration of the district as may be appropriate, but not inconsistent with the ordinances of the city or the statutes of the state of Missouri.

C. Development Plan. The advisory commission shall be responsible for the development and maintenance of an overall plan of action for the district. This plan will be construed to be the major policy instrument of the district, and all expenditures and activities are to be reviewed in light of the plan. The advisory commission shall be required to hold at least one meeting a year to which all individuals owning property and/or operating a municipally-licensed business within the boundaries of the district are actively encouraged to attend with the expressed purpose of reviewing and updating the plan.

D. Budget. The advisory commission shall be required to create and maintain a line-item budget for any existing revenue and the anticipated revenue of the district for the year following the date of the last-published budget. Said budget must be published annually and submitted to the city council for approval by the first of July. Prior to the submittal of the budget to the city council the advisory commission shall be required to hold at least one meeting to which all individuals owning property and/or operating a municipally-licensed business within the boundaries of the district are actively encouraged to attend with the expressed purpose of reviewing the proposed budget. The advisory commission may make recommendations for the modification or elaboration of the budget to the city council at any time.

E. Annual Report. The advisory commission shall be required to submit an annual report of its activities to the city council by the first of July of each year. This report should inventory the projects undertaken by the district in the preceding year and their status, minutes of all meetings held by the advisory commission and any of its committees, relevant correspondence, a copy of the latest plan adopted for the district, a financial report of the district, a statement by the executive committee on the status of the effectiveness of the district, and such other items as may be deemed relevant by the advisory commission. Upon receipt of the annual report the city council shall place same on file with the city administrator and note that it is available for public inspection.

(Ord. 5247 § 8, 1980)

2.56.090 Allowable improvements and activities.

The funds of the district may be used for any of the following improvements and activities with the approval of the city council:

A. To close existing streets or alleys or to open new streets and alleys or to widen or narrow existing streets and alleys in whole or in part;

B. To construct or install pedestrian or shopping malls, plazas, sidewalks or moving sidewalks, parks, meeting and display facilities, convention centers, arenas, bus stop shelters, lighting, benches or other seating furniture, sculptures, telephone booths, traffic signs, fire hydrants, kiosks, trash receptacles, marquees, awnings, canopies, walls and barriers, paintings, murals, alleys, shelters, display cases, fountains, rest rooms, information booths, aquariums, aviaries, tunnels and ramps, pedestrian and vehicular overpasses and underpasses, and each and every other useful or necessary or desired improvement;

C. To landscape and plant trees, bushes and shrubbery, flowers and each and every and other kind of decorative planting;

D. To install and operate, or to lease, public music and news facilities;

E. To purchase and operate buses, minibuses, mobile benches, and other modes of transportation;

F. To construct and operate child care facilities;

G. To lease space within the district for sidewalk cafe tables and chairs;

H. To construct lakes, dams and waterways of whatever size;

- I. To provide special police or cleaning facilities and personnel for the protection and enjoyment of the property owners and the general public using the facilities of such business district;
 - J. To maintain, as hereinafter provided, all city-owned streets, alleys, malls, bridges, ramps, tunnels, lawns, trees and decorative plantings of each and every nature, and every structure or object of any nature whatsoever constructed or operated by the said municipality;
 - K. To grant permits for newsstands, sidewalk cafes, and each and every other useful or necessary or desired private usage of public or private property;
 - L. To prohibit or restrict vehicular traffic on such streets within the business district as the governing body may deem necessary and to provide the means for access by emergency vehicles to or in such areas;
 - M. To lease, acquire, construct, reconstruct, extend, maintain or repair parking lots or parking garages, both above and below ground, or other facilities for the parking of vehicles, including the power to install such facilities in public areas, whether such areas are owned in fee or by easement;
 - N. To promote business activity in the district by, but not limited to, advertising, decoration of any public place in the area, promotion of public events which are to take place on or in public places, furnishing of music in any public place, and the general promotion of trade activities in the district.
- (Ord. 5247 § 9, 1980)

2.56.100 Municipal services.

The city council shall not decrease the level of municipally-funded services in the district existing prior to the creation of the district, or transfer the financial burden of providing the services to the district, unless the services at the same time are decreased throughout the city, nor shall the city council discriminate in the provision of new municipally-funded services between areas included in the district and areas not so included.

(Ord. 5247 § 10, 1980)

Chapter 2.57 RESIDENTIAL INFILL REVIEW BOARD

Sections:

[2.57.010 Intent.](#)

[2.57.020 Established--Composition.](#)

[2.57.030 Appointment and terms of members--Filling vacancies--Qualifications--Removal.](#)

[2.57.040 Notification to neighbors--Public hearing.](#)

[2.57.050 Powers and duties.](#)

[2.57.060 Recommendations for approval or disapproval of applications.](#)

2.57.010 Intent.

The intent of the city council is to establish a residential infill review board (IRB) that shall field complaints in matters of residential infill to ascertain whether the desires of the neighboring property owners and of the applicant can be brought closer together. The IRB shall act solely in an advisory capacity. The IRB shall have no power to adopt, enforce, or administer any building, subdivision, zoning or other regulation or ordinance.

(Ord. 6617 § 1 (part), 2006)

2.57.020 Established--Composition.

The IRB shall consist of seven members. Additionally, three members of the plan commission may be appointed by and at the discretion of the chairperson of the plan commission; all members shall be citizens of University City. No member will receive monetary compensation. The IRB may elect from its members a chairperson, a vice-chairperson, and a secretary. It may adopt such rules of procedure as it deems necessary to effectuate the provisions of this chapter. The secretary shall submit written summaries of each IRB meeting to the city council and city manager.

(Ord. 6617 § 1 (part), 2006)

2.57.030 Appointment and terms of members--Filling vacancies--Qualifications--Removal.

The mayor and each councilmember may appoint one of the first members. Thereafter, all vacancies shall be appointed by the city council. Of those first appointed, each shall be randomly assigned a one-, two- or three-year term, renewable thereafter for three-year terms. Appointment priority should be given to qualified design reviewers who are competent to interpret proposals and make judgments regarding both design guideline conformance and design quality. Every effort should be made to include at least one architect and one landscape architect. Members are subject to removal without cause by a two-thirds vote of the city council.

(Ord. 6617 § 1 (part), 2006)

2.57.040 Notification to neighbors--Public hearing.

A. All property owners within three hundred (300) feet of the project property with street frontage on the same street and all property owners within one hundred fifty (150) feet of the project property shall be notified by the zoning administrator, within ten days of receipt of an application, that they may request a public hearing with the applicant and design agent present to explain the project and answer questions. The applicant shall include a list of such property owners and their addresses with the application when it is filed.

B. A public hearing shall be held, with the property owners, applicant, and developer present, if a petition signed by at least sixty (60) percent of the property owners within said radius is presented to the zoning administrator within ten business days after notification is sent to the property owners, with a contact person designated therein. The zoning administrator shall notify the contact person of the date, time and location of the public hearing. At the public hearing, which shall be set up by the zoning administrator and held by the IRB within ten days after the zoning administrator's receipt of the petition, if the applicant is not willing to make changes asked for to the satisfaction of the petitioners, then the IRB shall perform its duties as set out in Section 2.57.050 of this chapter. (Ord. 6617 § 1 (part), 2006)

2.57.050 Powers and duties.

A. The IRB shall examine applications for residential subdivisions and building permits related thereto to determine whether the proposed project will achieve general conformity with the prevailing style and design of the surrounding neighborhood and is conducive to the proper residential development of the city. "Subdivision," as used in this chapter, shall mean: (1) the division or re-division of a tract of land into two or more lots; or (2) the consolidation of two or more tracts of land into one lot; or (3) the adjustment of one or more boundaries between two or more lots.

B. The IRB shall review applications for residential subdivisions and building permits for new construction which is replacing a house to be demolished or which had been demolished within three years of the application date on the existing lot, for compliance with the spirit of the comprehensive plan, specifically with regard to ensuring that the neighborhood is not harmed by devaluation due to lot size, setbacks, water drainage, tree removal, availability of off-street parking and access by emergency vehicles, or other pertinent factors.

C. In determining whether the proposed infill building conforms with the prevailing neighborhood pattern, the IRB shall consider all factors including without limitation whether the proposed infill building conforms with subsections A and B of this section, and additionally the (1) massing and volumetric articulation; (2) roof geometry and roofing materials; (3) facade composition and fenestration patterns; (4) facade materials, details, and ornamentation; and (5) landscaping patterns, forms and materials.

D. The IRB shall strive to ensure that individual creativity is not suppressed just for the sake of strict conformity.

(Ord. 6617 § 1 (part), 2006)

2.57.060 Recommendations for approval or disapproval of applications.

A. As soon as possible but not more than ten days after a scheduled public hearing, the IRB shall report its recommendations for approval or disapproval of applications for residential subdivisions to the zoning administrator for presentation to the plan commission. Once the plan commission approves or disapproves the recommendations of the IRB, the recommendations shall be reported to the city council and the city manager. The recommendations of the IRB shall not be binding on the plan commission or the city council.

B. As soon as possible but not more than ten days after a scheduled public hearing, the IRB shall report its recommendations for approval or disapproval of applications for building permits to the zoning administrator for presentation to the city manager and the city council. The recommendations of the IRB shall not be binding on the city manager or the city council.

C. The IRB shall, from time to time, recommend to the city council changes in the building, subdivision, and zoning ordinances for more harmonious and neighborhood-enhancing subdivisions and residential infill construction within any neighborhood.

(Ord. 6617 § 1 (part), 2006)

Chapter 2.58 CONTRACTS

Sections:

[2.58.010 Personnel requirements for contractors with city.](#)

[2.58.020 Personnel requirements with respect to employees and owners.](#)

2.58.010 Personnel requirements for contractors with city.

A. Any person, firm or corporation contracting with the city to provide services such as, but not limited to, technical/professional services, street repairs, supplies, building maintenance, at a cost to the city of fifty thousand dollars (\$50,000.00) or more and involving ten or more employees in the work force providing the contracted services, shall, as a condition precedent to the rendition of such services, certify by affidavit filed with the said city that at least twenty (20) percent of the work force providing the contracted services shall consist of workers generally classified as members of minorities and/or female workers. The city council may, under special circumstances such as, for example, situations requiring technical expertise and/or specialization, waive the conditions set forth herein provided, however, that such waiver is justified by a two-thirds vote of the city council.

B. Any person, firm or corporation contracting with the city to provide services involving payment of one hundred thousand dollars (\$100,000.00) or more in which there are two or more subcontractors shall agree with the city that at least fifteen (15) percent of the total amount of the city's contract shall be allocated to subcontractors who employ workers generally classified as members of minorities and/or female workers.

