

DRAFT SURFACE PARKING LOT ORDINANCE

(updated 5.22.2023)

1 An Ordinance pertaining to the permitting of “Surface Parking Lots” as defined herein and to be
2 codified at Sections 8.70.010 and a new Section 8.70.035 of the Revised Code of the City of St.
3 Louis, establishing additional requirements for the same; and containing a Severability Clause and
4 an Emergency Clause.

5 BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

6 SECTION ONE. Findings.

7 The Board of Aldermen finds that unsecured “Surface Parking Lots” are locations where
8 occurrences of crime are more likely, including crimes against parking patrons, vandalism of
9 vehicles, theft of vehicles or property inside vehicles, and other threats to the security of persons
10 and property. Furthermore, thefts from vehicles constitute a significant source of illegal firearms,
11 a serious problem that contributes to violent crime. This problem is particularly acute in certain
12 areas of the City of St. Louis that attract large numbers of visitors, attendees at special events,
13 conventions, patrons of bars and restaurants, and have a high population and/or employment
14 density. The Board of Aldermen further finds that instituting new permit requirements for all
15 properties defined as Surface Parking Lots, and greater oversight of the issuance and renewal of
16 building permits for Surface Parking Lots, is likely to significantly reduce the threat to the
17 health, safety, and security of parking patrons and the public.

18 SECTION TWO. Definitions.

19 The following definition of Surface Parking Lot shall be added to Section 8.70.010 of the
20 Revised Code of the City of St. Louis.

21 F. A “Surface Parking Lot” shall be defined as any plot, piece, or parcel of land, as defined in
22 Section 26.12.010 of the Revised Code of the City of St. Louis, that has no building or
23 structure above, and upon which a business is conducted of storing motor vehicles for a fee. A
24 Surface Parking lot includes all spaces, aisles, access drives, and landscaped areas. Surface
25 Parking Lots may be exempt from the requirements imposed by this ordinance only if they
26 meet all of the following conditions:

- 27 (a) there is no fee charged to park; and
28 (b) the lot is adjacent to a business establishment; and
29 (c) the lot is provided for the exclusive use and convenience of persons doing business
30 with the adjacent establishment.

1 G. "Security Incident" means any incident on the premises of a Surface Parking Lot that
2 results in criminal harm to any person, vandalism of vehicles, theft of vehicles or property
3 inside vehicles, discharging of firearms, or any other incidents that threaten the health, safety,
4 and welfare of the public.

5 H. "Security Lighting" means artificial lighting producing a minimum of 2.0-foot candles in
6 horizontal luminance and 1.0-foot candles in vertical luminance, and a maximum to minimum
7 uniformity ratio of 5:1.

8 SECTION THREE. Codification.

9 Section Four through Section Fourteen of this ordinance shall be codified as Section 8.70.035 of
10 the Revised Code of the City of St. Louis, except as described otherwise below.

11 SECTION FOUR. Application-Additional Requirements.

12 Permit application forms for Surface Parking Lots as required by Section 8.70.030 of the Revised
13 Code must include, in addition to the existing application requirements of Section 8.70.030, the
14 following, which will apply to all Surface Parking Lots:

15 F. For Surface Parking Lots, the signature(s) of the owners of the property, the signature(s) of
16 the lessors of the property, and the signature(s) of the parking lot operators must appear on the
17 application;

18 G. For Surface Parking Lots located in Zoning Districts F through I and Zoning District L,
19 documentation describing how all of the requirements in Section Five ("Surface Parking Lot
20 Requirements") will be addressed must be attached to the application for approval by the
21 Building Commissioner;

22 H. For Surface Parking Lots, each permit application must be reviewed by the Police Division
23 to evaluate the adequacy of security measures to be implemented.

24 The above paragraphs representing additional application requirements will be added to Section
25 8.70.030, following paragraphs A through E, and will be requirements on a Surface Parking Lot
26 Application Form to be provided by the Building Commissioner.

