

**CITY OF TWIN OAKS
BOARD OF ALDERMEN MEETING
TWIN OAKS TOWN HALL
1381 BIG BEND ROAD
WEDNESDAY, SEPTEMBER 20, 2023, 7:00 p.m.**

Tentative Agenda

- 1) REGULAR MEETING CALLED TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) ROLL CALL
- 4) APPROVAL OF AGENDA
- 5) APPROVAL OF CONSENT AGENDA
 - a) Board of Aldermen Regular Meeting Minutes from August 20, 2023
 - b) Board of Aldermen Closed Meeting Minutes from August 20, 2023
 - c) Bills List from September 2 to September 15, 2023
 - d) Credit Card List from August 1 to August 31, 2023
- 6) REPORT OF COMMITTEES/COMMISSIONS/CONTRACTORS
 - a) Financial Statements — Dave Watson
 - b) Park Committee — Joe Krewson
- 7) PUBLIC HEARING
 - a) Setting Real Property Tax Rates for the 2023 Calendar Year
- 8) NEW BUSINESS
 - a) **Bill No. 23-10:** AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF TAX LEVY FOR THE YEAR 2022 ON ALL REAL PROPERTY WITHIN THE CITY OF TWIN OAKS, MISSOURI; PROVIDING FOR THE EXTENSION OF SAID TAXES ON THE BOOKS OF THE COLLECTOR OF REVENUE; AND PROVIDING FOR THE COLLECTION THEREOF BY THE COLLECTOR FOR THE CITY OF TWIN OAKS, MISSOURI
 - b) **Bill No. 23-11:** AN ORDINANCE AMENDING THE LAND DISTURBANCE CODE, CHAPTER 407, OF THE TWIN OAKS MUNICIPAL CODE.
- 9) DISCUSSION ITEMS
- 10) ATTORNEY’S REPORT
- 11) CITY CLERK’S REPORT

12) MAYOR AND ALDERMEN COMMENTS

13) FINAL CITIZEN COMMENTS

(Remarks shall be limited to three (3) minutes on any one subject unless time is extended by the Board)

14) CLOSED SESSION

Upon motion duly made and seconded, the Board of Aldermen will hold a closed session pursuant to Chapter 610 R.S.MO. for the reasons specifically set forth in Section 610.021 including, but not limited to, discussion pertaining to (1) legal actions, causes of action and litigation or confidential communications with the City's Attorney; and (2) the lease, sale or purchase of real estate.

15) ADJOURNMENT

Frank Johnson
City Clerk/Administrator

POSTED: September 18, 2023, 10:00 a.m.

Please note: Any person requiring physical or verbal accommodations should contact the city office 12 hours prior to meeting at 636-225-7873. Copies of public records for this agenda are available for public inspection before and at the time of the meeting.

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ALDERMEN OF TWIN OAKS,
TWIN OAKS TOWN HALL
ST. LOUIS COUNTY, MISSOURI
WEDNESDAY SEPTEMBER 6, 2023**

Mayor Russ Fortune called the meeting of the Twin Oaks Board of Aldermen to order at 7:00 p.m. Roll Call was taken:

Mayor: Russ Fortune – yea

Aldermen: April Milne – yea Lisa Eisenhauer – yea
Dennis Whitmore – yea Tim Stoeckl – yea

Also Present: Frank Johnson, City Clerk/Administrator
Paul Rost, City Attorney

Permanent records are kept of all minutes and ordinances. Each ordinance is read a minimum of two times by title, unless otherwise noted.

APPROVAL OF THE AGENDA

Mayor Fortune asked for a motion to approve the Agenda. Alderman Dennis Whitmore so motioned, seconded by Alderman April Milne. The motion passed by a unanimous voice vote.

APPROVAL OF THE CONSENT AGENDA

Mayor Fortune asked for a motion to approve the Consent Agenda consisting of Regular Meeting Minutes from August 16, 2023; Work Session Minutes from August 16, 2023; Board of Aldermen Closed Meeting Minutes from August 13, 2023; and Bills List from August 11, 2023 to September 1, 2023. Alderman Lisa Eisenhauer motioned to approve the consent agenda, seconded by Alderman Tim Stoeckl. The motion passed by a unanimous voice vote.

REPORT OF COMMITTEES/COMMISSION/CONTRACTORS

Police Report: Officer John Wehner summarized the police activity for the month of July, including radio calls, written reports, traffic stops, crimes and auto accidents. There were two non-injury accidents reported at Big Bend and 141, one misdemeanor arrest and one crime reported. Alderman Whitmore asked about a report on incidents at the Birnamwood Condo's. Officer Wehner explained that the reports are still being filled and will give a summary when reviewing the month of September.

CITIZEN COMMENTS

Representative Deb Lavender was in attendance and appreciated the opportunity to attend the Board meeting. Representative Lavender will be returning to Jefferson City next week for the Veto Session.

NEW BUSINESS

Bill No. 23-09: An Ordinance Re-Adopting Re-Establishing and Making Public a Procedure to Disclose Potential Conflicts of Interest and Substantial Personal Interest of Certain Municipal Officials: City Clerk/Administrator Frank Johnson read Bill No. 23-09. This is a conflict of interest annual filing for all employees, elected and appointed officials of the City of Twin Oaks. City Clerk/Administrator Johnson read Bill No. 23-09 for a second time. Alderman Eisenhower motioned to approve Bill No. 23-09, seconded by Alderman Whitmore. The motion passed on a roll call vote as follows: Alderman Eisenhower-yea, Alderman Stoeckl-yea, Alderman Milne-yea, and Alderman Whitmore-yea. Mayor Fortune stated that Bill No. 23-09 being duly passed becomes Ordinance No. 23-09.

Resolution No. 2023-18: A Resolution of the Twin Oaks Board of Aldermen Approving an Agreement with STF, LLC Doing Business as Traffic Control Company for Certain Traffic Striping Services on Meramec Station Road. City Clerk/Administrator Johnson read Resolution No. 2023-18. With no responses received for the RFP for striping on Meramec Station Road, City Clerk/Administrator Johnson contacted Traffic Control to submit a bid. Traffic Control submitted a bid with options for various paints that can be used on the roadway. Following discussion and questions, Alderman Milne motioned to accept the Traffic Control Company's offer with the use of thermostatic paint to be used, seconded by Alderman Eisenhower. Resolution No. 2023-18 passed by a unanimous voice vote.

DISCUSSION ITEMS

Special Events Permit-Ace Hardware Grand Opening: Westlake Ace Hardware has submitted a special event permit for their grand opening on Saturday, September 30 that requires Board approval. City Clerk/Administrator Johnson stated that the event includes various temporary signs that would exceed the number normally allowed by the sign code, but the Board could approve the variance as part of the permit. All grand opening promotional signs would be installed on September 28 and taken down on October 1. Alderman Eisenhower motioned to permit the signage, seconded by Alderman Milne. The motion passed by a unanimous voice vote.

Boly Lane Entrance Configuration: City Clerk/Administrator Johnson reviewed the previous plans for improving the Boly Lane entrance that the City has developed over the last several years. Discussion ensued, and the Board instructed City Clerk/Administrator Johnson to have BFA draw up new plans that will narrow the median and include the 10' cross walk required by St. Louis County.

ATTORNEY'S REPORT

City Attorney, Paul Rost stated that he has been working with City Clerk/Administrator Johnson on various items.

CITY CLERK'S REPORT

City Clerk/Administrator Johnson referred the Board to his written report and provided a summary of its contents. He stated that staff is currently working on reviewing amended development plans for the proposed Sav-On Liquor & Wine and plans to have the proposal on the agenda for the Planning and Zoning Commission at their September 26 meeting.

City Clerk/Administrator Johnson also informed the Board that the City has received the building permit and associated plans for the proposed Bartolino's restaurant in Big Bend Bend Square, which call for enclosing the existing patio space and making it part of the restaurant. He stated the City needs to make a determination as to whether this constitutes a "minor change", per Section 400.340 of the Twin Oaks Municipal Code.

Alderman Eisenhower stated that it does appear to be a major change and that she was concerned about the precedent the Board would set if they found otherwise, particularly as it would then not require any input from the Planning and Zoning Commission and could be perceived as the City not treating all business equally. The Board discussed how this same criteria could be applied to other businesses in the City that might wish to do something similar. Mayor Fortune agreed that the proposed change appears to hit several of the evaluation criteria and noted that it would not the Planning and Zoning Commission long to review it.

Alderman Milne stated that there is a case for it to be interpreted as a minor change and that the City had been wanting a long time to fill the space, so she did not want to be nitpicking over the details of the renovations. Further discussion ensued. Alderman Milne motioned that the Board determine that the proposed Bartolino's building plans do not constitute a major change. Alderman Eisenhower seconded. The motion failed on a roll call vote as follows: Alderman Eisenhower-nay, Alderman Stoeckl-yea, Alderman Milne-yea, Alderman Whitmore-nay, Mayor Fortune-nay.