(Prior code §§ 2-7.2, 2-7.3)

2.58.020 Personnel requirements with respect to employees and owners.

A. As many as possible of the city contracts over one thousand dollars (\$1,000.00) shall be entered into with the following:

1. Individuals generally classified as members of minorities and/or female; and
2. Firms consisting of individuals generally classified as members of minorities and/or female; and

3. Corporations, the stock of which is owned by the individuals generally classified as members of minorities and/or females.
 - B. The city manager shall take all reasonable steps to achieve compliance with this section; which steps shall include, but are not limited by the following:
 1. Regularly and periodically place ads in the media, which are aimed at the minorities, to solicit those minorities to bid on city contracts and to place themselves on the city's bid list;
 2. When publishing bid notices the city at all times also publish in a minority newspaper; and
 3. Utilize all available directories of minority and female firms.
 - C. The city manager shall report quarterly to the city council of the efforts in carrying out this section and the results of said efforts.
 - D. All minority and/or female firms, corporations or individuals shall file an affidavit with the city, prior to commencing work, that they are a minority and/or female firm, corporation or individual.
- (Prior code § 2-7.4)

Chapter 2.60 SOCIAL SECURITY

Sections:

- [2.60.010 Policy.](#)
- [2.60.020 Contributions by city.](#)
- [2.60.030 Deductions from wages.](#)
- [2.60.040 Persons authorized to execute and implement plan.](#)
- [2.60.050 Administration of plan.](#)

2.60.010 Policy.

It is declared to be the policy and purpose of the city, to extend, at the earliest date, to all eligible employees and officials of the city who are not excluded by law or by this chapter, and whether employed in connection with a governmental or proprietary function of the city, the benefits of the system of federal old-age and survivors insurance as authorized by the Social Security Act Amendments of 1950, and by Sections 105.300 to 105.440, RSMo, 1959, as the same may be now and hereafter in effect.

(Prior code § 25-1)

2.60.020 Contributions by city.

Commencing on the first day of the month following the date of the approval of the plan and agreement of this city by the state agency, there is authorized to be appropriated from the general fund of the city, and there is, and shall be, appropriated, the sum or sums of money necessary to pay the contributions of the city, which shall be due and payable by virtue of the extension of the benefits of the federal old-age and survivors insurance system to eligible employees and officials of the city, such sum or sums of money to be paid into the contributions fund created by Sections 105.300 to 105.440, RSMo, 1959; provided, however, that in making the first payment to such contributions fund, after the benefits of such system have been extended to such employees and officials, the first payment shall include a sum equal to the amount which would have been due and payable had such extension of benefits been provided and effective on January 1, 1951. The fund from which such appropriation is made, will, at all times, be sufficient to pay the contributions of the city this section directs to be paid to such contributions fund.

(Prior code § 25-2)

2.60.030 Deductions from wages.

Commencing on the first day of the month following the date of the approval of the plan and agreement of this city by the state agency, there shall be deducted from the wages of all employees and officials of the city to whom the benefits of the system of federal old-age and survivors insurance are extended, by virtue of the plan and agreement hereinbefore provided for, the amount of each of such employees' and officials' contributions, as determined by the applicable state and federal laws and by the plan and agreement, the aggregate amount of such deductions to be paid into the contributions fund created by Sections 105.300 to 105.440, RSMo, 1959; provided; however, that from the wages paid to each of such employees and officials during the months of July, August and September of 1951, and after the benefits of such system have been extended to such employees and officials, there shall be deducted a sum equal to the amount which would have been due and payable from such employees and officials had such extension of benefits been provided and effective on January 1, 1951.

(Prior code § 25-3)

2.60.040 Persons authorized to execute and implement plan.

The city manager and city clerk are authorized and directed, on behalf of the city, to prepare, execute and submit to the division of budget and comptroller of the state, as agency of the state, a plan and agreement for extending social security benefits to eligible employees and officials of the city, in the form prepared by the state agency and hereby approved and adopted by the city council; which plan and agreement are to become effective upon approval thereof by the state agency, and are further authorized and directed to execute agreements and modifications and amendments thereof with the state agency, providing for the extension of such benefits to such employees and officials as set forth in such plan and agreement, as provided for in Section 2.60.010 such plan and agreement to provide that such extension of benefits is to be effective on January 1, 1951.

(Prior code § 25-4)

2.60.050 Administration of plan.

The city, from and after the approval of the plan and agreement of the city by the state agency, shall fully comply with, and shall keep such records, make such reports and provide such methods of administration of the plan and agreement as may be required by all applicable state and federal laws, rules and regulations, now and hereafter in effect with respect to the extension of the benefits of the federal old-age and survivors insurance system to the employees and officials of this city. For the purpose of administering the plan and agreement the city manager shall be the official who shall make all required reports, keep all records, and be responsible for the administration of such plan and agreement on behalf of the city, and any and all notices and communications from the state agency to the city with respect to such plan and agreement shall be addressed to City Manager, City Hall, 6801 Delmar Boulevard, University City, Missouri.

(Prior code § 25-5)

Chapter 2.62 POLICE AND FIREFIGHTER'S RETIREMENT SYSTEM

Sections:

- [2.62.010 Plan provided--Purpose--"Employees" defined.](#)
- [2.62.020 Definitions.](#)
- [2.62.030 Creation and designation of fund.](#)
- [2.62.040 Composition of fund.](#)
- [2.62.050 Contributions from members generally.](#)
- [2.62.051 Investment accounts.](#)
- [2.62.052 Loans to employees.](#)
- [2.62.060 Applicability to persons previously retired, leaving the service or disabled.](#)
- [2.62.070 Use of funds--Penalty for misuse.](#)
- [2.62.080 Eligibility for retirement by reason of age.](#)
- [2.62.090 Disability benefit.](#)
- [2.62.100 Death benefit.](#)
- [2.62.120 Adjustments to benefits for compensation under workers' compensation law.](#)
- [2.62.130 Conditions for employment.](#)
- [2.62.140 Service records.](#)
- [2.62.150 Retirement benefits generally--Schedule.](#)
- [2.62.151 Offset provisions.](#)
- [2.62.152 Distribution of investment account.](#)
- [2.62.160 Proration of benefits if funds insufficient.](#)
- [2.62.170 Application for benefits.](#)
- [2.62.190 Refunds upon leaving the service.](#)
- [2.62.200 Repayment of contributions withdrawn--Reinstated employment.](#)
- [2.62.210 Right of council to reduce appropriation.](#)
- [2.62.220 Limit of liability of city.](#)
- [2.62.230 Benefits not assignable, subject to execution, etc.](#)
- [2.62.240 Custodian of funds and investments--Books and records.](#)
- [2.62.250 Disbursement of funds.](#)
- [2.62.260 Falsifying records.](#)

2.62.010 Plan provided--Purpose--"Employees" defined.

There is provided a plan for the retirement of the commissioned salaried members of the police and fire departments of the city (hereinafter referred to in this chapter as "employees") on account of age or disability, and for the payment to their widows, minor children or beneficiaries, as applicable, of the pensions and investment accounts as more specifically set forth in this chapter, in pursuance of the constitution of the state and the laws enacted pursuant thereto.

(Ord. 6290 § 1 (part), 2001: prior code § 25-6 (part))

2.62.020 Definitions.

A. As used in this chapter:

"Base salary" means the greater of:

1. The highest monthly salary according to the salary range, as contained in Section 1, Schedule B of the payroll ordinances then in use for a police officer and firefighter or paramedic firefighter, plus any salary increase because of twenty (20) years of service. If the amounts for such police officer and firefighter or paramedic firefighter (whichever is the highest salary of the fire group) are not the same, the mean of the two amounts shall be used as the base salary herein; or
2. Effective January 1, 2005, one-thirty-sixth (1/36) of the aggregate compensation paid to an employee during such employee's last three years of service; provided, however, that this subsection (2) shall not apply for purposes of determining funeral benefits under Section 2.62.150(C).

"Board of trustees" or "board" means and refers to the board of trustees of the police and firemen's retirement fund established pursuant to Chapter 2.50.

"Compensation" means the wage or salary paid an employee for any period excluding expense allowances, but including employee contributions to the police and firemen's retirement fund treated as employer contributions under Section 2.62.050.

"Service" means the time employed in either the police department or the fire department, or a combination of the two; and such employee has contributed to this uniformed pension plan during such time.

"Widow" means the spouse of a member at the date of his or her retirement or at the date of his or her death if he or she dies before retirement.

The base salary and compensation of any employee taken into account under this chapter for any year shall not exceed the limit set forth in the Internal Revenue Code, Section 401(a)(17), as adjusted for cost-of-living increases in accordance therewith. (Ord. 6732 § 1.1, 2008; Ord. 6604 § 1, 2006)
(Ord. No. 6783, § 1, 5-4-2009)

2.62.030 Creation and designation of fund.

A fund to be known and designated as "police and firemen's retirement fund" shall be set up and maintained, to be derived partly from taxation as set forth in this chapter, and partly from contributions made by the salaried members of the police and fire departments and other sources, as provided by this chapter.
(Prior code § 25-8)

2.62.040 Composition of fund.

The police and firemen's retirement fund shall consist of:

- A. The proceeds from any public funds as authorized by the city council not exceeding forty cents (\$0.40) per one hundred dollars (\$100.00) on the assessed value of all taxable property, as the same may appear on the tax books of the city;
- B. Any property given or donated to the fund from any source;
- C. The earnings on all investments and all interest earned;
- D. The contributions paid into such fund by the employees, as provided in this chapter.

(Prior code § 25-9)

2.62.050 Contributions from members generally.

Each employee shall be assessed and required to pay into the police and firemen's retirement fund, created pursuant to this chapter, a sum equal to (1) in the case of an employee for whom an investment account is established under Section 2.62.051(A), five percent of his or her compensation; or (2) in the case of any other employee, five percent of the base salary. An employee described in (2) of the preceding sentence who has contributed for thirty (30) years to this fund shall be excused from any further contributions to the fund. The city, in making up its payroll for members of the police and fire departments, shall be authorized and required to deduct from the compensation due each employee for each payroll period a sum representing five percent of the base salary or the employee's compensation, as applicable, such deduction to be placed in a special fund, to be paid to the treasurer of the board of trustees of the police and firemen's retirement fund created pursuant to Chapter 2.50. The employee contribution hereunder shall be, within the meaning of the Internal Revenue Code, Section 414(h)(2), treated as picked up by the city and therefore treated as employer contributions. Each employee of the police and fire departments shall execute and deliver to the proper official of the city an authorization in proper form for the deduction herein described, and no person shall be employed as a member of the police or fire department unless the employee shall execute such authorization. Any employee of either of such departments refusing to execute such authorization shall be ineligible to receive any of the benefits provided by this chapter or Chapter 2.60 or 2.64.
(Ord. 6290 § 1 (part), 2001; Ord. 6250 § 1 (part), 2000)

2.62.051 Investment accounts.

A. An individual investment account shall be established within the police and firemen's retirement fund by the board of trustees for each employee who is in service on or after September 1, 2000, except as otherwise elected by any such employee who is in service on or before May 1, 2001, in accordance with rules and procedures established, and upon forms provided, by the board of trustees. Investment accounts shall be separate accounts described in the Internal Revenue Code, Section 414(k).

- B. Each investment account shall be credited with:
1. Except as otherwise provided in Section 2.62.150(L), all amounts contributed by the employee prior to May 1, 2001, under Section 2.62.050, if any, plus interest on each such amount from the date it was contributed through May 1, 2001 (or, in the case of an employee who is not in service during the period beginning September 1, 2000 and ending May 1, 2001, the date the employee is reinstated in the police or fire department) at the rate of eight percent compounded annually; and
 2. All amounts contributed by the employee after April 30, 2001 under Section 2.62.050(i), subject to the limitations of the Internal Revenue Code, Section 415, and the regulations thereunder.