27 SECTION FIVE. Surface Parking Lot Requirements

28 Documentation must be submitted with the permit application or permit renewal describing the
29 physical improvements, operating plans, and security measures that will be implemented on the
30 premises to protect patrons from harm, to protect vehicles and property inside vehicles on the
31 parking station from theft, vandalism or other damage, and to protect the public from incidents

1 that threaten public health, safety and welfare. All permit applications for Surface Parking Lots
2 must include a site plan and other documentation to demonstrate compliance with the following
3 requirements:

4 (a) a perimeter fence extending along abutting public streets/alleys between every vehicle
5 entry/exit and pedestrian ingress/egress opening. Vehicle entry/exit must be no wider than
6 twelve (12) ft. Pedestrian ingress/egress must be no wider than six (6) ft. Perimeter fences
7 must have a height of at least four (4) feet, open at least 80% (i.e., no more than 20%
8 opaque), and constructed of aluminum, steel or other decorative metal. For any new
9 Surface Parking Lot constructed after the effective date of this ordinance, or any existing
10 Surface Parking Lot that currently has no perimeter fence in compliance with this
11 ordinance, no chain link fencing is permitted along any public street or alley except for
12 temporary lots adjacent to an active construction project. No additional barrier higher than
13 six inches is allowed along or adjacent to a perimeter fence.

14 (b) entry and exit by vehicles shall only be possible: a) when an attendant on duty allows entry
15 or exit, or b) by means of a secured gate that is part of an automated payment system.

16 (c) no Surface Parking Lot may operate outside of hours of operation approved by the
17 Building Commissioner.

18 (d) an attendant must be on duty during any hours the Surface Parking Lot is accessible for
19 vehicles, unless the lot is secured by a gate that is part of an automated payment system.

20 (e) landscaping shall be free of weeds, trash and debris and be well maintained at all times.

21 (f) paving and striping must be in good condition.

22 (g) Security Lighting must be present and functioning during all non-daylight hours.

23 (h) surfaces shall be free of potholes, large cracks, and standing water.

24 (i) signage must have the address of the Surface Parking Lot, the hours of operation for the
25 Surface Parking Lot, the phone number of its management company and/or owner, and the
26 amount to be charged for parking. A local contact must be provided, in addition to the
27 address and phone number of any out-of-town owner/operator.

28 (j) the property owner/lessee must have an occupancy permit and a business license. The
29 occupancy permit will list the approved hours of operation.

30 (k) all lots must be cleaned of trash, glass, and other debris before opening the following day.

31 An owner, operator, or lessee applying for a Temporary Construction Surface Parking Lot

1 permit is not required, for the purposes of a temporary permit, to meet requirements (b),
2 (c), (e), (f), (g), (h), (i), and (j).

- 3 (l) the property owner/lessee must provide a Certificate of Insurance showing at least
4 \$1,000,000 of Commercial General Liability Insurance (updated copy sent to the Building
5 Division annually).

6 SECTION SIX. Permit Required for Surface Parking Lot

7 Within one hundred and eighty (180) days of the effective date of this ordinance, it shall be
8 unlawful for any individual, firm, association, corporation, partnership, or organization:

- 9 (a) To operate or maintain a Surface Parking Lot unless the owner, operator, or lessee thereof
10 has applied for and obtained a Surface Parking Lot permit from the City; or
11 (b) To operate such business after such permit has expired or has been revoked or suspended
12 by the City.

13 A Surface Parking Lot permit shall be required for each Surface Parking Lot location, even a
14 location within another business operation. This permit shall be in addition to any other permit or
15 license required by other local, state, or federal government agencies. No permit shall be issued
16 for any business seeking to operate at a location prohibited by any applicable local, state or
17 federal law, statute, ordinance, rule, or regulation. Every individual, firm, corporation,
18 partnership, organization, or association holding a Surface Parking Lot permit as required under
19 this ordinance shall post the permit in a conspicuous place and manner on the premises.

20
21 Notwithstanding any provision to the contrary, any property owner or lessee, may apply for a
22 Temporary Construction Surface Parking Lot permit for a property that is temporarily being used
23 for parking in connection with an adjacent construction project, as determined by the Building
24 Commissioner, for which a valid Building Permit with an estimated cost greater than \$300,000
25 has been issued. Such temporary Construction Surface Parking Lot Permits shall be valid for six
26 (6) months at a time and can be renewed up to two (2) times during active construction of an
27 adjacent project. In no event can a Temporary Construction Surface Parking Lot be permitted for
28 longer than a total of eighteen (18) months unless the Building Commissioner approves an
29 extension. The application for a Temporary Construction Surface Parking Lot permit must
30 address and meet the requirements for a Temporary Construction Surface Parking Lot shown in
31 Section Five titled "Surface Parking Lot Requirements" except for subsections (a), (b), (c), (d),

1 (e), and (f).. The Temporary Construction Surface Parking Lot permit shall expire thirty (30)
2 days after substantial completion of the construction project.