MAYOR & ALDERMEN COMMENTS

Alderman Whitmore asked if there was another opening date for Carreta's. Assistant Clerk Paula Dries recently spoke with the owner regarding the opening but they did not have a date to share at this time.

FINAL CITIZEN COMMENTS

There were no final citizen comments.

CLOSED SESSION

Mayor Fortune asked for a motion to move into closed session pursuant to Chapter 610 RSMo for the purpose of dealing with matters relating to the following: legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its Attorneys (610.021(1) RSMo.). Alderman Eisenhower so motioned, seconded by Alderman Milne. The motion passed on a roll call vote as follows: Alderman Milne-yea, Alderman Whitmore-yea, Alderman Stoeckl-yea and Alderman Eisenhower-yea. The Board moved into Closed Session at 8:18 pm.

ADJOURNMENT

The Board returned from closed session at 8:38 p.m. There being no further business Mayor Fortune asked for a motion to adjourn the meeting. Alderman Whitmore so motioned, seconded by Alderman Stoeckl and the regular meeting was adjourned at 8:38 p.m.

Drafted By: _____
Paula Dries
Assistant City Clerk

Date of Approval: _____

ATTEST:

Frank Johnson
City Clerk/Administrator

Russ Fortune,
Mayor, Board of Aldermen

City of Twin Oaks							
Bills and Applied Payments							
September 1, 2023 to September 15, 2023							
Check No.		Invoice Date	Memo/Description	Invoice No.	Bill Amt	Check Amt	Payment Date
12695	St Louis County Public Works	8/27/2023	Occupancy Inspection Fee for Apt. 332, 323, 452	TO82723000 55002	\$225.00		
		9/3/2023	occupancy inspection for 1522 BT	TO90323000 55002	\$95.50	\$320.50	9/20/2023
12684	Mike Krewson	9/5/2023	reimbursement for building materials for carnival games-family fun day		\$219.64	\$219.64	9/20/2023
12685	Engelmeyer & Pezzani, LLC	8/16/2023	hourly assistant prosecutor duties	3899	\$184.50		
		9/5/2023	hourly assistant prosecutor duties	3956	\$609.00	\$793.50	9/20/2023
12686	Another Wild Goose Chase	9/4/2023	goose control for 9-4-23 to 10-1-23	2564	\$640.00	\$640.00	9/20/2023
12687	Accurate Fire Protection Systems, LLC	9/6/2023	8-24-23 annual inspection	23-501	\$725.00	\$725.00	9/20/2023
12688	Gateway Disposal, LLC	8/31/2023	monthly waste disposal contract for Twin Oaks	38X00003	\$5,220.00		
		9/7/2023	hauling fee	39700025	\$390.00	\$5,610.00	9/20/2023
12689	St Louis County Police Department	9/1/2023	police service contract for September	153359	\$12,229.78	\$12,229.78	9/20/2023
12690	Cunningham, Vogel & Rost	9/11/2023	Basic/retainer services for August	68435	\$1,100.50		
		9/11/2023	Other legal services for August	68434	\$2,139.00	\$3,239.50	9/20/2023
12691	BFA	9/11/2023	Crescent Avenue Improvement Project - stormwater survey work for Crescent Road/Laws Ct	19349	\$5,206.45		
		9/11/2023	Crescent Avenue Improvement Project - road design, utility coordination, and stormwater design for August	19348	\$5,175.00		
		9/11/2023	Boly Lane Entrance Project - design work for August	19150	\$1,235.00	\$11,616.45	9/20/2023
12692	SLACMA Lake Management	9/14/2023	Monthly membership luncheon		\$15.00	\$15.00	9/20/2023
12693	Services, Inc.	9/6/2023	treatment for upper and lower pond	19210	\$320.00	\$320.00	9/20/2023
12694	Bridge Tower	9/7/2023	RFP for accounting services for yearly audit	74563827	\$47.60	\$47.60	9/20/2023
12696	Juke Box Heros	9/15/2023	Band for Family Fun Day		\$800.00	\$800.00	9/20/2023
12698	Marco	8/22/2023	contract for printer	11544144	\$74.08	\$74.08	9/20/2023
Autopay	MO-American Water	8/28/2023	monthly charges for 1 Twin Oaks Ct Park	8845	\$1,132.99	\$1,132.99	9/19/2023
Autopay	MO-American Water	8/28/2023	monthly charges for 1312 Big Bend Irrig	5681	\$550.67	\$550.67	9/19/2023
Autopay	Ameren	9/5/2023	monthly charges for street lights	5515	\$642.79	\$642.79	9/19/2023
Autopay	MO-American Water	9/5/2023	monthly charges for Twin Oaks Firepark	9022	\$23.21	\$23.21	9/27/2023
Autopay	MSD	9/8/2023	monthly charges for City Hall	1219399-1	\$51.49	\$51.49	9/28/2023
Autopay	Brain Mill	9/15/2023	monthly IT service contract	220662	\$1,192.00	\$1,192.00	10/3/2023
			Alderman				
			Alderman				

103 Elm Street
Washington, MO 63090



Invoice

636.239.4751
www.bfaeng.com

Bill To:
Twin Oaks 1381 Big Bend Road Twin Oaks MO 63021 13-3497-2R/Big Bend Boly Entrance

Invoice Date:	Invoice #:
8/27/2023	19150

Item	Description	Date	Hours/Qty	Rate	Amount
TSD/PM	Go over scope of work with AJR	7/18/2023	0.75	120.00	90.00
AJR/Draft	Emails (0.5); Scope of Work (1.5)	7/18/2023	2	100.00	200.00
TSD/PM	Go over scope of work with AJR	7/21/2023	0.5	120.00	60.00
AJR/Draft	Meeting with TSD RE: Scope of Work	7/21/2023	0.25	100.00	25.00
TSD/PM	Review county comment to assess scope of work	7/24/2023	0.5	120.00	60.00
AJR/Draft	Scope of Work	7/24/2023	1.25	100.00	125.00
AJR/Draft	Scope of Workl, Discussion with JBS, Plat check, Email draft (1.5)	7/25/2023	1.5	100.00	150.00
TSD/PM	Review county comment to assess scope of work; Review and discuss with RII	7/26/2023	1	120.00	120.00
AJR/Draft	Scope of Work	7/26/2023	0.25	100.00	25.00
AJR/Draft	Call with Frank RE: Scope of Work	7/27/2023	0.25	100.00	25.00
TSD/PM	Update scope of work; email to Frank	7/28/2023	0.25	120.00	30.00
TSD/PM	Tcon with Frank: Set up project tasks	8/3/2023	0.75	120.00	90.00
AJR/Draft	Tcon w/Frank RE: Project	8/3/2023	0.25	100.00	25.00
TSD/PM	Concept: compile past concept plans	8/14/2023	0.25	120.00	30.00
TSD/PM	Concept: compile past concept plans	8/16/2023	1	120.00	120.00
TSD/PM	Concept: compile past concept plans; Submit Summary to Frank	8/18/2023	0.5	120.00	60.00

A service charge of 2% will be added to all accounts not paid within 60 days. A service charge of 1% per month will be added thereafter.

Amount Due This Invoice

\$1,235.00

103 Elm Street
Washington, MO 63090



Invoice

636.239.4751
www.bfaeng.com

Bill To:
Twin Oaks 1381 Big Bend Road Twin Oaks MO 63021 13-3497-13A/Crescent Ave/Sidewalk Project