C. An employee who has an investment account established under subsection A of this section and has completed ten years of service (hereinafter referred to in this subsection as the "vesting date") may elect to have an amount credited to his or her investment account equal to:

1. The present value of the employee's deferred retirement benefit under Section 2.62.150(F) accrued as of the employee's vesting date based on deferral computed to the earlier of attainment of age fifty-five (55) by the employee or the date at which the employee would satisfy the requirement of Section 2.62.080(A), if the employee is assumed to continue in employment until that date, determined using an interest rate of seven percent and the 1983 Group Annuity Mortality Table;
2. Less the sum of:
 - a. All amounts contributed by the employee under Section 2.62.050 prior to May 1, 2001 and on or before his or her vesting date, and

- b. All amounts that would have been contributed by the employee under Section 2.62.050 after April 30, 2001 and on or before his or her vesting date if such contributions were determined on the basis of the base salary, and
- c. Interest on each such amount from the date it was, or would have been, contributed through the employee's vesting date at the rate of seven percent compounded annually;
3. In the case of an employee whose vesting date was prior to May 1, 2001, interest on the amount determined in accordance with subsections (C)(1) and (C)(2) of this section from his or her vesting date through May 1, 2001 (or, in the case of an employee who is not in service during the period beginning September 1, 2000 and ending May 1, 2001, the date the employee is reinstated in the police or fire department) at the rate of eight percent compounded annually;
4. Provided that an election under this subsection must be made, upon forms provided by the board of trustees, within sixty (60) days after May 1, 2001 (or, in the case of an employee who is not in service during the period beginning September 1, 2000 and ending May 1, 2001, the date the employee is reinstated in the police or fire department) in the case of an employee whose vesting date was prior to May 1, 2001, or within sixty (60) days after any other employee's vesting date, as applicable.
- D. Amounts credited to an employee's investment account under subsection B or C of this section shall be invested as elected by the employee in one or more investment funds made available by the board of trustees. As of any valuation date described in subsection E of this section, an employee may elect to transfer all or part of the balance credited to his or her investment account among such investment funds. Elections under this subsection shall be made in accordance with rules and procedures established, and upon forms (or such other medium) provided, by the board of trustees or, if authorized by the board, the manager of the investment funds.
- E. The assets of the police and firemen's retirement fund credited to investment accounts shall be valued on December 31st each year and on such other dates' as shall be determined by the board of trustees or, if authorized by the board, the manager of the investment funds. Earnings or losses attributable to each investment fund since the immediately preceding valuation date shall be allocated to each employee's investment account based on the balance thereof invested in such investment fund in accordance with rules and procedures established by the board of trustees or, if authorized by the board, the manager of the investment funds.
- F. An employee's investment account shall be one hundred (100) percent vested and nonforfeitable at all times.
(Ord. 6720 § 1, 2007)

2.62.052 Loans to employees.

- A. In accordance with and subject to any terms, conditions and procedures set forth in guidelines adopted by the board of trustees, or as amended by the board from time to time, loans shall be made available to all employees for whom an investment account has been established under Section 2.62.051 on a reasonably equivalent basis. Any such loan shall be treated as an investment of the employee's investment account, and all payments of principal and interest made by the employee shall be credited only to the employee's investment account.
- B. Loans must be adequately secured and bear a reasonable rate of interest.
- C. No loan shall exceed the lesser of (1) fifty thousand dollars (\$50,000), reduced by the excess, if any, of the highest outstanding balance of any loans to the employee under this Section 2.62.052 and under any other retirement system maintained by the city during the one year period ending on the day before such loan is made, over the outstanding balance of such loans on the day such loan is made, or (2) one-half of the employee's investment account. The term and payment schedule of each loan shall satisfy the repayment period and level amortization requirements of the Internal Revenue Code, Section 72(p), and the regulations thereunder. Each loan shall be evidenced by a legally enforceable agreement which demonstrates compliance with the requirements of this Section 2.62.052(C).
- D. In the event of default, the loan will be foreclosed, and the outstanding balance thereof may be offset against any portion of the employee's investment account used as security, upon the occurrence of a distributable event under Section 2.62.152.
(Ord. 6408 § 1 (part), 2003)

2.62.060 Applicability to persons previously retired, leaving the service or disabled.

Notwithstanding the provisions of this chapter, all members of the police and fire departments heretofore retired (before October 29, 1956) shall continue to be paid the same benefits as awarded at the time of retirement. Further, all employees leaving the service before September 1, 2000 shall continue to be entitled to the same benefits as determined under the provisions of this chapter in effect before September 1, 2000. Further, all employees who become permanently and totally disabled before May 1, 2001 due to service-connected injuries, nonservice-connected injuries or illness, and the widows and children of such employees who die due to such causes, shall continue to be entitled to the same benefits, subject to the same terms, conditions, requirements, limitations, rules and procedures, as determined under the provisions of this chapter in effect before May 1, 2001.
(Ord. 6290 § 1 (part), 2001)

2.62.070 Use of funds--Penalty for misuse.

No portion of the fund created pursuant to this chapter shall be used for any purpose other than that set forth in this chapter, and any person consenting to a diversion of any part of the fund to any other purpose shall, upon conviction thereof, be subject to a fine of not more than five hundred dollars (\$500.00) in addition to any other penalties prescribed by law.
(Prior code § 25-12)

2.62.080 Eligibility for retirement by reason of age.

A. Upon application of an employee who has attained the age of fifty (50) and has at least twenty (20) years of service, the employee shall be retired and shall be eligible for either of the benefits prescribed by this chapter for such person.

B. Any employee having ten years or more of service in either the fire department or the police department, or a combination of service in both departments, who subsequently leaves the service, shall be eligible for the deferred retirement benefits hereinafter described.

C. In addition to the early and normal retirement provision in the municipal code, a member of the uniformed fund may retire after attaining the age of fifty (50) years and after completion of twenty-five (25) years' membership in the uniformed fund.

D. During the period beginning July 1, 2003 and ending September 15, 2003, upon application of an employee who has attained the age of forty-eight (48) and has at least twenty-four and one-half (24 1/2) years of service, the employee shall be retired. Any such employee shall be treated as an employee retired under subsection (C). For purposes of Section 2.62.150(B), any such employee shall be considered to have completed twenty-five (25) years of service and twenty-five (25) years of membership in the uniformed fund or, if greater, the number of years of service and years of membership actually completed by such employee. This subsection (D) shall cease to be effective after September 15, 2003.

(Ord. 6428 § 1, 2003; Ord. 6290 § 1 (part), 2001; Ord. 6205 § 1, 1999)

2.62.090 Disability benefit.

An employee who becomes disabled due to injury or illness on or after May 1, 2001, regardless of length of service, shall be eligible for a disability benefit up to sixty-seven (67) percent of his or her compensation. Notwithstanding any other provisions of this chapter, such disability benefit shall be provided under, and in accordance with the terms, conditions, requirements, limitations, rules and procedures (including, but not limited to, the criteria for determining disability, rules and procedures regarding medical examinations, the commencement and duration of payments, offsets for other benefits or payments and application procedures), of an insurance contract purchased by the board of trustees. Premiums for such insurance contract shall be paid from the fund. The disability benefit under this section shall be in addition to any benefit to which an employee is entitled upon retirement or after leaving the service pursuant to Section 2.62.080.

(Ord. 6290 § 1 (part), 2001; prior code § 25-15)

2.62.100 Death benefit.

A. The beneficiary of an active member of the fund who dies prior to becoming eligible for retirement under Section 2.62.080(A) shall be paid a death benefit of one hundred thousand dollars (\$100,000); provided that such death benefit shall not exceed the incidental death benefit limitations of the Internal Revenue Code and the regulations thereunder.

B. The death benefit under this section shall be paid in a single lump sum, or in such other form as the board of trustees shall approve, as soon as practicable after the active member's death.

C. An active member shall designate his or her beneficiary in accordance with rules and procedures established, and upon forms provided, by the board of trustees. In the event an active member fails to designate a beneficiary, or the designated beneficiary predeceases the active member, the beneficiary of the active member shall be his or her surviving spouse; or, if no spouse survives the active member, his or her surviving children in equal shares; or, if no children survive the active member, his or her surviving parent or parents, in equal shares; or, if none of the foregoing individuals survives the active member, his or her estate.

D. The board of trustees may, but is not required to, purchase a life insurance policy to provide the death benefit under subsection A of this section. In the event the board of trustees purchases such a policy, the terms and conditions of the policy shall supersede the provisions of this section (except subsections A, E and F of this section or as otherwise required under the Internal Revenue Code) to the extent inconsistent herewith.

E. After an active member becomes eligible for retirement or terminates service entitled only to a deferred retirement benefit under Section 2.62.080(B), this section shall be inapplicable, and death benefits, if any, shall be determined solely under the applicable provisions of Section 2.62.150.

F. Notwithstanding any other provisions of this chapter, payment of the death benefit under this section shall be made in accordance with Section 401(a)(9) of the Internal Revenue Code and the regulations promulgated thereunder.

(Ord. 6351 § 1, 2002)

2.62.120 Adjustments to benefits for compensation under workers' compensation law.

A. If an employee or his/her dependents are entitled to benefits under this chapter and likewise to benefits under the workers' compensation law as a result of the same injury, the benefits payable under this chapter shall, to the extent permitted by applicable law, be reduced in the manner prescribed by the statutes of the state of Missouri, and if there is no applicable statute, then the benefits shall be adjusted in accordance with subsection B of this section.

B. The amount of benefit under Section 2.62.150 shall be reduced by the amount of monthly income paid under the workers' compensation law or attributed to the workers' compensation law. The board of trustees shall have full right to apply the provisions of the plan in such equitable manner as it determines.

C. Workers' compensation benefits payable for reimbursement of medical expenses or medically related expenses shall not be considered herein. Where monthly income benefits under the workers' compensation law are converted to lump sum payments, the amount of monthly income attributed to such lump sum payment shall be the amount of monthly lifetime income which can be actuarially provided by such lump sum payment determined on the basis of the interest and mortality tables recommended by the actuary and adopted by the board of trustees for such purpose.

(Ord. 6290 § 1 (part), 2001; prior code § 25-18)

2.62.130 Conditions for employment.

No person shall be employed as a member of either the police or fire department unless he or she shall first undergo a physical examination by the physician or medical board designated by the board of trustees and be certified as being physically fit for the performance of the duties in such departments. No person shall be so certified if he or she be found to have any deformity or physical condition that may directly or indirectly cause or contribute to the physical disability of such applicant.

The board of trustees, with the consent of the civil service board, and subject to its approval, may adopt and promulgate rules governing the age, height, weight and other physical or mental requirements for the employees of both the fire and police departments. (Prior code § 25-19)

2.62.140 Service records.

Each employee as of May 1, 1947, and each employee thereafter shall furnish a statement within ninety (90) days containing such information as requested by the board of trustees. These statements shall be checked and verified and, if approved by the board of trustees shall become a part of the permanent files of the board. The proper officials and employees of the city shall cooperate in supplying information concerning such service records.