3 SECTION SEVEN. Inspections.

4 Pursuant to Section 8.70.090 of the Revised Code, the Building Commissioner shall make or
5 cause to be made an inspection at least once a year of every Surface Parking Lot. The Building
6 Commissioner is hereby empowered to make such inspections, to appoint designated inspectors
7 to make said inspections, and all Surface Parking Lots shall be open to the inspections of the
8 Building Commissioner or the Building Commissioner's designees, as well as any member of
9 the Police Department, or Neighborhood Improvement Specialist, at any time during the hours
10 allowed by business and other reasonable times. The Building Commissioner shall maintain a
11 record of security incidents taking place on the lot and include it with the inspection report.

12 SECTION EIGHT. Revocation or Denial of Renewal.

13 The Building Commissioner may revoke an existing permit if any of the following deficiencies
14 or conditions exist:

- 15 (a) The property is included on the City's list of nuisance properties.
- 16 (b) The Surface Parking Lot is not being operated in compliance with the Surface Parking Lot
17 Requirements described in Section Five of this ordinance.
- 18 (c) The physical improvements to the Surface Parking Lot have deteriorated or are damaged
19 and no longer function properly.

20 If any of the above deficiencies or conditions have been determined to exist by the Building
21 Commissioner, a letter of warning shall be sent to the permit holder for the Surface Parking Lot
22 no later than sixty (60) days prior to a proposed revocation or denial of renewal of the permit.

23 In the event that the permit holder fails to adequately address the deficiencies or conditions
24 described in the letter of warning, the Building Commissioner shall hold an administrative
25 hearing to determine if the permit shall be revoked or renewal should be denied.

26 SECTION NINE. Permit Revocation or Denial.

27 Following a decision of the Building Commissioner to revoke or revoke a permit, or to
28 disapprove a new or renewal application, such permittee or applicant may seek review in a
29 manner provided by law in Section 8.70.060 and 8.70.070 of the Revised Code of the City of St.
30 Louis. If a permit is revoked by the Building Commissioner, the permit holder may not apply
31 for a new permit for the same Surface Parking Lot for a period of three months.

1 SECTION TEN. Other Code Provisions.

2 All other sections of Chapter 8.70 of the Revised Code of the City of St. Louis that do not
3 contradict this ordinance’s provisions shall apply to Surface Parking Lots.

4 SECTION ELEVEN. Authority to Prescribe Additional Rules and Regulations.

5 The Building Commissioner shall have the power to promulgate regulations as may be necessary
6 and feasible for the carrying out of the intent of this ordinance and the duties of the
7 Commissioner that are not inconsistent with the provisions of this ordinance. The rules and
8 procedures shall be in writing and kept on file in the Building Commissioner’s Office and posted
9 to the City’s website.

10 SECTION TWELVE. Enforcement.

11 This ordinance shall be enforced by the Police Division in conjunction with the Building
12 Commissioner. Consistent with Chapter 8.70 of the Revised Code of the City of St. Louis, the
13 Building Commissioner may order barricades for any or all Surface Parking Lots not in material
14 compliance with the terms of this ordinance.

15 SECTION THIRTEEN. Contracts Authorized.

16 The Building Commissioner is hereby authorized to enter into contracts or add change orders to
17 existing contracts to carry out the process authorized herein, and is hereby authorized to expend
18 funds thereunder, with no other review, signature, or approval from any other City agency, board
19 or department, except as provided by Charter, for website programming, and other such
20 necessary related work, for the process created under this ordinance.

21 SECTION FOURTEEN Severability.

22 If any provisions of this ordinance shall be held to be invalid or unconstitutional, the remainder
23 of this ordinance shall not be affected thereby but shall remain in full force and effect.

24 SECTION FIFTEEN. Emergency Clause.

25 Passage of this ordinance being deemed necessary for the immediate preservation of the health
26 and welfare of the residents of the City of St. Louis, it is hereby declared to be an emergency
27 measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St.
28 Louis and shall become effective immediately upon its passage and approval by the Mayor.