Invoice Date:	Invoice #:
8/27/2023	19348

Item	Description	Date	Hours/Qty	Rate	Amount
TSD/PM	MSD: Discuss Full Stormwater Report with RII, Tcon with Frank	7/31/2023	2.25	120.00	270.00
AJR/Draft	STLC: MSD Meeting with RII Prep, Meeting with RII and TSD, Call with Frank (2.25)	7/31/2023	2.25	100.00	225.00
TSD/PM	MSD: Review codes; Tcon with Frank (0.75); Update budget Tracker and update Const Cost (1.5)	8/1/2023	2.25	120.00	270.00
TSD/PM	Utility Coordination: Zoom Call with Spire	8/2/2023	0.25	120.00	30.00
AJR/Draft	Tcon w/Spire (0.5); Spire MUs (1.5)	8/2/2023	2	100.00	200.00
TSD/PM	MSD: Tcon with Frank; set up tasks and sch (1.0); Pothole: Discuss with Frank (0.5)	8/3/2023	1.5	120.00	180.00
AJR/Draft	Tcon w/Frank RE: City Workshop	8/3/2023	0.25	100.00	25.00
TSD/PM	Utility Coord: Follow up calls: charter, Barh, Ameren, Aaron (0.5); 98 Crescent Request: Discuss with Frank (0.25); Pothole: Sign Contract, Tcon to sch work (0.5)	8/4/2023	1.25	120.00	150.00
AJR/Draft	Utility Coordination: Follow-up, Charter, Ameren	8/4/2023	1	100.00	100.00
TSD/PM	Laws Court: Prep for Field work	8/7/2023	0.75	120.00	90.00
AJR/Draft	Utility Coordination	8/7/2023	0.25	100.00	25.00
TSD/PM	Utility Coord: Tcon with Charter (0.25); MSD: discuss storm calcs (0.25); Law: discuss survey, discuss pothole, discuss plan sheet set up (0.25)	8/8/2023	0.75	120.00	90.00
AJR/Draft	Meeting with TSD Follow-ups and status (0.75); Utility Coordination (0.5)	8/8/2023	1.25	100.00	125.00
AJR/Draft	MSD: Report	8/8/2023	1.5	100.00	150.00
AJR/Draft	Field Work coordination with Bahr	8/9/2023	0.5	100.00	50.00
AJR/Draft	MSD: Report	8/9/2023	5.5	100.00	550.00
AJR/Draft	MSD: Report	8/10/2023	4.75	100.00	475.00
AJR/Draft	Notes for Hecras & Lidar	8/10/2023	0.75	100.00	75.00
TSD/PM	Pothole: Prep for field work	8/14/2023	0.25	120.00	30.00
TSD/PM	Utility Coord: Email AJR RE: Ameren Plans	8/15/2023	0.25	120.00	30.00
AJR/Draft	Utility Coordination (1.75); MSD: Report (0.5)	8/16/2023	2.25	100.00	225.00
TSD/PM	Pothole: Onsite locate waterline	8/17/2023	6	120.00	720.00
TSD/PM	Pothole: Calls with Barh; Onsite locate waterline pothole; Get Equipment, Travel, Assign Work (4.0); 98 Crescent: Email Frank wording for Slope construction, Discuss with Frank (0.75)	8/18/2023	4.75	120.00	570.00
TSD/PM	Work on task management, Go over and discuss all task with AJR (2.25)	8/22/2023	2.25	120.00	270.00
AJR/Draft	Project Management: Meeting with TSD to go over task list and project status	8/22/2023	1	100.00	100.00
AJR/Draft	MSD Report (1);	8/24/2023	1	100.00	100.00

A service charge of 2% will be added to all accounts not paid within 60 days. A service charge of 1% per month will be added thereafter.

Amount Due This Invoice

103 Elm Street
 Washington, MO 63090



Invoice

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Bill To:
Twin Oaks 1381 Big Bend Road Twin Oaks MO 63021 13-3497-13A/Crescent Ave/Sidewalk Project

Invoice Date:	Invoice #:
8/27/2023	19348

Item	Description	Date	Hours/Qty	Rate	Amount
AJR/Draft	MSD Drainage area for Laws Ct (0.5)	8/25/2023	0.5	100.00	50.00

A service charge of 2% will be added to all accounts not paid within 60 days. A service charge of 1% per month will be added thereafter.	Amount Due This Invoice	\$5,175.00
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103 Elm Street
Washington, MO 63090



Invoice

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Bill To:
Twin Oaks 1381 Big Bend Road Twin Oaks MO 63021 13-3497-13C/Crescent Ave Sidewalk/Survey

Invoice Date:	Invoice #:
8/27/2023	19349

Item	Description	Date	Hours/Qty	Rate	Amount
AJR/Draft	Easements: MoAW License to Utilize exhibit and email (0.75)	7/31/2023	0.75	100.00	75.00
AJR/Draft	Survey: Laws Ct	8/7/2023	0.25	100.00	25.00
AJR/Draft	Coordinating fieldwork, go over Fieldwork docs	8/8/2023	0.5	100.00	50.00
TSD/PM	Laws Ct: Email ACW RE: survey work	8/15/2023	0.25	120.00	30.00
ACW/Draft	Look up boundary information in the area to locate property corners.	8/16/2023	1	100.00	100.00
AJR/Draft	Survey: Went over survey work, subdivision plat (2)	8/16/2023	2	100.00	200.00
TSD/PM	Laws Ct: Go over Topo	8/16/2023	0.5	120.00	60.00
ACW/Field	Fieldwork to topo both sides of road for storm structure, look for property corners, locate benchmarks.	8/17/2023	9	100.00	900.00
AJR/Draft	Surveying Area near Laws Court	8/17/2023	8.75	100.00	875.00
AJR/Draft	Survey Coordination for utility locates and property corners	8/18/2023	0.25	100.00	25.00
AJR/Draft	Laws Ct: Bring in shots, update topo base, update surface OneCall	8/18/2023	2.5	100.00	250.00
TSD/PM	Laws Ct: Assign work	8/18/2023	0.25	120.00	30.00
Maps/Docume...	Deed	8/16/2023	1	1.27	1.27
Maps/Docume...	Plat copies	8/21/2023	1	4.33	4.33
TSD/PM	Laws Ct: Discuss deed w/ AJR	8/21/2023	0.25	120.00	30.00
Maps/Docume...	Deed Copies	8/22/2023	1	20.85	20.85
TSD/PM	Laws Ct: Tcon w/ AJR RE: Utility Locate	8/22/2023	0.25	120.00	30.00
AJR/Draft	Laws Ct: Property info for survey, One Call, deeds, talk with ACW, print plats for locating property corners	8/21/2023	5	100.00	500.00
AJR/Draft	Laws Ct: Surveying, travel, uploading photos	8/22/2023	6.75	100.00	675.00
AJR/Draft	Laws Ct: Bringing in shots, Topo Base, Check Shots, Topographic Survey	8/23/2023	6	100.00	600.00
AJR/Draft	Laws Ct: TS Sheet set up, labels	8/24/2023	2.75	100.00	275.00
TSD/PM	Laws Ct: GR, SUP	8/24/2023	1.5	120.00	180.00
TSD/PM	Laws Ct: SUP, DM, ESC, ESC DTL, CS surface upload shots	8/25/2023	2.25	120.00	270.00

A service charge of 2% will be added to all accounts not paid within 60 days. A service charge of 1% per month will be added thereafter.

Amount Due This Invoice

\$5,206.45

Credit Card List
 August 1, 2023 to August 31, 2023

Date	Name	Memo/Description	Amount
8/1/2023	Quickbooks	Monthly Fee-reaccuring fee for accounting program	90.00
8/1/2023	Zoom	Monthly Fee-reaccuring fee for zoom	15.99
8/1/2023	Adobe	Monthly Fee-reaccuring fee for computer program	12.99
8/8/2023	Mail Chimp	monthly charge for services	13.00
8/1/2023	Sam's	drink supplies for the office	69.54
8/7/2023	84 Lumber	wood to fix the damaged bridge by the comfort station	1,376.63
8/8/2023	Valley Park Elevator Co.	wasp spray	17.97
8/9/2023	Sam's	(2) First Aid kits	61.77
8/10/2023	Sam's	park restroom supplies	88.40
8/11/2023	Fish Window Cleaning	City Hall outside window cleaning	188.00
8/14/2023	Schnucks	dawn refills	8.70
8/16/2023	American Carnival Mart	prizes and tattoos for Family Fun Day	182.99
8/16/2023	Best Buy	tripod for zoom camera	16.49
8/16/2023	Amazon	wall mount storage cabinet for AED	99.99
8/17/2023	Lowes	materials needed for bridge rebuild-comfort station	109.32
8/18/2023	Petromart	fuel for truck	60.00
		Alderman	

		Alderman	



Account Summary

Billing Cycle		08/31/2023
Days In Billing Cycle		31
Previous Balance		\$2,313.08
Purchases	+	\$2,411.78
Cash	+	\$0.00
Balance Transfers	+	\$0.00
Special	+	\$0.00
Credits	-	\$23.35-
Payments	-	\$2,313.08-
Other Charges	+	\$0.00
Finance Charges	+	\$0.00

NEW BALANCE \$2,388.43

Credit Summary

Total Credit Line	\$10,000.00
Available Credit Line	\$7,611.57
Available Cash	\$7,611.57
Amount Over Credit Line	\$0.00
Amount Past Due	\$0.00
Disputed Amount	\$0.00

Account Inquiries

Call us at: (844) 697-1178
 Lost or Stolen Card: (866) 839-3485

Write us at PO BOX 31535, TAMPA, FL 33631-3535

Payment Summary

NEW BALANCE	\$2,388.43
MINIMUM PAYMENT	\$60.00
PAYMENT DUE DATE	09/25/2023

NOTE: Grace period to avoid a finance charge on purchases, pay entire new balance by payment due date. Finance charge accrues on cash advances until paid and will be billed on your next statement.