(Prior code § 25-20)

2.62.150 Retirement benefits generally--Schedule.

Subject to the offset provisions contained in Section 2.62.151, there shall be paid to each employee found eligible to retire, and to the employee's spouse and children, as provided in Section 2.62.080, from this fund herein created, or by workers' compensation benefits or a combination of both, when approved by the board of trustees, the following benefits:

A. To an employee retired on account of age and service as set forth in Section 2.62.080(A), a monthly benefit according to the employee's attained age at his or her last birthday as follows:

TABLE INSET:

Age in Years	Percentage of Base Monthly Salary
50	40%
51	44%
52	48%
53	52%
54	56%
55 or more	60%

B. To an employee retired after January 1, 1993, on account of age, length of service and length of time in this fund, as set forth in Section 2.62.080(C), a monthly benefit according to the following:

TABLE INSET:

Years of Service	Years of Membership in Fund	Percentage of Base Monthly Salary
25	25	65%
26	26	66%
27	27	67%
28	28	68%
29	29	69%
30 or more	30 or more	70%

C. Funeral Benefits.

1. There shall be paid upon the death of any active employee a funeral benefit in the sum equal to one month's base salary then in effect;

2. There shall be paid upon the death of an employee retired under subsection 2.62.080(A) or (C) a funeral benefit in the sum equal to one month's base salary in effect at the time of death.

D. There shall be paid upon the death of any employee retired under subsection 2.62.080(A) or (C), the following:

1. To the employee's surviving spouse, provided such employee shall have been married to such surviving spouse for three years or more prior to the employee's retirement, a monthly benefit of fifty (50) percent of the monthly benefit the employee was receiving at the employee's death until the death or remarriage of such surviving spouse;

2. To the lawful guardian of such employee's surviving minor unmarried child or children under the age of eighteen (18) years, provided such child or children shall have been born within ten months after the employee's retirement or the employee's death in service, a monthly benefit of ten percent of the monthly base salary as previously described for such child or children until such child or children attain the age of eighteen (18) years or marry; provided, the combined monthly payments to such surviving spouse and children shall in no case exceed sixty (60) percent of the monthly base salary, and in which event the thirty-five (35) percent maximum benefit for the eligible children shall be prorated between them; provided, further, that if there is no surviving spouse entitled to benefits in any month, the surviving spouse's benefit will be divided equally among the then eligible children, but no child shall be entitled to more than fifty (50) percent of the surviving spouse's benefit.

E. There shall be paid upon the death of any employee eligible for retirement under Section 2.62.080(A) or (C) but who has not yet retired, the following:

1. To the employee's surviving spouse, provided such employee shall have been married to such surviving spouse for three years or more prior to the employee's death, a monthly benefit of fifty (50) percent of the monthly benefit the employee would have received if retired until the death or remarriage of such surviving spouse;

2. To the lawful guardian of such employee's surviving minor unmarried child or children under the age of eighteen (18) years, provided such child or children shall have been born within ten months after the employee's retirement or the employee's death in service, a monthly benefit of ten percent of the monthly base salary as previously described for such child or children until such child or children attain the age of eighteen (18) years or marry; provided, the combined monthly payments to such surviving spouse and children shall in no case exceed sixty (60) percent of the monthly base salary, and in which event the thirty-five (35) percent maximum benefit for the eligible children shall be prorated between them; provided, further, that if there is no surviving spouse entitled to benefits in any month, the surviving spouse's benefit will be divided equally among the then eligible children, but no child shall be entitled to more than fifty (50) percent of the surviving spouse's benefit.

F. To a former employee who is eligible for deferred retirement benefits as set forth in Section 2.62.080(B) and has reached the age of fifty-five (55) years, a monthly retirement benefit equal to the following percentage of the base monthly salary in effect at the date the employee ceased to be an employee:

TABLE INSET:

Years of Service	Percentage of Base Monthly Salary
10	30%
11	33%
12	36%
13	39%
14	42%
15	45%
16	48%
17	51%
18	54%
19	57%
20	60%
21	61%
22	62%
23	63%
24	64%
25	65%
26	66%
27	67%
28	68%
29	69%
30 or more	70%

G. Upon the death of a former employee who is eligible for benefits under Section 2.62.080(B), no benefits are payable under this section.

H. 1. There shall be paid to current retirees, except those receiving benefits under Section 2.62.080(B), within the classifications scheduled below, and to current beneficiaries whose spouses retired within these classifications, the additional amounts scheduled; said amounts are in addition to any other benefits they are now entitled to receive:

TABLE INSET:

Classification	Additional Benefit Per Month
Retired prior to Oct. 1, 1982	\$125.00
Retired after Oct. 1, 1982 but prior to Jan. 1, 1987	25.00

2. Provide to all retirees and beneficiaries, other than children, who retired prior to January 1, 1992, who are presently receiving benefits and who terminated employment after eligibility for retirement, a monthly benefit increase of twenty-five dollars (\$25.00) effective December, 1992. The minimum monthly payment for these retirees and beneficiaries is three hundred twenty-five dollars (\$325.00);

3. Provide to all retirees and beneficiaries, other than children, who retired prior to January 1, 1997, who are presently receiving benefits or will be receiving benefits prior to January 1, 1997, and who terminated employment after eligibility for retirement, a monthly benefit increase of twenty-five dollars (\$25.00) effective January 1, 1997;

4. Provide to all retirees and beneficiaries, other than children, who retired prior to July 1, 1999, who are presently receiving benefits and who terminated employment after eligibility for retirement, a monthly benefit increase of forty dollars (\$40.00) effective January 1, 2000;

5. Provide to all retirees and beneficiaries, other than children, who retired prior to July 1, 2000, who are presently receiving benefits and who terminated employment after eligibility for retirement, a monthly benefit increase of twenty-five dollars (\$25.00) effective January 1, 2002.

6. Provide to all retirees and beneficiaries, other than children, who retired prior to January 1, 2004, who are presently receiving benefits and who terminated employment after eligibility for retirement, a monthly benefit increase of twenty-five dollars (\$25.00) effective July 1, 2004.

7. Provide to all retirees and beneficiaries, other than children, who retired prior to January 1, 2007, who are presently receiving benefits and who terminated employment after eligibility for retirement, a monthly benefit increase of twenty-one dollars (\$21.00) effective July 1, 2007.

In no event shall the benefits payable under this plan exceed the limitations of the Internal Revenue Code, Section 415.

J. The payment of any benefits shall commence by April 1st of the calendar year, following the calendar year when the employee attains the age of seventy and one-half (70.5).

K. No retiree or surviving spouse shall be entitled to a new benefit of less than three hundred twenty-five dollars (\$325.00) a month. This subsection shall not apply to a retiree who terminated prior to eligibility for retirement nor to a surviving spouse of a member who terminated prior to eligibility for retirement.

L. There shall be paid to an employee who is in service on or after September 1, 2000 and on or before May 1, 2001 a refund of one hundred (100) percent of his or her accumulated employee contributions without interest as of December 31, 1987; provided, however, that, in the case of an employee for whom an investment account is established under Section 2.62.051(A), such accumulated employee contributions shall be treated as if they had been credited to the employee's investment account under Section 2.62.051(B)(1) solely for purposes of crediting interest to such investment account under Section 2.62.051(B)(1). The refund will not apply to employee contributions made after December 31, 1987. (Ord. 6732 § 1.2, 2008; Ord. 6505 § 1 (part), 2004; Ord. 6382 § 1, 2002)

(Ord. No. 6783, § 2, 5-4-2009)

2.62.151 Offset provisions.

A. As of the date benefits become payable under Section 2.62.150 on account of retirement, termination of employment or death to, or with respect to, an employee for whom an investment account is established under Section 2.62.051(A), such benefits shall be reduced, but not below zero, by the actuarially equivalent annuitized value of the employee's offset amount determined under subsection B of this section. Such reduction shall be in addition to any other reduction provided under this chapter.

B. For purposes of subsection A of this section, the employee's offset amount shall be equal to the sum of:

1. The amounts credited to the employee's investment account under Section 2.62.051(B)(1) and (C); provided, however, that the interest credited under Section 2.62.051(B)(1) and, if applicable, subsection C, shall be determined using an interest rate of seven percent compounded annually;

2. All amounts that would have been contributed by the employee under Section 2.62.050 after April 30, 2001 if such contributions were determined on the basis of the base salary; and

3. Interest on each such amount determined under subsections (B)(1) and (B)(2) of this section from the date it was, or would have been, credited to the employee's investment account through the date benefits become payable under Section 2.62.150 at the rate of seven percent compounded annually.

The amount determined under subsections (B)(1), (B)(2) and (B)(3) of this section shall then be converted to the actuarially equivalent life annuity or other periodic benefit payable under Section 2.62.150 using an interest rate of seven percent and the 1983 Group

Annuity Mortality Table. The determination will be made at the earlier of (1) the date in subsection A of this section that benefits become payable, or (2) the date the employee completes thirty (30) years of service in either the fire department or the police department, or a combination of service in both departments.

C. If any distribution from an employee's investment account under Section 2.62.152(A) which is made or commences prior to the date as of which benefits become payable under Section 2.62.150, such distribution shall not affect the determination of the offset amount under this section.

(Ord. 6374 § 1, 2002)

2.62.152 Distribution of investment account.

A. In addition to benefits payable under Section 2.62.150, if any, a former employee may apply for a distribution from his or her investment account at any time. Such distribution shall be made or commence as of the valuation date under Section 2.62.051(E) on or as soon as administratively feasible following receipt of such application. Distributions shall not be made from an employee's investment account prior to the date the employee ceases to be an employee.

B. Upon the death of an employee prior to the date distribution of his or her investment account is made or commences under subsection A of this section, the employee's investment account shall be distributed to the beneficiary designated by the employee upon forms (or such other medium) provided by the board of trustees or, if authorized by the board, the manager of the investment funds. If the employee fails to designate a beneficiary, or if no beneficiary survives the employee, such distribution shall be made to his or her estate in a single lump sum. Distribution under subsection B of this section shall be made or commence as of the valuation date under Section 2.62.051(E) on or as soon as administratively following receipt of notice of the employee's death.

C. Distributions to the employee or a beneficiary under subsections A or B of this section may be made in any form permitted for a defined contribution plan under the Internal Revenue Code, as elected by the employee or beneficiary. If the employee or beneficiary is entitled to a benefit payable under Section 2.62.150, the employee or beneficiary may elect to have all or any portion of the employee's investment account transferred to the portion of the fund not credited to investment accounts and paid in the actuarially equivalent form of such benefit, determined using an interest rate of seven percent and the 1983 Group Annuity Mortality Table.

D. Distributions under this section shall be made in accordance with the Internal Revenue Code, Section 401(a)(9), and the regulations thereunder.

E. On or after January 1, 2002, a distributee may elect, at the time and in the manner prescribed by the board of trustees, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

1. An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee in an investment account, except that an eligible rollover distribution does not include any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more, or any distribution to the extent such distribution is required under the Internal Revenue Code, Section 401(a)(9);

2. An eligible retirement plan is an individual retirement account described in the Internal Revenue Code, Section 408(a), an individual retirement annuity described in the Internal Revenue Code, Section 408(b), an annuity plan described in the Internal Revenue Code, Section 403(a), a qualified trust described in the Internal Revenue Code, Section 401(a), an annuity contract described in the Internal Revenue Code, Section 403(b), or an eligible governmental deferred compensation plan under the Internal Revenue Code, Section 457(b), that accepts the distributee's eligible rollover distribution;

3. A distributee includes an employee or former employee and his or her surviving spouse;

4. A direct rollover is a payment from an investment account to the eligible retirement plan specified by the distributee.

(Ord. 6408 § 1 (part), 2003; Ord. 6290 § 1 (part), 2001)

2.62.160 Proration of benefits if funds insufficient.

If at any time hereafter the retirement fund created pursuant to this chapter (disregarding the portion credited to investment accounts) shall be insufficient to pay in full all the benefits provided by this chapter (other than Section 2.62.152) to those at the time being entitled to such benefits, the amount then on hand and available for payment of benefits shall be prorated among the beneficiaries so that all beneficiaries shall receive the same percentage of their full monthly benefits.