Corporate Activity

TOTAL CORPORATE ACTIVITY \$2,313.08-

Trans Date	Post Date	Reference Number	Transaction Description	Amount
08/08	08/08	3761917	INTERNET PMT-THANK YOU	\$2,313.08-

Cardholder Account Summary

FEE ACCT 00000877-010000 ##### 1768	Payments & Other Credits \$23.35-	Purchases & Other Charges \$0.00	Cash Advances \$0.00	Total Activity \$23.35-
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Cardholder Account Detail

Trans Date	Post Date	Plan Name	Reference Number	Description	Amount
07/31	08/01		74142962307000000003660	REBATE CREDIT	\$23.35-

PLEASE DETACH COUPON AND RETURN PAYMENT USING THE ENCLOSED ENVELOPE - ALLOW UP TO 7 DAYS FOR RECEIPT

ENTERPRISE BANK & TRUST
 1281 N WARSON ROAD
 SAINT LOUIS MO 63132-1805



Account Number
 ##### 1750

Check box to indicate
 name/address change
 on back of this coupon

AMOUNT OF PAYMENT ENCLOSED

Closing Date 08/31/23	New Balance \$2,388.43	Total Minimum Payment Due \$60.00	Payment Due Date 09/25/23
---------------------------------	----------------------------------	---	-------------------------------------

\$

BL ACCT 0000877-1000000
 CITY OF TWIN OAKS
 1381 BIG BEND ROAD
 ATTN FRANK JOHNSON
 TWIN OAKS MO 63021



MAKE CHECK PAYABLE TO:



ENTERPRISE BANK & TRUST
 PO BOX 6818
 CAROL STREAM IL 60197-6818

IMPORTANT INFORMATION

Finance Charge Calculation Methods and Computation of Average Daily Balance Subject to Finance Charge: The Finance Charge Calculation Method applicable to your account for Cash Advances and Credit Purchases of goods and services that you obtain through the use of your card is specified on the front side of this statement and explained below:

Method A - Average Daily Balance (including current transactions): The Finance Charge on purchases begins on the date the transaction posted to your account. The Finance Charge on Cash Advances begins on the date you obtained the cash advance, or the first day of the billing cycle within which it is posted to your account, whichever is later. There is no grace period.

The Finance Charges for a billing cycle are computed by applying the Periodic Rate to the "average daily balance" of your account. To get the average daily balance, we take the beginning balance of your account each day, add any new purchases or cash advances, and subtract any payments, credits, non-accruing fees, and unpaid finance charges. This gives us the daily balance. Then we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle.

Method E - Average Daily Balance (excluding current transactions): To avoid incurring an additional Finance Charge on the balance of purchases (and cash advances if Method E is specified as applicable to cash advances) reflected on your monthly statement, you must pay the New Balance shown on your monthly statement on or before the Payment Due Date. The grace period for the New Balance of purchases extends to the Payment Due Date.

The Finance Charges for a billing cycle are computed by applying the Periodic Rate to the "average daily balance" of purchases (and if applicable, cash advances). To get the average daily balance, we take the beginning balance of your account each day and subtract any payments, credits, non-accruing fees, and unpaid finance charges. We do not add in any new purchases or cash advances. This gives us the daily balance. Then we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle.

Method G - Average Daily Balance (including current transactions): To avoid incurring an additional Finance Charge on the balance of purchases (and cash advances, if Method G is specified as applicable to cash advances) reflected on your monthly statement and, on any new purchases (and if applicable, cash advances) appearing on your next monthly statement, you must pay the New Balance, shown on your monthly statement, on or before the Payment Due Date. The grace period for the New Balance of purchases extends to the Payment Due Date.

The Finance Charges for a billing cycle are computed by applying the Periodic Rate to the "average daily balance" of purchases (and if applicable, cash advances). To get the average daily balance, we take the beginning balance of your account each day, add any new purchases or cash advances, and subtract any payments, credits, non-accruing fees, and unpaid finance charges. This gives us the daily balance. Then we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle.

Payment Crediting and Credit Balance: Payments received at the location specified on the front of the statement after the phrase "MAKE CHECK PAYABLE TO" will be credited to the account specified on the payment coupon as of the date of receipt. Payments received at a different location or payments that do not conform to the requirements set forth on or with the periodic statement (e.g. missing payment stub, payment envelope other than as provided with your statement, multiple checks or multiple coupons in the same envelope) may be subject to delay in crediting, but shall be credited within five days of receipt. If there is a credit balance due on your account, you may request in writing, a full refund. Submit your request to the Account Inquiries address on the front of this statement.

By sending your check, you are authorizing the use of the information on your check to make a one-time electronic debit from the account on which the check is drawn. This electronic debit, which may be posted to your account as early as the date your check is received, will be only for the amount of your check. The original check will be destroyed and we will retain the image in our records. If you have questions please call the customer service number on the front of this billing statement.

Closing Date: The closing date is the last day of the billing cycle; all transactions received after the closing date will appear on your next statement.

Annual Fee: If your account has been assessed an annual fee, you may avoid paying this annual fee by sending written notification of termination within 30 days following the mailing date of this bill. Submit your request to the Account Inquiries address on the front of this statement. You may use your card(s) during this 30 day period but immediately thereafter must send your card(s), which you have cut in half, to this same address.

Negative Credit Reports: You are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations.

BILLING RIGHTS SUMMARY

In Case of Errors or Inquiries About Your Bill: If you suspect there is an error on your account or you need information about a transaction on your bill, send your written inquiry to the Account Inquiries address on the front of this statement within 60 days of the date of the statement containing the transaction in question. You may telephone us, however a written request is required to preserve your rights.

In your letter, give us the following information:

- Your name and account number.
The dollar amount of the suspected error.
Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question.

Please provide a legal document evidencing your name change, such as a court document.

Please use blue or black ink to complete form

NAME CHANGE

Last
First Middle

ADDRESS CHANGE

Street

City State ZIP Code

Home Phone () - Business Phone () -

Cell Phone () - E-mail Address

SIGNATURE REQUIRED TO AUTHORIZE CHANGES Signature



BL ACCT 00000877-10000000

CITY OF TWIN OAKS

Account Number: ##### 1750

Page 3 of 3

Cardholder Account Summary					
FRANK A JOHNSON ##### 3210		Payments & Other Credits \$0.00	Purchases & Other Charges \$131.98	Cash Advances \$0.00	Total Activity \$131.98
Cardholder Account Detail					
Trans Date	Post Date	Plan Name	Reference Number	Description	Amount
08/01	08/02	PBUS03	24692163213105452006017	INTUIT *QBooks Online CL.INTUIT.COM CA	\$90.00 ✓
08/03	08/04	PBUS03	24011343215000049656210	ZOOM.US 888-799-9666 WWW.ZOOM.US CA	\$15.99 ✓
08/08	08/09	PBUS03	24793383220000081896826	Mailchimp 678-9990141 GA	\$13.00 ✓
08/12	08/13	PBUS03	24492153224713494864309	ADOBE *ACROBAT STD 408-536-6000 CA	\$12.99 ✓

Cardholder Account Summary					
PAULA DRIES ##### 7907		Payments & Other Credits \$0.00	Purchases & Other Charges \$715.88	Cash Advances \$0.00	Total Activity \$715.88
Cardholder Account Detail					
Trans Date	Post Date	Plan Name	Reference Number	Description	Amount
08/01	08/03	PBUS03	24226383214370697515291	SAMSLUB.COM 888-746-7726 AR	\$69.54 ✓
08/09	08/11	PBUS03	24226383222370127452461	SAMSLUB.COM 888-746-7726 AR	\$61.77 ✓
08/11	08/14	PBUS03	24226383225370216454466	SAMSLUB.COM 888-746-7726 AR	\$88.40 ✓
08/14	08/15	PBUS03	24445003227000665887810	SCHNUCKS TWIN OAKS BALLWIN MO	\$8.70 ✓
08/15	08/17	PBUS03	24247603228500665721865	AMERICAN CARNIVAL MART SAINT LOUIS MO	\$182.99 ✓
08/16	08/17	PBUS03	24399003228295041028577	BEST BUY MHT 00018978 MANCHESTER MO	\$16.49 ✓
08/17	08/18	PBUS03	24692163229108665623760	AMZN Mktg US*TO7PT6RO0 Amzn.com/bill WA	\$99.99 ✓
08/18	08/21	PBUS03	24498133232017028589614	FISH WINDOW CLEANING 636-779-1500 MO	\$188.00 ✓

Cardholder Account Summary					
JOHN WILLIAMS ##### 4986		Payments & Other Credits \$0.00	Purchases & Other Charges \$1,563.92	Cash Advances \$0.00	Total Activity \$1,563.92
Cardholder Account Detail					
Trans Date	Post Date	Plan Name	Reference Number	Description	Amount
08/07	08/09	PBUS03	24445003220500332293406	84-LUMBER #2801 VALLEY PARK MO	\$1,376.63 ✓
08/07	08/09	PBUS03	24323043220045000053024	VALLEY PARK ELEVATOR VALLEY PARK MO	\$17.97 ✓
08/17	08/20	PBUS03	24692163230109194440905	LOWES #01503* BALLWIN MO	\$109.32 ✓
08/18	08/20	PBUS03	24034543230001975418384	PHILLIPS 66 - PETROMART 7 VALLEY PARK MO	\$60.00 ✓

Additional Information About Your Account

MANAGE YOUR CARD ACCOUNT ONLINE. IT'S FREE! IT'S EASY! SIMPLY GO TO WWW.EZCARDINFO.COM AND ENROLL IN OUR ONLINE SERVICE. YOU CAN REVIEW ACCOUNT INFORMATION, TRACK SPENDING, SET ALERT NOTIFICATIONS, DOWNLOAD FILES, AND MUCH MORE. MANAGING YOUR ACCOUNT IS FAST, SECURE AND EASY WITH EZCARDINFO. ENROLL TODAY!