(Ord. 6290 § 1 (part), 2001: prior code § 25-22)

2.62.170 Application for benefits.

A. Applications for benefits to be paid under Section 2.62.150 shall be made upon forms provided by the board of trustees, and shall contain full information, from which the board may determine the eligibility of the applicant. If an application for retirement is approved, no further compensation for services shall thereafter be paid by the city to such employee except for such part-time service, not exceeding one thousand one hundred (1,100) hours per year, to the city but in no event for services as a regular uniformed officer of the city police or fire department.

B. Applications for distributions under Section 2.62.152 shall be made in accordance with rules and procedures established, and upon forms (or such other medium) provided, by the board of trustees or, if authorized by the board, the manager of the investment funds.

(Ord. 6290 § 1 (part), 2001: prior code § 25-23)

2.62.190 Refunds upon leaving the service.

A. If any employee shall cease to be an employee and not be eligible for any other benefits, the employee shall receive a refund of the aggregate amounts of his or her contributions to the fund, plus interest thereon at the rate of two percent per annum to the date of leaving the service.

A former employee who is eligible for deferred retirement benefits may elect at any time prior to payment of any benefits to receive a refund as above, with interest to date of refund and in lieu of all other benefits.

B. If any employee dies and there is no widow or children eligible to receive benefits, a refund as described in subsection A of this section shall be made to a designated beneficiary or, if none, then to his or her estate.

C. This section shall not apply with respect to employees who are in service on or after September 1, 2000 and have an investment account established under Section 2.62.051(A).

(Ord. 6290 § 1 (part), 2001; prior code § 25-25)

2.62.200 Repayment of contributions withdrawn--Reinstated employment.

Any former employee who is reinstated in the police or fire department within two years after termination of his or her employment shall be required as a condition of the reemployment to deposit the amount of any withdrawal made under Section 2.62.190, and shall be credited with his or her years of prior service. If reinstatement occurs after two years, the former employee shall come in as a new employee without credit for prior service; and such prior service shall not be considered for any purposes under this uniformed pension plan.

(Prior code § 25-26)

2.62.210 Right of council to reduce appropriation.

The appropriation set forth in Section 2.62.040 is the maximum which the council is authorized to apply for the operation of the plan set forth in this chapter but the council may, in its sole discretion, appropriate a lesser amount upon receipt of a written report of the competent actuary that a lower rate will maintain the fund and provide the payment of benefits hereunder.

(Prior code § 25-27)

2.62.220 Limit of liability of city.

In no event shall anything in this chapter be held or construed to impose upon the city any duty or liability in excess of the funds appropriated for the purpose herein specified and the payment thereof to the board of trustees.

(Prior code § 25-28)

2.62.230 Benefits not assignable, subject to execution, etc.

The benefits payable from the fund provided for by this chapter shall not be assignable, subject to counterclaim, recoupment or set off, nor shall they be subject to assignment, garnishment, sequestration, execution, injunction or any other decree, order, process or proceeding in any court for the payment of any debt of the beneficiary and the benefits shall be held and distributed for the purpose of this chapter, and for no other purpose whatsoever.

(Prior code § 25-29)

2.62.240 Custodian of funds and investments--Books and records.

Except to the extent otherwise provided for under Section 2.50.060, the director of finance of the city shall be custodian of all money, securities and other property of the retirement fund, subject to the control and direction of the board of trustees. The director of finance shall keep separate books and complete accounts of the police and firemen's retirement fund, and the director's books and records shall be subject to the inspection of the board of trustees or any of its members at all times.

(Prior code § 25-30)

2.62.250 Disbursement of funds.

All disbursements of funds from the retirement fund established pursuant to this chapter shall be by voucher, stating its purpose and the name of the payee, and after approval by the board such voucher shall be certified by the chairperson and secretary, authorizing the director of finance to draw a check therefor upon the retirement fund for the amount therein specified, which voucher shall be delivered to the director of finance and constitute the director of finance's authority for issuing checks therefor. Retirement benefits shall be approved by the board upon retirement of each employee and annually thereafter.

(Prior code § 25-31)

2.62.260 Falsifying records.

Any person who shall knowingly or wilfully makes any false statement for the purpose of securing benefits under the terms of this chapter, or shall falsify, cause or permit to be falsified, any record or records of such retirement plan in any attempt to defraud, shall be guilty of a misdemeanor and shall be punishable therefor under the laws of the state, and all the person's rights, interests and privileges under and by virtue of this chapter shall be forfeited.

(Prior code § 25-32)

Chapter 2.64 NONUNIFORMED EMPLOYEES RETIREMENT SYSTEM

Sections:

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[2.64.020 Fund created--Designation and composition.](#)
[2.64.030 Contributions.](#)
[2.64.040 Membership.](#)
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2.64.010 Definitions.

A. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Accumulated contributions" means the sum of all amounts deducted from the compensation of a member and credited to the member's individual account together with interest thereon.

"Actuarial equivalent" means a benefit of equal value when computed upon the basis of such mortality tables and interest rate as shall from time to time be recommended by the actuary retained by the board of trustees.

"Average social security base" means the average annual amount of a member's compensation for the period starting January 1, 1968, or the year creditable service commences, if later, and ending on December 31st of the year preceding the year in which the member's normal retirement date occurs, which would be taxable under the Federal Insurance Contributions Act if the member's compensation in each year is equal to the taxable wage base for such year under such Act. No change in the taxable wage base is assumed after the member's termination of employment.

"Beneficiary" means any person in receipt of a benefit from the retirement system as a result of the death of a member or retiree.

"Board of trustees" means the board provided for in Chapter 2.48 to establish policy and rules for the administration of the retirement system.

"Compensation" means the wage or salary paid an employee for any period excluding expense allowances.

"Creditable service" means the period of service which is creditable in accordance with Section 2.64.070.

"Employee" means any appointive probationary or permanent full-time employee of the city, excluding members of the police and firefighter's retirement system otherwise established by the city. In case of doubt as to whether any person is an employee within the meaning of this chapter, the decision of the board of trustees shall be final.

"Final average compensation" means the average annual compensation received by a member for the three consecutive years of creditable service in which the highest compensation was received during the ten years of creditable service immediately preceding the termination of the member's employment. If a member has less than three consecutive years of creditable service, then the member's final average compensation shall be the average compensation received by the member during the number of the member's consecutive years of creditable service prior to such date.

"Member" means a member of the retirement system as defined in this section.

"Operative date" means the date this retirement system becomes operative which shall be July 1, 1966.

"Pension" means the annual payments for life which shall be payable in equal monthly installments to a retiree or to a beneficiary.

"Retiree" means a member who has retired and is entitled to benefits from the retirement system.

"Retirement system" means the nonuniformed employees retirement system of the city.

"Service retirement date" means the date of actual retirement of a member for reasons other than disability.

"Widow" means the spouse of a member at the date of his or her retirement or at the date of his or her death if he or she dies before retirement.

B. Masculine pronouns shall include the corresponding pronouns of the feminine gender unless otherwise qualified by the context. (Prior code § 25-33)

2.64.020 Fund created--Designation and composition.

A. A fund to be known and designated as the nonuniformed employees retirement fund shall be set up and maintained to be derived from such revenue sources as the council shall decide, and partly from contributions made by employees, as defined, and other sources as provided by this chapter.

B. The nonuniformed employees retirement fund shall consist of:

1. Appropriations of the general fund or the proceeds from any public funds as authorized by the city council;
2. Any property given or donated to the fund from any source;
3. The earnings on all investments and all interest earned;
4. The contributions paid into such funds by the employees, as provided in Section 2.64.030.

(Prior code §§ 25-35, 25-36)

2.64.030 Contributions.

A. There shall be deducted from the salary or wages of each employee who is a member of the retirement system on each and every payroll during each calendar year the member's contributions to the retirement system. Such contribution shall be equal to three percent of the compensation received by such member on each payroll. Contributions shall earn interest at the rate of five percent per year.

B. Each employee shall execute and deliver to the proper official of the city an authorization in proper form for the deduction herein described, and no person shall be continued in employment by the city unless the employee shall execute such authorization.

C. The city shall, on account of its employees who are members of the retirement system, pay annually into the fund an amount to be known as the normal contribution and an additional amount to be known as the accrued liability contribution.

1. The normal contribution shall be determined annually by the actuary from the liabilities of the system.

2. The accrued liability represents the liability for normal and member contributions not paid in the years prior to the operative date.

The accrued liability contributions shall be determined by the actuary annually as a part of the actuarial valuation. Such contributions shall represent the level payment which should be contributed over the following years in order to amortize completely the accrued liability not later than forty (40) years from the operative date.

(Ord. 6639 § 1, 2006)

2.64.040 Membership.

A. All employees of the city, as of the operative date, shall become members on such date.

B. All other employees shall become members on the first day of their appointment to work by the city.

C. Membership ceases on termination of employment by resignation, discharge, death, retirement or for any other reason, or in any event on withdrawal of accumulated contributions.

(Ord. 6590 § 1 (part), 2005)

2.64.050 Conditions for employment.

No person shall be employed by the city unless he or she shall first undergo a physical examination by a physician designated by the board of trustees and be certified as being physically fit for the performance of the duties in the service of the city. No person shall be so certified if he or she be found to have any deformity or physical condition that may directly or indirectly cause or contribute to the physical disability of such applicant.

(Prior code § 25-39)

2.64.060 Service records.

Each employee as of July 1, 1966, and each employee thereafter shall furnish a statement containing such information as requested by the board of trustees. These statements shall be checked and verified and, if approved by the board of trustees, shall become part of the permanent files of the board. The proper officials and employees of the city shall cooperate in supplying information concerning such service records.

(Prior code § 25-40)

2.64.070 Creditable service.

A. The years of creditable service of a member shall be the number of years and completed months of service during which the member received compensation prior to the operative date plus the number of years and completed months of service during which the member received compensation after the operative date from the beginning of his or her employment with the city until his or her employment is terminated, subject to the provisions set forth in subsections B through G of this section. No creditable service for prior employment shall be granted an employee who becomes a member after July 1, 1966, unless the member was employed on July 1, 1966.

B. If a member resumes employment within one year after the member's employment is terminated and provided the member has not withdrawn his or her accumulated contributions, the member's creditable service as of the date of termination shall be restored.

C. Creditable service to date of absence shall not be forfeited by reason of any absence without pay due to leave granted by the city because of illness, military service or, for a period not in excess of one year, for any other reason, provided the employee returns to active service prior to the expiration of his or her leave.

D. The board of trustees shall fix and determine by proper rules and regulations how much service in any year is equivalent to one year of creditable service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall

the board of trustees allow credit as service for any period of more than one month's duration during which the member was absent without pay except as provided in subsection E of this section.

E. Absence from employment because of compulsory military service or military service in time of war shall be considered a leave of absence granted by the city; provided, the employee returns to active employment within the period of time during which the employee has re-employment rights under any applicable federal law or within ninety (90) days from and after discharge from such military service if no federal law is applicable and such service shall be included in creditable service and provided the employee has not withdrawn his or her accumulated contributions. Any other military service will be creditable up to two years if leave of absence is granted by the city prior to such service.

F. If the employment of a member is terminated for reasons other than disability and the member is employed thereafter, the member shall be considered a new employee for all purposes of the retirement system except as provided by subsection B of this section.

G. Each member claiming creditable service prior to the operative date shall at the request of the secretary of the board of trustees file such detailed statement as may be required to establish such claimed creditable service.

(Ord. 6590 § 1 (part), 2005)

2.64.080 Falsifying records.

Any person who shall knowingly or wilfully makes any false statement for the purpose of securing benefits under the terms of this chapter, or shall falsify, cause or permit to be falsified, any record or records of such retirement plan in any attempt to defraud, shall be guilty of a misdemeanor and shall be punishable therefor under the laws of the state, and all the person's rights, interests and privileges under and by virtue of this chapter shall be forfeited.

(Prior code § 25-42)

2.64.090 Normal service retirement.

A. The normal service retirement date of a member shall be the first day of the month following the earlier of:

1. The member's sixty-fifth birthday; or
2. The date as of which the member has both attained the age of sixty-two (62) years and completed at least thirty (30) years of creditable service, provided that at the election of a member with at least thirty (30) years of creditable service there shall be no age criterion if the member retires during the period July 1, 2003 and ending Sept. 1, 2003, except that the age criterion shall be at least age sixty (60) if the member retires during the period March 1, 2006 and ending May 1, 2006.

Such normal service retirement date may be extended by the employee, year to year, until such time as the member reaches the age of seventy (70) years. At such time, the extended normal retirement date shall be the first day of the month following the member's seventieth birthday.

B. Any member may retire as of the normal service retirement date, or as of the first day of any month thereafter, or as of the extended normal service retirement date, upon the member's written application to the board of trustees not less than thirty (30) days nor more than ninety (90) days prior to such date.

C. Upon retirement on the normal retirement date or an extended service retirement date, a member shall receive a pension beginning on the day after the employee retires from the city service equal to:

1. Effective July 1, 2007, excluding the current city manager, for participants who terminated on or after January 1, 2006, one and sixty hundredths percent of the final average compensation multiplied by the total period of creditable service, in years and months. Effective January 1, 2006, for participants who terminated on or after January 1, 2005, but prior to January 1, 2006, one and fifty hundredths percent of final average compensation multiplied by the total period of creditable service, in years and months. For participants who terminated on or after September 1, 2004, but prior to July 1, 2005, one and forty hundredths percent of the final average compensation multiplied by the total period of creditable service, in years and months. For participants who terminated on or after January 1, 2003, but prior to September 1, 2004, one and thirty-five hundredths percent of the final average compensation multiplied by the total period of creditable service, in years and months. For participants who terminated after January 1, 2000, but prior to January 1, 2003, one and one-tenth percent of the final average compensation multiplied by the total period of creditable service, in years and months, effective through February 28, 2001; and effective March 1, 2001, one and three-tenths percent of the final average compensation multiplied by the total period of creditable service, in years and months. For participants who terminated between June 1, 1994 and January 1, 2000, one and one-tenth percent of the final average compensation multiplied by the total period of creditable service, in years and months. For participants who terminated prior to June 1, 1994, the benefit shall be computed using the formula in effect on the termination date. For participants who terminated on or after July 1, 2002, such participants shall receive an additional one-half of one percent of their final average compensation in excess of the breakpoint amount at the time of termination multiplied by the total period of creditable service, in years and months up to a maximum of thirty-five (35) years; the breakpoint amount shall be thirty-two thousand dollars (\$32,000.00) in 2002, but shall increase by one thousand dollars (\$1,000.00) per year thereafter, effective the first day of each successive year. Effective January 1, 1997, for participants who terminated between December 1, 1996 and June 30, 2002, such participants shall receive an additional one-quarter of one percent of their final average compensation in excess of the breakpoint amount at the time of termination multiplied by the total period of creditable service, in years and months up to a maximum of thirty-five (35) years; the breakpoint amount shall be twenty-six thousand dollars (\$26,000.00) in 1996, but shall increase by one thousand dollars (\$1,000.00) per year thereafter, effective the first day of each successive year;
2. For employees hired prior to January 1, 1973, the greater of the pension payable under subsection (C)(1) of this section, or the sum of subsection (C)(2)(a) and (b) of this section multiplied by 1.25 for participants who terminated prior to December 31, 1996, by 1.37 for participants who terminated between December 31, 1996 and June 30, 2001, and by 1.62 for participants who terminated on or after July 1, 2001:

- a. Two-thirds of one percent of the final average compensation plus one percent of the final average compensation in excess of six thousand six hundred dollars (\$6,600.00); all multiplied by the period of creditable service, in years and months, rendered prior to January 1, 1968;
- b. Two-thirds of one percent of the final average compensation plus one percent of the final average compensation in excess of the average social security base; multiplied by the period of creditable service in years and months, rendered subsequent to January 1, 1968.
- D. The pension method in this section for any month shall be payable as of the last day of the month.
(Ord. 6623 § 1, 2006)

2.64.100 Early service retirement.

- A. The early service retirement date of a member shall be the first day of any month which is prior to the member's normal service retirement date but subsequent to the date as of which the member has both attained the age of fifty-five (55) years and completed at least twenty (20) years of creditable service.
- B. Any member may retire on his or her early service retirement date upon the member's written application to the board of trustees not less than thirty (30) days nor more than ninety (90) days prior to such date.
- C. Upon retirement at the member's early service retirement date the member shall receive benefits under either subsection (C)(1) or (2) of this section:
 - 1. A pension beginning on the member's normal service retirement date calculated as for normal service and final average compensation as of the member's early service retirement date; or
 - 2. A pension beginning on the day after the employee retires from the city's service and prior to his or her normal service retirement date which is the actuarial equivalent of the pension under subsection (C)(1) of this section.
- D. A member who retires early may elect to withdraw his or her accumulated contributions at any time prior to the date the member's pension is to commence; provided, that if he or she so elects, neither the member nor the member's beneficiary shall receive any other benefits from the retirement system. In event of the member's death prior to the date the member's pension is to commence, the member's accumulated contributions will be payable in a lump sum to the member's designated beneficiary.
(Prior code § 25-44)

2.64.110 Disability retirement.

- A. There shall be a disability insurance policy approved by the city council which covers members. The policy premiums shall be paid from the nonuniformed employees retirement fund.
- B. Should a member receiving disability insurance payments again become an employee the employee's disability insurance payments shall cease and the employee shall immediately become a member of the retirement system as of the date of re-employment. His or her creditable service at the time of his or her disability shall be restored in full force and effect unless the member has withdrawn his or her accumulated contributions as permitted under Section 2.64.100(D).
(Ord. 6286 § 1 (part), 2001)

2.64.120 Benefits other than on retirement.

- A. If the membership of an employee is terminated by reason of death prior to the employee's normal service retirement date, the amount of the employee's accumulated contributions shall be payable in a lump sum to the employee's designated beneficiary, plus a death benefit of one hundred thousand dollars (\$100,000.00) payable as provided under the terms and conditions of a standard term life insurance policy if approved by the city manager and purchased with funds in the nonuniformed employees retirement fund, and if the city manager has elected not to purchase such a policy, the death benefit shall be payable from the nonuniformed employees retirement fund to the extent payment would be made under a standard term life insurance policy.
- B. If the membership of an employee is terminated by reason of the employee's death after the employee's normal service retirement date but prior to the employee's actual retirement, the employee's accumulated contributions shall be payable in a lump sum to the employee's designated beneficiary. If the deceased member's designated beneficiary is his or her widow or widower, they may elect to receive in lieu of the member's accumulated contributions a pension payable for life computed as if a member had retired on the day of the member's death and had elected the optional form of pension set forth in Section 2.64.130.
- C. Should the membership of an employee be terminated by reason other than death or retirement, such member shall be paid within one year the amount of the employee's contributions plus interest earnings of five percent per annum on the employee's contributions. In the event of death of such former member after termination of employment and prior to receiving the employee's accumulated contributions, the employee's accumulated contributions shall be paid to the employee's designated beneficiary.
- D. If there are no further benefits otherwise payable under this section and the total amount of benefits received by a member, retirant, or beneficiary up to the date of the death of the last survivor is less than an amount equal to the member's accumulated contributions at the member's death or at the member's retirement date, whichever occurs first, the difference shall be paid to the beneficiary named to receive such amount, or, if no such beneficiary is living, to the estate of the person last receiving benefits, or, if no benefits have been received, to the estate of the member.
(Ord. 6352 § 1, 2002)

2.64.130 Optional form of pension.

If the designated beneficiary of a member is the spouse of a member, the member may elect prior to the member's normal or early retirement date, to receive, in lieu of the member's regular normal or early retirement pension, a reduced pension payable for so long

as the member shall live, with such reduced pension continuing to the member's spouse for his or her lifetime following the member's death. Such reduced pension shall be the actuarial equivalent of the pension regularly payable.

(Ord. 6286 § 1 (part), 2001)

2.64.140 Employee leaving employment other than by death or retirement.

Any employee who has completed ten years of service with the city and who thereupon separates from employment for reason other than death is entitled to pension benefits from the fund payable at the employee's normal service retirement date in lieu of receiving the employee's accumulated contribution to the fund. The retirement benefits shall be calculated as for normal service retirement but based on the employee's years of creditable service and final average compensation as of the date of employee's separation. Such employee must notify the board of his or her desire to retain a vested interest in the fund within thirty (30) days of employee's separation from employment with the city. The form and manner of employee's later application for retirement benefits will be identical to that prescribed in this chapter for employees making a normal service retirement.

(Ord. 6286 § 1 (part), 2001)

2.64.150 Reduction of benefits for military disability compensation.

Any applicant for employment in or reinstatement to the nonuniformed personnel following a period of military service during a national emergency, who is receiving disability compensation from the United States government as a result of illness contracted or injuries sustained while in military service, may, at the option of the board of trustees, be required to waive any disability insurance payments under Section 2.64.110, which may be determined by medical examination to be due directly or indirectly to an injury or illness resulting from or growing out of military service of such applicant, but only to the extent of the amount of disability compensation received by the applicant from the United States government.

(Ord. 6286 § 1 (part), 2001)

2.64.160 Reduction of benefits for compensation under workmen's compensation law.

If an employee or an employee's dependents are entitled to benefits under this chapter and likewise to benefits under the workmen's compensation law as the result of the same injury, the benefits payable under this chapter shall be reduced in the manner prescribed by the statutes of the state, and if there is no applicable statute, then the adjusted benefits as herein defined shall be reduced by the amount of the similar benefits paid under the workmen's compensation law. The adjusted benefits are the benefits under the plan multiplied by the ratio of the city's normal cost to the total contributions of the city and employees in the preceding fiscal year as computed by the actuary. The board of trustees shall have full right to apply the provisions of the plan in such equitable manner as it determines.

(Prior code § 25-50)

2.64.170 Proration of benefits if funds insufficient.

If at any time hereafter the retirement fund created pursuant to this chapter shall be insufficient to pay in full all the benefits provided by this chapter to those at the time being entitled to such benefits, the amount then on hand and available for payment of benefits shall be prorated among the retirants and beneficiaries so that all retirants and beneficiaries shall receive the same percentage of their full monthly benefits.

(Prior code § 25-51)

2.64.180 Benefits not assignable, subject to execution, etc.

The benefits payable from the fund provided for by this chapter shall not be assignable, subject to counter claim, recoupment or set off, nor shall they be subject to assignment, garnishment, sequestration, execution, injunction or any other decree, order, process or proceeding in any court for the payment of any debt of the beneficiary and the benefits shall be held and distributed for the purpose of this chapter and for no other purpose whatsoever.