Finance Charge Summary / Plan Level Information									
Plan Name	Plan Description	FCM ¹	Average Daily Balance	Periodic Rate *	Corresponding APR	Finance Charges	Effective APR Fees **	Effective APR	Ending Balance
Purchases									
PBUS03 001	PURCHASE	E	\$0.00	0.05134%(D)	18.7400%(V)	\$0.00	\$0.00	0.0000%	\$2,388.43
Cash									
CBUS01 001	CASH	A	\$0.00	0.07874%(D)	28.7400%(V)	\$0.00	\$0.00	0.0000%	\$0.00
* Periodic Rate (M)=Monthly (D)=Daily							Days In Billing Cycle: 31		
** includes cash advance and foreign currency fees							APR = Annual Percentage Rate		
¹ FCM = Finance Charge Method									
(V) = Variable Rate If you have a variable rate account the periodic rate and Annual Percentage Rate (APR) may vary.									



FINANCIAL REPORT

FOR THE EIGHT MONTHS ENDED AUGUST 31, 2023

**CITY OF TWIN OAKS
COMBINED BALANCE SHEET
August 31, 2023**

<u>Assets</u>	
Cash	\$ 1,885,143
Other current assets	404,737
Lease receivable	369,100
TOTAL ASSETS	2,658,980
<u>Liabilities</u>	
Payables and deferred	140,217
Lease related	359,250
TOTAL LIABILITIES	499,467
<u>Fund Balances</u>	
Sewer Lateral	46,787
Capital Improvements	769,982
Road	(105,918)
Park	485,970
General	962,692
TOTAL FUND BALANCES	2,159,513
TOTAL LIABILITIES AND FUND BALANCES	2,658,980

CITY OF TWIN OAKS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
EIGHT MONTHS ENDED, AUGUST 31, 2023

	<u>Sewer</u>	<u>Cap Impr</u>	<u>Road</u>	<u>Park</u>	<u>General</u>	<u>Total-All Funds</u>		<u>Percent Change</u>
						<u>2023</u>	<u>2022</u>	
<u>REVENUES</u>								
Sales taxes	\$ -	\$ 208,123	\$ -	\$ 244,851	\$ 473,279	\$ 926,254	\$ 791,117	17.1%
Property tax	-	-	13,437	-	28,272	41,709	39,704	5.1%
Intergovernmental taxes	-	-	13,834	-	6,705	20,539	19,905	3.2%
Licenses, permits, fees	1,663	-	-	-	125,192	126,856	95,308	33.1%
Municipal Court	-	-	-	-	820	820	-	
Miscellaneous	-	4,195	-	2,720	2,248	9,163	44,188	-79.3%
Investment income	279	-	-	-	14,957	15,236	1,547	884.9%
Total	1,942	212,318	27,271	247,571	651,473	1,140,576	991,769	15.0%
<u>EXPENDITURES</u>								
Court	-	-	-	-	3,995	3,995	983	306.4%
Personnel services	-	-	38,482	25,799	119,346	183,626	176,272	4.2%
Administrative	-	-	-	-	92,324	92,324	90,491	2.0%
Operating	2,963	-	47,003	65,232	54,872	170,069	199,578	-14.8%
Contractual	-	-	-	-	42,597	42,597	57,983	-26.5%
Police	-	-	-	-	97,838	97,838	94,778	3.2%
Maintenance and repair	-	-	-	24,344	-	24,344	26,256	-7.3%
Debt service	-	142,786	-	-	-	142,786	142,786	0.0%
Capital Imp-Stormwater	-	-	-	19,519	-	19,519	-	
Capital Imp-Pond Bridge	-	-	-	10,000	-	10,000	-	
Capital improvement-Road	-	-	51,261	-	-	51,261	68,785	-25.5%
Total	2,963	142,786	136,745	144,894	410,971	838,359	857,912	-2.3%
Excess (deficiency) of revenues over (under) expenditures	(1,021)	69,532	(109,474)	102,677	240,502	302,217		
<u>Other Sources (Uses)</u>								
Transfers In (Out)	-	-	-	-	-	-	-	
Change in Fund Balance	(1,021)	69,532	(109,474)	102,677	240,502	302,217		
Fund Balance 1/1/2023	47,808	700,450	3,556	383,293	722,190	1,857,297		
Fund Balance 8/31/2023	\$ 46,787	\$ 769,982	\$ (105,918)	\$ 485,970	\$ 962,692	\$ 2,159,514		

CITY OF TWIN OAKS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET - FISCAL YEAR 2023

						Total-All Funds		Actual as % of Budget
	Sewer	Cap Imprv	Road	Park	General	BUDGET 2023	ACTUAL 08/31/23	
REVENUES								
Sales taxes	\$ -	\$ 283,000	\$ -	\$ 332,900	\$ 585,200	\$ 1,201,100	\$ 926,254	77.1%
Property tax	-	-	14,400	-	40,500	54,900	41,709	76.0%
Intergovernmental taxes	-	-	12,000	-	14,700	26,700	20,539	76.9%
Licenses, permits, fees	3,900	-	-	3,200	119,800	126,900	126,856	100.0%
Municipal Court	-	-	-	-	-	-	820	
Miscellaneous	-	-	-	100	800	900	9,163	1018.1%
Investment income	100	1,100	-	800	900	2,900	15,236	525.4%
Total	4,000	284,100	26,400	337,000	761,900	1,413,400	1,140,576	80.7%
EXPENDITURES								
Court	-	-	-	-	7,200	7,200	3,995	55.5%
Personnel services	-	-	58,600	39,600	187,400	285,600	183,626	64.3%
Administrative	-	-	-	-	117,600	117,600	92,324	78.5%
Operating	4,000	-	-	95,100	85,500	184,600	151,333	82.0%
Contractual	-	-	-	-	70,000	70,000	39,123	55.9%
Police	-	-	-	-	148,200	148,200	85,608	57.8%
Maintenance and repair	-	-	18,500	40,100	-	58,600	22,495	38.4%
Debt service	-	142,900	-	-	-	142,900	71,393	50.0%
Capital Imp-Stormwater	-	-	-	2,500	-	2,500	18,554	742.2%
Capital Imp-Pond Bridge	-	-	-	88,000	-	88,000	10,000	11.4%
Capital improvement-Road	-	-	460,600	-	-	460,600	41,326	9.0%
Total	4,000	142,900	537,700	265,300	615,900	1,565,800	719,777	46.0%
Excess (deficiency) of revenues over (under) expenditures	-	141,200	(511,300)	71,700	146,000	(152,400)	420,799	
Other Sources (Uses)								
Transfers In	-	142,900	606,200	-	-	749,100	-	
Transfers (Out)	-	(606,200)	-	(57,200)	(85,700)	(749,100)	-	
Change in Fund Balance	-	(322,100)	94,900	14,500	60,300	(152,400)	-	
Fund Balance 1/1/2023	47,808	700,450	3,556	383,293	722,190	1,857,297	-	
Fund Balance 12/31/2023	\$ 47,808	\$ 378,350	\$ 98,456	\$ 397,793	\$ 782,490	\$ 1,704,897	\$ -	



CITY OF TWIN OAKS, MO

PROPERTY TAX LEVY HEARING

WEDNESDAY, SEPTEMBER 20, 2023

FOR CALENDAR YEAR 2023

CITY OF TWIN OAKS, MO

PROPERTY TAX LEVY METHODOLOGY

All property tax levy rates in the State of Missouri are governed by the ***Hancock Amendment*** which stipulates that a taxing authority may only collect property taxes which do not exceed

- Same amount collected in the prior year,
- Plus the value of the Consumer Price Index, as certified by State Tax Commission, in other words – inflation,
- Plus the value of new construction,
- Plus any newly authorized tax levy increase or
- Less any voluntary rollback