(Prior code § 25-52)

2.64.190 Custodian of funds and investments--Books and records.

Except to the extent otherwise provided for under Chapter 2.48 the director of finance of the city shall be custodian of all moneys, securities and other property of the retirement fund, subject to the control and direction of the board of trustees. The director of finance shall keep separate books and complete accounts of the nonuniformed employees retirement fund, and the director's books and records shall be subject to the inspection of the board of trustees or any of its members at all times.

(Prior code § 25-53)

2.64.200 Disbursement of funds.

All disbursements of funds from the retirement fund established pursuant to this chapter shall be by voucher, stating its purpose and the name of the payee, and after approval by the board such voucher shall be certified by the chairperson and secretary, authorizing the director of finance to draw a check therefor upon the retirement fund for the amount therein specified, which voucher shall be delivered to the director of finance and constitute the director's authority for issuing checks therefor. Retirement benefits shall be approved by the board upon retirement of each employee and annually thereafter.

(Prior code § 25-54)

2.64.210 Use of funds.

No portion of the fund created pursuant to this chapter shall be used for any purpose other than that set forth in this chapter, and any person consenting to a diversion of any part of the fund to any other purpose shall, upon conviction thereof, be subject to a fine of not more than five hundred dollars (\$500.00) in addition to any other penalties prescribed by law.

(Prior code § 25-55)

2.64.220 Limit of liability of city.

In no event shall anything in this chapter be held or construed to impose upon the city any duty or liability in excess of the funds appropriated for the purpose herein specified.

(Prior code § 25-56)

2.64.230 Increase in monthly benefits.

A. All retirees and beneficiaries shall continue to receive the increases in monthly benefits previously authorized by ordinance. Said increases are as follows:

1. Effective February 23, 1987, a monthly increase of ten percent to retirees who retired prior to September 1, 1981, and to beneficiaries whose spouses retired prior to September 1, 1981, provided such retirees and beneficiaries were receiving benefits as of February 23, 1987;

2. Effective January 1, 1990, a monthly increase of ten dollars (\$10.00) to all retirees who retired prior to January 1, 1989, and to their beneficiaries, provided such retirees and beneficiaries were receiving benefits as of January 1, 1990;

3. Effective December, 1992, a monthly increase of twenty-five dollars (\$25.00) to all retirees who retired prior to July 1, 1991, and to their beneficiaries other than children, provided such retirees and beneficiaries were receiving benefits as of December, 1992.

B. Effective January 1, 1995, all retirees who retired prior to June 1, 1994, and whose employment terminated after they became eligible for retirement pursuant to this chapter, and their beneficiaries other than children, shall receive a monthly benefits increase of ten dollars (\$10.00), provided such retirees and beneficiaries were receiving benefits as of January 1, 1995.

C. Effective July 1, 1998, all retirees who retired prior to December 31, 1996, and whose employment terminated after they became eligible for retirement pursuant to this chapter, and their beneficiaries other than children, shall receive a monthly benefits increase of twenty dollars (\$20.00), provided such retirees and beneficiaries were receiving benefits as of July 1, 1998.

D. Effective July 1, 2000, all retirees who retired prior to December 31, 1999, and whose employment terminated after they became eligible for retirement pursuant to this chapter, and their beneficiaries other than children, shall receive a monthly benefits increase of the greater of five percent or forty dollars (\$40.00), provided such retirees and beneficiaries were receiving benefits as of July 1, 2000.

E. Effective July 1, 2003, all retirees who retired prior to January 1, 2003, and whose employment terminated after they became eligible for retirement pursuant to this chapter, and their beneficiaries other than children, shall receive a monthly benefits increase of twenty dollars (\$20.00), provided such retirees and beneficiaries were receiving benefits as of January 1, 2003.

F. Effective July 1, 2007, all retirees who retired prior to January 1, 2007, and whose employment terminated after they became eligible for retirement pursuant to this chapter, and their beneficiaries other than children, shall receive a monthly benefits increase of twenty-five dollars (\$25.00), provided such retirees and beneficiaries were receiving benefits as of January 1, 2007.

(Ord. 6731 § 1, 2008)

Chapter 2.66 PLANNING AND DEVELOPMENT FEES

Sections:

[2.66.010 Construction cost estimates.](#)

[2.66.020 Payment.](#)

[2.66.030 Fee schedule.](#)

[2.66.040 Application fees.](#)

[2.66.050 Building permit fees.](#)

[2.66.060 Mechanical permit fees.](#)

[2.66.070 Plumbing permit fees.](#)

[2.66.080 Electrical permit fees.](#)

[2.66.090 Inspection fees.](#)

[2.66.100 Other fees.](#)

2.66.010 Construction cost estimates.

The building commissioner is authorized to estimate the total cost of construction of a structure or project by multiplying the volume of the structure by an appropriate cubic foot cost rate or by multiplying the area of the structure by an appropriate square foot cost rate. Structures or projects for which it is impractical to estimate the total construction cost by said cubic foot or square foot cost methods shall be estimated by applying current, commonly accepted unit cost figures to the various components in a commonly accepted manner. Total cost of construction includes cost of general construction, plumbing work, mechanical work, electrical work, elevators, fire suppression systems, fire alarms, etc., and includes cost of site improvements related to the foregoing. In lieu of determining the total cost of construction as outlined above, the building commissioner may accept a bona fide contract or affidavit of the owner of the structure or project, in which the total cost of construction is verified by the applicant and owner.

(Ord. 6141 § 1 (part), 1997: prior code § 6-40)

2.66.020 Payment.

The fee for all activities to be performed by the department of planning and development shall be paid in advance. Payment shall be made at the office of the department of planning and development in cash or by check made payable to "City of University City." (Ord. 6141 § 1 (part), 1997: prior code § 6-41)

2.66.030 Fee schedule.

The fees to be paid for activities performed and services rendered by personnel of the department of planning and development in carrying out the duties and responsibilities under the zoning, building, and property maintenance codes and related codes and ordinances shall be as scheduled in Sections 2.66.040 through 2.66.100.

(Ord. 6141 § 1 (part), 1997: prior code § 6-42)

2.66.040 Application fees.

The fees charged for each application shall be as scheduled below. Application fees are intended to cover the cost of processing the application and where applicable include charges for plan examination, site inspection, public hearing notices, review of city records, hearing recorders and a pro rata share of overhead costs. No refunds shall be made once the fee has been paid.

TABLE INSET:

A.	Board of survey application	\$57.00
B.	Board of appeals application	57.00
C.	Board of adjustment application	114.00
D.	Conditional use application	114.00
E.	Site plan review application	57.00
F.	Zoning amendment	114.00
G.	Application to amend an issued conditional use permit	114.00
H.	Application to amend an approved site plan	57.00
I.	Application for residential permit to occupy (not including inspection fees)	25.00
J.	Application for nonresidential permit to occupy (including inspections):	
1.	Office uses, under 3,000 square feet	28.50
2.	All other uses, under 3,000 square feet	57.00
3.	All uses, 3,000 square feet or more	100.50
K.	Application for amending permit to occupy	5.70
L.	Application for administrative zoning hearing for exception to prohibited accessory uses	28.50
M.	Application for subdividing or resubdividing a tract or parcel of real property (including a condominium)	114.00
	Plus, per lot or condominium unit	28.50

(Ord. 6439 § 1 (part), 2003)

2.66.050 Building permit fees.

A. Building Permit Fees Generally. The fee charged for each building permit shall be as scheduled below in subsection B of this section. Permit fees are intended to cover the cost of application processing, plan examination, permit issuance, routine inspections, final inspection approval, issuance of a certificate of occupancy at the completion of construction, record keeping and a pro rata share of overhead costs. The minimum fee charged for each permit shall be twenty-eight dollars and fifty cents (\$28.50).

All permit applications shall be accompanied by a payment of twenty-five (25) percent of the scheduled permit fee, but not less than twenty-eight dollars and fifty cents (\$28.50), to cover the cost of processing the application and examining the documents for code compliance. This is considered to be an application fee and shall not be refunded. The remainder of the fee must be paid in full prior to issuance of the building permit.

An additional fee of ten percent of the scheduled amount, but not less than fifty-seven dollars (\$57.00), shall be charged for the issuance of partial permits such as "foundation only" or "except for roof trusses which will be reviewed later."

Processing amendments to permits, including related plan review, shall be charged at the rate of thirty-nine dollars and ninety cents (\$39.90) per hour or fraction of an hour. This charge may be waived for minor changes resulting from an inspection defect notice.

Additional inspections, such as reinspections due to defective work or for inspections scheduled by the permit holder when work is not ready for an inspection, shall be charged at the rate of twenty-eight dollars and fifty cents (\$28.50) per hour or fraction of an hour. An additional fee of fifty-seven dollars (\$57.00) shall be charged for the issuance of temporary certifications of occupancy.

TABLE INSET:

B. Fee Schedule.	
1. Construction, alteration, additions, repairs or the moving of a structure:	
Construction Cost	Permit Fee
Up to \$10,000.00:	\$17.10 per \$1,000.00 of construction cost
\$10,000.00 to \$400,000.00:	\$114.00, plus \$5.70 per \$1,000.00 of construction cost
\$400,000.00 to \$1.5 million:	\$570.00 plus \$4.56 per \$1,000.00 of construction cost
\$1.5 million and up:	\$2,280.00 plus \$3.42 per \$1,000.00 of construction cost
2. Fence, new or replacement:	
	\$ 28.50
3. Signs:	
Temporary promotional displays erected	11.40
Wall signs erected, constructed, painted, altered or enlarged (based on gross sign area) as follows:	
Under 40 square feet	\$ 28.50
40 to 80 square feet	57.00
Over 80 square feet	114.00
Freestanding signs, roof signs, or canopy signs erected, constructed, painted, altered or enlarged (based on gross sign area) as follows:	
Under 40 square feet	57.00
40 to 80 square feet	114.00
Over 80 square feet	171.00
4. Fire suppression system:	
Sprinkler systems, per head	2.28
Other extinguishing systems, per head	2.28
Standpipe riser, per floor	11.40
5. Flammable and combustible liquid storage tanks:	

Removal of tank	57.00
Installation of tank	
	171.00
6. Demolition:	
Private garages	28.50
Residential structures, per dwelling unit, or part thereof	28.50
Other structures, per 10,000 cubic feet of the volume of the structure or fraction thereof	28.50

(Ord. 6493 § 1, 2004; Ord. 6456 § 1, 2003; Ord. 6439 § 1 (part), 2003)

2.66.060 Mechanical permit fees.

A. Mechanical Permit Fees Generally. The fee charged for each mechanical permit shall be as scheduled below in subsection B of this section. Permit fees are intended to cover the cost of application processing, plan examination permit issuance, routine inspections, final inspection approval, record keeping, and a pro rata share of overhead costs. The minimum fee charged for each permit shall be twenty-eight dollars and fifty cents (\$28.50).

All permit applications shall be accompanied by a payment of twenty-five (25) percent of the scheduled permit fee, but not less than twenty-eight dollars and fifty cents (\$28.50) to cover the cost of processing the application and examining the documents for code compliance. This is considered to be an application fee and shall not be refunded. The remainder of the fee must be paid in full prior to the issuance of the permit.

An additional fee of ten percent of the scheduled amount, but not less than fifty-seven dollars (\$57.00), shall be charged for the issuance of partial permits.