CITY OF TWIN OAKS, MO

PROPERTY VALUATION, RATE AND ANTICIPATED TAX COLLECTIONS SUMMARY FOR 2023

ASSESSED VALUES	2023		2022		2021	
	Amount	Percent Change	Amount	Percent Change	Amount	Percent Change
Residential real property	\$13,519,420	18%	\$11,449,450	1%	\$11,301,930	38%
Commercial real property	8,780,929	(8%)	9,588,990	(2%)	9,743,120	(5%)
Personal property	3,092,293	7%	2,887,050	25%	2,307,450	14%
	\$25,392,642	6%	\$23,925,490	2%	\$23,352,500	14%

GENERAL REVENUE						
<i>Tax Rates</i>						
Residential real property	0.0000	-	0.0000	-	0.0000	-
Commercial real property	0.4730	9%	0.4330	3%	0.4190	9%
Personal property	0.0000	-	0.0000	-	0.0000	-
<i>Anticipated Tax Revenues</i>						
Residential real property	\$ -	-	\$ -	-	\$ -	-
Commercial real property	41,534	0.0%	41,520	1.7%	40,824	3.4%
Personal property	-	-	-	-	-	-
	\$ 41,534	0.0%	\$ 41,520	1.7%	\$ 40,824	3.4%



Summary Page

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Twin Oaks 09-096-0077 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

- A. Prior year tax rate ceiling
B. Current year rate computed
C. Amount of rate increase authorized by voters for current year
D. Rate to compare to maximum authorized levy to determine tax rate ceiling
E. Maximum authorized levy
F. Current year tax rate ceiling
G. 1. Less required sales tax reduction
G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies)
H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)
I. Plus allowable recoupment rate
J. Tax rate to be levied
AA. Rate to be levied for debt service, if applicable
BB. Additional special purposed rate authorized by voters after the prior year tax rates were set

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

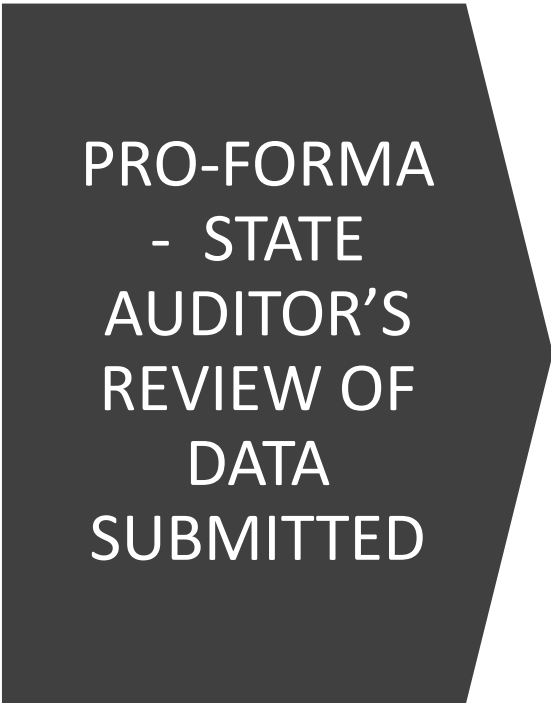
Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)



AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF TAX LEVY FOR THE YEAR 2023 ON ALL REAL PROPERTY WITHIN THE CITY OF TWIN OAKS, MISSOURI; PROVIDING FOR THE EXTENSION OF SAID TAXES ON THE BOOKS OF THE COLLECTOR OF REVENUE; AND PROVIDING FOR THE COLLECTION THEREOF BY THE COLLECTOR FOR THE CITY OF TWIN OAKS, MISSOURI

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

Section 1. There is hereby levied upon all property subject to taxation within the corporate limits of the City of Twin Oaks

- A. There is hereby levied upon all real residential property and all personal property, an ad valorem tax calculated to be \$ 0.0000 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk.
- B. There is hereby levied upon all real commercial property, an ad valorem tax in the amount which is equal to the tax rate ceiling as shown on the State Auditor's Pro Forms for 2023 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk. (Note: this amount has been preliminarily calculated to be \$0.4730 per one hundred dollars (\$100) assessed valuation; however, it is the Board of Aldermen's intention to set the tax rate at the tax rate ceiling as such may be determined prior to October 1, 2023. In no instance shall the reflection of this preliminary calculation be construed as a voluntary reduction of the 2023 tax rate or as the City's attempt to exceed the tax rate ceiling for this subclass of property).

Section 2. The Clerk of Saint Louis County, Missouri, and the Revenue Department thereof, are hereby authorized to extend on the books of the Collector the amount of the taxes due and collectible according to the above rates on all Residential and Commercial Real Property and Personal Property within the corporate limits of the City of Twin Oaks, Missouri.

Section 3. The Collector for the City of Twin Oaks is directed to obtain from the County Clerk of Saint Louis County, Missouri, the necessary Real Estate, Commercial and Personal Property tax abstracts for the purpose of extension, billing and collecting said extended taxes at his office, and the collection of all taxes so extended shall be enforced in the same manner and under the same rules and regulations as may be provided by law for collecting and enforcing the payment of State and County taxes.

Section 4. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 20th DAY OF SEPTEMBER 2023.

Russ Fortune, Mayor

Attest:

Frank Johnson, City Clerk

**AN ORDINANCE AMENDING THE LAND DISTURBANCE CODE,
CHAPTER 407, OF THE TWIN OAKS MUNICIPAL CODE.**

WHEREAS, pursuant to § 400.550 of the Twin Oaks City Code, the Board of Aldermen may from time to time, on its own motion or on petition of the Planning and Zoning Commission, amend, supplement, change, modify or repeal by ordinance the regulations or districts herein or subsequently established after receiving the Planning and Zoning Commission's recommendation and report; and

WHEREAS, the City desires to make text amendments to the Land Disturbance Code, Chapter 407, of the Twin Oaks Land Use Regulations contained in the Municipal Code (hereinafter the "Land Disturbance Code"); and

WHEREAS, the City has contracted with St. Louis County to administer its Land Disturbance Code and one of the stipulations of that agreement is that the City adopt regulations that mirror the County's regulations for Land Disturbance; and

WHEREAS, St. Louis County amended its Land Disturbance Code by Ordinance 25,494. on July 31, 2013, effective October 30, 2013, which amendments were primarily administrative enforcement changes, along with a few technical changes; and

WHEREAS, the City's Land Disturbance Code was last amended in 2009 and is in need of amendment to reflect the County's current Code; and

WHEREAS, on August 22, 2023, the Planning and Zoning Commission recommended that the Board of Aldermen approve of the proposed amendment to the Land Disturbance Code set forth herein; and

WHEREAS, the Board of Aldermen, after careful and due deliberation and following a duly noticed public hearing held on September ____, 2023, in accordance with §400.550 and §89.060 RSMo., has concluded that the adoption of the proposed amendments to the Land Disturbance Code would be in the interests of health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

Section 1. Chapter 407, Land Disturbance, is hereby repealed in its entirety and replaced with the following as the Land Disturbance Code of the City of Twin Oaks:

Chapter 407 Land Disturbance Code

Article I—Administration.

SECTION 407.101 SCOPE

101.1 Title: These regulations shall be known as the "Land Disturbance Code" of the City of Twin Oaks (the "City"), Missouri, hereinafter referred to as "this Code."

101.2 Introduction: On construction or land disturbance sites, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Deposits of eroded soil also necessitate maintenance of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation

necessary for terrestrial and aquatic habitat. Construction activities also utilize materials and generate wastes, which if not properly controlled can pollute receiving waters.

101.3 Purpose: The purpose of this Code is to safeguard persons, protect property, and prevent damage to the environment in the City. This Code will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth in City.

101.4 Scope: This Code provides for the safety, health, and welfare of the public by regulating and controlling the design, construction, use, and maintenance of any development or other activity that disturbs land surfaces or results in the movement of earth in the City.

101.5 Definitions: For the purpose of this Code, the following terms, phrases, words, and their derivations shall have the meanings given herein. Where terms are not defined by this section, such terms shall have ordinarily accepted meanings such as the context implies.

Best management practices or BMP: Practices, procedures, methods, devices, or a schedule of activities to reduce the amount of sediment and other pollutants in storm water discharges associated with construction and land disturbance activities.

Board: The St. Louis County Board of Appeals or Building Commission as provided for in Section 4.330, St. Louis County Charter.

Borrow pit or site: An area where material (usually soil, gravel, or sand) is excavated for use at another location.

City: City of Twin Oaks, Missouri.

Clearing: Any activity that removes the vegetative surface cover or destroys the root system.

Code or this Code: The "Land Disturbance Code" of City of Twin Oaks, Missouri.

Commercial: A development for or consisting of any type of use other than Residential as defined in this code.

Community garden: A single piece of land gardened collectively by a group of people for the purpose of growing fresh vegetables and similar produce for their own consumption or to donate to others.