Processing amendments to permits, including related plan review, shall be charged at the rate of thirty-nine dollars and ninety cents (\$39.90) per hour or fraction of an hour. This charge may be waived for minor changes resulting from an inspection defect notice. Additional inspections, such as reinspections due to defective work or for inspections scheduled by the permit holder when work is not ready for inspection, shall be charged at the rate of twenty-eight dollars and fifty cents (\$28.50) per hour or fraction of an hour.

B. Fee Schedule.

TABLE INSET:

1. Air-heating appliances:	
Furnace, space heater, unit heater	
Up to 200 MBH input	\$ 51.30
Over 200 MBH input	85.50
Complete central warm air heating system (including ductwork)	
Up to 200 MBH input	74.10
Over 200 MBH input	114.00
2. Fans, blowers and exhaust systems, except those serving a single dwelling unit:	
Blowers and fans	\$ 5.70
Exhaust system, hazardous occupancy	51.30
Exhaust system, hoods for commercial cooking appliances	51.30
3. Commercial and industrial appliances:	
Dry cleaning unit	\$ 5.70
Dryer, clothes	5.70
Fryer, fat	5.70
Griddle	5.70

Grill	5.70
Kettle, gas fired	5.70
Kiln	5.70
Oven	5.70
Range, commercial size	5.70
4. Steam and hot water heating systems and appliances:	
Complete steam or hot water heating system:	
Under 400 MBH (gross output)	\$ 85.50
400 to 800 MBH (gross output)	114.00
Over 800 MBH (gross output)	171.00
Boiler:	
Under 400 MBH (gross output)	51.30
400 to 800 MBH (gross output)	74.10
Over 800 MBH (gross output)	96.90
5. Refrigeration and cooling units and systems:	
Complete refrigeration or cooling system:	
Under 3 tons	\$ 51.30
3 to 10 tons	62.70
Over 10 tons	74.10
Refrigeration, cooling unit, condensing unit or cooling tower	
Under 3 tons	5.70
3 to 10 tons	22.80
Over 10 tons	51.30
6. Miscellaneous:	
Duct heater	\$ 5.70
Infrared heater	5.70
Fire or smoke damper	5.70
Prefabricated fireplace	28.50
Fireplace stove	28.50

(Ord. 6439 § 1 (part), 2003)

2.66.070 Plumbing permit fees.

A. Plumbing Permit Fees Generally. The fee charged for each plumbing permit shall be as scheduled below in subsection B of this section. Permit fees are intended to cover the cost of application processing, plan examination, permit issuance, routine inspections, record keeping, and a pro rata share of overhead costs. The minimum fee charged for each permit shall be twenty-eight dollars and fifty cents (\$28.50).

All permit applications shall be accompanied by a payment twenty-five (25) percent of the scheduled permit fee, but not less than twenty-eight dollars and fifty cents (\$28.50), to cover the cost of processing the application and examining the documents for code

compliance. This is considered to be an application fee and shall not be refunded. The remainder of the fee must be paid in full prior to the issuance of the permit.

An additional fee of ten percent of the scheduled amount, but not less than fifty-seven dollars (\$57.00), shall be charged for the issuance of partial permits.

Processing amendments to permits, including related plan review, shall be charged at the rate of thirty-nine dollars and ninety cents (\$39.90) per hour or fraction of an hour. This charge may be waived for minor changes resulting from an inspection defect notice. Additional inspections, such as reinspections due to defective work or for inspections scheduled by the permit holder when work is not ready for reinspection, shall be charged at the rate of twenty-eight dollars and fifty cents (\$28.50) per hour or fraction of an hour.

B. Fee Schedule.

TABLE INSET:

Fixture or rough-in for future fixture, each	\$ 5.70
Interceptor or separator, each	17.10
Sewer installation, repair or replacement, each	28.50
Stack installation, repair or replacement, each	28.50
Water service installation, repair or replacement, each	28.50
Water supply line repair or replacement, each	28.50
Water heater, each	28.50

(Ord. 6439 § 1 (part), 2003)

2.66.080 Electrical permit fees.

A. Electrical Permit Fees Generally. The fee charged for each electrical permit shall be as scheduled below in subsection B of this section. Permit fees are intended to cover the cost of application processing, plan examination, permit issuance, routing inspections, record keeping and a pro rata share of overhead costs. The minimum fee charged for each permit shall be twenty-eight dollars and fifty cents (\$28.50) for minor revisions, additions and repairs that do not include the installation of a new service panel or the installation or repair of more than twenty (20) electrical outlets. Otherwise the minimum fee charged shall be fifty-one dollars and thirty cents (\$51.30).

A separate permit is required for each location served by a separate meter, except that a single permit may be issued for a group of twenty (20) or more cable television hookups in a single geographical area.

All permit applications shall be accompanied by a payment of twenty-five (25) percent of the scheduled permit fee, but not less than twenty-eight dollars and fifty cents (\$28.50), to cover the cost of processing the application and examining the documents for code compliance. This is considered to be an application fee and shall not be refunded. The remainder of the fee must be paid in full prior to the issuance of the permit.

An additional fee of ten percent of the scheduled amount, but not less than fifty-seven dollars (\$57.00), shall be charged for the issuance of partial permits.

Processing amendments to permits, including related plan review, shall be charged at the rate of thirty-nine dollars and ninety cents (\$39.90) per hour or fraction of an hour. This charge may be waived for minor changes in response to an inspection defect notice. Additional inspections due to defective work or in response to inspections scheduled by the permit holder when work is not ready for inspection shall be charged at the rate of twenty-eight dollars and fifty cents (\$28.50) per hour or fraction of an hour.

B. Fee Schedule.

1. Electrical outlets (counting each lighting fixture as one outlet):

TABLE INSET:

Each outlet	\$ 0.57
2. Service equipment and service panels:	
Up to 200 amp, each unit	\$ 17.10
201 -- 400 amp, each unit	28.50
401 -- 600 amp, each unit	39.90
Over 600 amp, each unit	51.30
3. Subpanels:	
Each panel	\$ 5.70

4. Communications:	
Amplifiers, each	\$ 1.14
Speakers, each	0.57
Alarm control center, each	2.28
Alarm detection device or pull station, each	0.57
Cable TV power booster station, each	11.40
Cable TV hookup, each	2.28
5. Miscellaneous:	
Motor, each	\$ 5.70
Air conditioners, each	5.70
Furnace, unit heater, etc., each	5.70
Water heater, each	5.70
Elevator, moving stair, dumbwaiter, each	5.70
Generator, each	5.70
Transformer, except door bell and thermostat, each	5.70
X-ray equipment	114.40
Carnivals, per new location	34.20

(Ord. 6439 § 1 (part), 2003)

2.66.090 Inspection fees.

The fee charged for periodic inspections, special inspections, existing structure code compliance and nonroutine permit inspections shall be as scheduled below, per inspections:

TABLE INSET:

A. Board-ups:	
Monthly, per building	\$ 11.40
B. Elevators:	
Per elevator	\$ 45.60
Plus, per floor stop	5.70
C. Inspection of existing residential structures:	
One or two-family dwellings:	
For first inspection and not more than two reinspections, per dwelling unit	\$ 77.00
Structures with three or more dwelling units per structure, for first inspection and not more than two reinspections, per dwelling unit	60.00

D. Moving stairways:	
Per moving stairway	\$ 32.20
Plus, per landing	11.40
E. Trips to premises:	
Where no inspection can be made because of failure to keep scheduled appointment with inspector	\$ 28.50
F. Additional inspections:	
Per hour or fraction thereof	\$ 28.50

(Ord. 6470 § 1, 2003)

2.66.100 Other fees.

The fees charged for other service and activities shall be as scheduled below:

TABLE INSET:

A.	Master plumbers' annual license	\$ 28.50
B.	Master drainlayer's annual license	28.50
C.	Journeyman plumber's annual license	2.28
D.	Additional plan review required due to changes to construction documents or amendments to issued permits:	
	Per hour or fraction thereof	39.90
	Notice of code violations:	
	Including a reinspection at the end of the notice period	28.50
Partial permits:		
	Additional charge often ten percent of the permit fee, but not less than	57.00
	Permit extension	11.40
Service charge for refund		11.40
Temporary or partial certificate of occupancy:		
	In addition to normal fees	57.00

Services or activities not specifically scheduled herein:

Fee shall be based on those scheduled for services or activities which in the judgment of the building commissioner are similar or identical to those requested.

(Ord. 6439 § 1 (part), 2003)

Chapter 2.68 MISCELLANEOUS ADMINISTRATIVE PROVISIONS

Sections:

[2.68.010 Affiliation with county league of municipalities.](#)

[2.68.020 Fees for use of city ambulance service.](#)

[2.68.030 Disposal of unclaimed property generally.](#)

[2.68.040 Disposal of unclaimed money.](#)

2.68.010 Affiliation with county league of municipalities.

The city elects to affiliate with the league of municipalities of the county in accordance with the charter and bylaws of such organization. The representatives of the city in such league shall be the mayor, the city manager, the director of public works and the city counselor, who shall be representatives ex officio, and such additional representatives to which it may be entitled by the bylaws of the league of municipalities. Such additional representatives shall be appointed by the council on or before the first day of November

for a term of two years; however, if more than one additional representative is allotted to the city by the bylaws of such league, then the terms of such additional representatives shall be so staggered that one-half of them, as nearly as may be possible, shall be appointed for one year and the remaining members the next succeeding year, to the end that the terms shall be so staggered that one-half thereof shall expire annually.

(Prior code § 2-7)

2.68.020 Fees for use of city ambulance service.

Any person using the facilities of the city ambulance shall be charged the amount of six hundred sixty dollars (\$660.00) for each such use. In addition to such base fee, there shall be a fee of eight dollars and forty cents (\$8.40) per mile for each transport to a hospital. When a city paramedic provides treatment to a person but the city ambulance does not transport the person, the fee shall be one hundred sixteen dollars (\$116.00). In the event a city ambulance responds to a mutual aid reciprocal jurisdiction, the city may charge such fees that such jurisdiction charges.

(Ord. 6659 § 1, 2006)

2.68.030 Disposal of unclaimed property generally.

All unclaimed property other than money or cash coming into the possession of the police department from any source whatever and having any value shall be properly marked or catalogued so as to show its source and date of its receipt and shall be kept and disposed of as herein provided. On such day or days of each year as shall be designated by the city manager, all such property which has remained unclaimed for more than six months, and the owner of which is unknown, shall be sold at public auction by the chief of police at a suitable place designated by the city manager. Ten days' notice of such sale shall be published in a newspaper of general circulation in the city, such notice to be published not more than three weeks prior to the date of such sale. All moneys received from the sale of such property shall be turned over to the director of finance to be deposited in the general revenue fund of the city. All property for which no bid is received at such sale shall be destroyed by the chief of police in the presence of at least two other members of the department; and a certificate of such destruction, signed by the officers present, shall be filed with the city clerk.

(Prior code § 1-16)

2.68.040 Disposal of unclaimed money.

All money or cash coming into the possession of the police department from any source whatever which has remained unclaimed and the owner unknown for a period of at least one year shall be turned over to the director of finance and a record thereof kept by the director of finance. Should the ownership of such money or cash be established within a period of five years from the date of its receipt, then the director of finance shall turn the same over to the owner. After a period of five years it shall become a part of the general revenue fund of the city.

(Prior code § 1-17)