Construction site or land disturbance site: A parcel or contiguous parcels, where land disturbance activities are performed as part of a proposed development.

County: St. Louis County, Missouri.

Department of Health: The County Department of Health, acting through its Director, or his/her duly authorized designee.

Department of Highways and Traffic: The County Department of Highways and Traffic, acting through its Director, or his/her duly authorized designee.

Department of Planning: The County Department of Planning, acting through its Director, or his/her duly authorized designee.

Department of Public Works: The County Department of Public Works, acting through its Director, or his/her duly authorized designee.

Disaster: A disaster shall include but not necessarily be limited to flood, windstorm, tornado, severe storm, earthquake, bomb blast, explosion or similar natural or man-made type event. The Code Official shall make the determination whether an event shall be declared a disaster.

Drainage way: Any channel that conveys surface runoff through a site.

Emergency: An event or occasion that requires immediate action in order to preserve or restore the public peace, health, safety or welfare.

Erosion: The wearing away of land surface through the action of wind or water.

Erosion control: Any best management practices (“BMP”) that prevents or minimizes erosion.

Grading: Reshaping the ground surface through excavation and/or fill of material.

Land disturbance activities: Clearing, grading or any related work which results in removal of the natural site vegetation or destruction of the root zone or otherwise results in leaving the ground surface exposed to soil erosion through the action of wind or water.

Land disturbance, major: Any land disturbance activity involving one (1) acre or more of land, or a site involving less than one (1) acre that is part of a proposed development that will ultimately disturb one (1) acre or more.

Land disturbance, ordinary: Any land disturbance activity involving less than one (1) acre of land.

Land disturbance permit: A permit issued by the authority having jurisdiction authorizing a land disturbance activity at a specific site subject to conditions stated in the permit. A permit may be for any one or more major or ordinary land disturbance activities.

Perimeter control: A barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

Phasing: Clearing a parcel of land in distinct stages, with the stabilization of each phase substantially completed before the clearing of the next.

Qualified professional: A Missouri licensed professional engineer or person who has been tested and certified by an independent organization as having passed an examination in the principles and practices of erosion and sediment control and methods to prepare a storm water pollution prevention plan (“SWPPP”) and who is also knowledgeable in the principles and practices of erosion and sediment control, including the best management practices described in this Code.

Registered design professional: An individual who is registered or licensed to practice his/her respective design profession as defined by the statutory requirements of the professional registration laws of the State of Missouri.

Residential: A development for or consisting of detached single-family dwellings, detached two-family dwellings, or multiple single-family dwellings (townhouses).

Runoff coefficient. The fraction of total rainfall that exits at the outfalls from a site.

Sediment control: Any best management practices that prevent eroded sediment from leaving a site.

Site construction plans: Written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristic of land disturbance activities and related features, elements, and components of a project necessary for obtaining a land disturbance permit.

Special inspections: Inspection requiring special expertise of the erosion and sediment and other pollutant control measures, outfalls, and off-site receiving waters, the purpose of which is to ensure the proper installation, operation, and maintenance of the BMP and to determine the overall effectiveness of the SWPPP and the need for additional control or corrective measures.

Stabilization: The use of BMP that prevent exposed soil from eroding from a land disturbance site.

Start of construction: The first land disturbance activity associated with a development.

Stockpile: A temporary pile or storage location on a commercial site for materials that can be used as approved fill material under this Code as future on-site fill or as fill at another approved location for proposed development that is in the permit/review approval process.

Storm water pollution prevention plan or SWPPP: A management plan, the purpose of which is to ensure the design, implementation, management and maintenance of BMP in order to reduce the amount of sediment and other pollutants in storm water discharges associated with land disturbance activities, comply with the standards of the County and ensure compliance with the terms and conditions of the applicable state permits, including adherence to the land disturbance program contained in Missouri MS4 NPDES permits.

Water course: A natural or artificial channel or body of water, including but not limited to lakes, ponds, rivers, streams, ditches, and other open conveyances that carry surface runoff water either continuously or intermittently.

101.6 Contracting With St. Louis County:

101.6.1 Authority. The City has contracted with the St. Louis County Department of Public Works and has authorized the County to provide appropriate services to enforce the requirements of this Land Disturbance Code and further to collect fees for applicable permits and inspections issued or made pursuant to such contracts.

101.6.2 Zoning Approval. Before the County undertakes any enforcement or other actions under an agreement with the City, it shall verify that all plans for land disturbance activities within the corporate limits of the City of Twin Oaks have been reviewed and approved by the City for compliance with its zoning or other City regulatory ordinances or provisions prior to issuance of a County permit under this code.

SECTION 407.102 APPLICABILITY

102.1 Other laws: The provisions of this Code shall not be deemed to nullify any provisions of County, state, or federal law.

102.2 Referenced standards and manuals: The standards and manuals referenced below shall be considered a part of the requirements of this Code. Where conflicts occur between the provisions of County ordinances, including this Code, and the referenced standards and manuals, the provisions of County ordinances shall apply.

1. County's Model Best Management Practices for Land Disturbance - Sediment and Erosion Control Manual.
2. County's Design Criteria for the Preparation of Improvement Plans Manual.
3. County's Standard Specification for Highway Construction Manual.
4. Standard Method 2540 F from the Standard Methods for Examination of Water and Wastewater jointly published by the American Public Health Association (APHA), the American Water Works Association (AWWA), and the Water Environment Federation (WEF).

SECTION 407.103 ENFORCEMENT

103.1 The City. Unless delegated by the City to the County as its agent, the City of Twin Oaks shall have the authority and responsibility to perform the following functions related to the enforcement of this code:

1. Plan review of major land disturbance activities;
2. Plan review and inspection of land disturbance activities related to construction, repair, maintenance or condition of roadways and roadway right-of-ways which are maintained by the City; and
3. Plan review of land disturbance activities within or abutting areas designated 100-year floodplain.

103.2 Department of Planning: The Department of Planning shall have the authority and responsibility to administer the determination, collection and release of land disturbance escrows required by this Code in coordination with the Departments of Public Works and Highways and Traffic.

103.3 Department of Public Works: The Department of Public Works shall have the authority and responsibility to perform the following functions related to the enforcement of this Code:

1. Receive applications for major land disturbance permits;

2. Coordinate the review of major land disturbance permit applications and accompanying documents with the Departments of Planning and Highways and Traffic;
3. Coordinate the issuance of the major land disturbance permit with the Departments of Planning and Highways and Traffic and issue such permits. Such permits may authorize anyone (1) or more major land disturbance activity;
4. Inspect commercial land disturbance activities; and residential land disturbance activity associated with permitted construction of buildings or structures;
5. Inspect commercial land disturbance activities within or abutting areas designated one hundred (100) year flood plain; and
6. Receive applications, perform plan review, inspect and issue of permits for ordinary land disturbance activities relating to best management practices (BMP) to be utilized to control erosion and sedimentation from leaving the site during construction and other land disturbance activities.

103.4 Department of Highways and Traffic: The Department of Highways and Traffic shall have the authority and responsibility to perform the following functions related to the enforcement of this Code:

1. Plan review of major land disturbance activities;
2. Plan review and inspection of land disturbance activities related to construction, repair, maintenance, or condition of roadways and roadway right-of-ways which are maintained by the County;
3. Plan review of land disturbance activities within or abutting areas designated one-hundred-year flood plain;
4. Inspect residential land disturbance activities within or abutting areas designated one-hundred-year flood plain; and
5. Inspect residential land disturbance activities except activities associated with permitted construction of buildings and structures.

103.5 Protection of adjacent property: No major land disturbance permit or ordinary land disturbance permit shall be issued where the Department of Highways and Traffic and/or the Department of Public Works finds that the proposed land disturbance activity would result in a material change in the amount or pattern of surface water run-off to the substantial injury of neighboring public or private property or right-of-way. All land disturbance activities shall be carried out in such a manner as to minimize inconvenience and harm to adjacent properties and property owners.

103.4 Rule-making authority: The City and those County departments having enforcement authority and responsibilities described in Section 407.103 of this Code shall have the authority, as necessary in the interest of public health, safety, and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this Code, in order to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions. Such rules and regulations shall not have the effect of waiving requirements specifically provided for in this Code or of violating accepted engineering practices involving the purpose of this Code.

SECTION 407.104 VIOLATIONS

104.1 Unlawful acts: It shall be unlawful for any person, firm or corporation to perform any land disturbance activities, or cause or allow same to be done without obtaining the appropriate permit to do so, or to be otherwise in conflict with or in violation of any of the provisions of this Code.

104.2 Notices of violations: When the Department of Public Works or the Department of Highways and Traffic determines that a violation of this Code exists, the respective Director shall notify the violator. The notification shall be in writing and shall be delivered to the violator or his/her legally authorized representative or mailed to his last known address via first class mail postage prepaid. Any person having been notified that a

violation exists and who fails to abate the violation within seven (7) calendar days after notification, shall be subject to the penalties enumerated in this Code.

104.2.1 Notices of violations on highways and traffic projects: The notice of violation will consist of the site storm water pollution prevention plan (SWPPP) construction site inspection report delivered to the contractor by the resident engineer or their assign. Any person having been notified that a violation exists and who fails to abate the violation within seven (7) calendar days after notification, shall be subject to the penalties enumerated in this Code and/or penalties issued by the Missouri Department of Natural Resources (MDNR) and/or the Environmental Protection Agency (EPA).

104.3 Prosecution of Violation: If the violator does not abate the violation promptly, the Department of Public Works or the Department of Highways and Traffic shall request the County Counselor to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation.

104.4 Violation, penalties: Any person, firm or corporation who shall:

1. Violate any provision of this Code, or
2. Fail to comply with any of the requirements of this Code, or
3. Perform work in violation of the approved construction documents or the storm water pollution prevention plan, or any directive of the City, the Department of Public Works or the Department of Highways and Traffic, or of a permit or certificate issued under the provisions of this Code, or
4. Start any work requiring a permit without first obtaining a permit therefore, or
5. Fail to call for the required inspections, or
6. Fail to cause or make the special inspector's regular and after-rain inspections or file the required special inspector weekly reports, or
7. Continue any work on or about the site after having been served a stop-work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe conditions, or
8. Assist in any violation of this Code, or
9. Maintain any property on which a violation of this Code exists, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

104.4.1 Failure to obtain a permit: In addition to the actions and penalties contained in subsections 104.3 and 104.4 above, the City or the County, as its agent, may implement the following procedure when work has been started prior to issuance of a permit required by this Code:

1. Issue a stop work order.
2. Assess an administrative penalty which shall not exceed the greater of five hundred dollars (\$500.00) or one (1) percent of the cost of the land disturbance activities. In making the assessment, the City or Department will consider whether the violator has previously violated this Code and whether the occupation or experience of the violator indicates that he/she knew or should have known that a permit was required.

104.4.2 Failure to perform special inspections, produce special inspector reports, request inspections, or implement BMP: In addition to the actions and penalties contained in subsections 104.3 and 104.4 above, City or the County, as its agent, may implement the following procedure, when a person fails to conduct special inspections, fails to submit special inspector reports, fails to schedule the required inspections, or fails to implement BMP), including re-establishing permanent vegetation on the site as required by this Code:

1. Issue a violation, and, if the violation is failure to perform special inspections or produce special inspection reports, also issue a stop work order.
2. Assess an administrative penalty which shall not exceed five hundred dollars (\$500.00); except that in addition, assess an administrative penalty of up to one hundred dollars (\$100.00) per day for failure to implement BMP. In making the assessment, the Department will consider whether the violator has previously violated this Code and whether the occupation or experience of the violator indicates that he/she knew or should have known that special inspector inspections, special inspector reports, or County inspections were required, or that BMP were required to be implemented.

104.5 Appeal: Appeals from City or County actions or penalties imposed pursuant to subsection 104.4.1 or 104.4.2 shall be governed by provisions relating to appeals to the Board contained in Section 407.105.

104.6 Abatement of violation: The imposition of the penalties herein prescribed shall not preclude the City Prosecutor or County Counselor from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal use of a property or to stop an illegal act.

104.7 Permit suspension or revocation: The City or the County, as its agent, may suspend or revoke any permit if the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any County ordinance, including this Code, or any state or federal regulation. In addition, County may suspend or revoke any permit when a land disturbance activity is conducted in violation of the requirements of this Code or the terms of the permit in such a manner as to materially adversely affect the safety, health, or welfare of persons, or materially be detrimental or injurious to property or improvements.

104.8 Stop work order: In addition to the stop work orders issued pursuant to subsections 104.4.1 and 104.4.2, upon notice from the City, the Department of Public Works or the Department of Highways and Traffic that work on any property is being prosecuted contrary to the provisions of this Code or in an unsafe and dangerous manner, the person performing such work shall stop work immediately. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the conditions under which work will be permitted to resume.

Any person, who shall continue any work in or about the property after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as specified in this Code.

SECTION 407.105 APPEALS

105.1 Application for appeal: Any person aggrieved by a decision made hereunder by the City, the Department of Planning, the Department of Public Works or the Department of Highways and Traffic shall have the right to appeal to the Board. The Board shall consist of the members of the Building Commission created in Article IV, Section 4.330 of the St. Louis County Charter.

105.1.1 Filing procedure: All appeals shall be filed in writing with the Department of Public Works with a copy to the City. All appeals shall be filed within thirty (30) days after the decision to be appealed is rendered by the City or those County departments identified in this section.

105.1.2 Filing fee: All appeals must be accompanied by a fee in the amount specified in Chapter 1100, SLCRO 1974, as amended.

105.2 Notice of hearing on appeal: The Board shall meet upon notice from the Chairman, within thirty (30) days of the filing of an appeal, or at stated periodic meetings.

105.3 Open hearing: All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the County department(s) having enforcement authority and responsibilities described in Section 407.103 of this Code, and any person whose interests are affected, shall be given an opportunity to be heard.

105.4 Procedure: The Board shall adopt and make available to the public procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

105.5 Board decision: Decisions by the Board to reverse or modify a decision appealed from requires a minimum vote of three members.

105.6 Resolution: The decision of the Board shall be in writing and shall consist of findings of fact and conclusions of law. Copies shall be furnished to the appellant and to the City and those County department(s) having enforcement authority and responsibilities.

105.7 Court review: A party adversely affected by a decision of the Board may appeal to an appropriate court from such decision. Application for review shall be made in the manner and time required by law following the filing of the findings of fact and conclusions of law.

SECTION 407.106 LAND DISTURBANCE PERMITS REQUIRED

106.1 City Permit required: Any person who intends to conduct any land disturbance activity must obtain a permit prior to beginning the activity. The type of permit shall be as required by subsections 106.1.1 or 106.1.2 in this Code.

Exception: Activities that do not require permits under subsection 106.3 of this Code.

106.1.1 Major land disturbance permit: No person shall perform any major land disturbance activity prior to receipt of a major land disturbance permit. Applications for major land disturbance permits shall be filed with the Department of Public Works.

Exception: Activities that do not require permits under subsection 106.3 of this Code.

106.1.2 Ordinary land disturbance permit: No person shall perform any ordinary land disturbance activity prior to receipt of an ordinary land disturbance permit. Applications for ordinary land disturbance permits shall be filed with the Department of Public Works.

Exceptions — Land Disturbance Permits Not Required:

1. Activities that do not require permits under subsection 106.3 of this Code.
2. Land disturbance activities by the City or any other public entity or utility for the installation, inspection, repair, or replacement of any of its equipment or for its collection or distribution lines or piping systems or in conjunction with any street repair or replacement project; provided erosion and sediment control measures are provided until grass or other vegetation is established or other approved ground cover means are used. This exception does not apply to any land disturbance activity associated with work that requires a building permit.

106.1.2.1 County building construction permits and related ordinary land disturbance activities: The Department of Public Works may include ordinary land disturbance activities associated with the construction of a building, structure, or parking lot and installation of associated utilities, sewers, or equipment serving the building, structure, or parking lot authorized by a permit issued under the building, plumbing, electrical, and mechanical codes as an integrated permit for the proposed construction.

106.1.2.2 Land disturbance activities related to emergency work: Where work and associated land disturbance activities must be performed in an emergency situation to protect the health, safety and welfare of the general public, other than disaster response activities described in Item 1 of subsection 106.3, the application for permit must be filed within forty-eight (48) hours (two (2) business days). Every person shall immediately report all emergency work to the Department of Public Works, or in the case of work within a roadway to the Department of Highways and Traffic and apply for appropriate permits pursuant to procedures directed by the Department.

106.2 Limitation on transfer of land disturbance permits: Any person who buys land from a person who has been issued a land disturbance permit under subsections 106.1.1 or 106.1.2 of this Code must obtain a separate land disturbance permit from County.

Exceptions:

1. Portions of a site having a major land disturbance permit may be transferred to a new landowner provided the original permit holder obtains the approval of the Department of Planning and the Department of Public Works to retain responsibility for the land disturbance activities on the remaining portions of such property not transferred to the landowner.

106.3 Exceptions—Land disturbance permits not required:

106.3.1 *Land disturbance permits not required.* Land disturbance permits are not required for the activities related to:

1. Any disaster response activity that is immediately necessary for the protection of life, property, or natural resources; or
2. Land disturbance activities by the City, any other governmental entity, or any public utility for the installation, inspection, repair, or replacement of any of its equipment or for its collection or distribution lines or piping systems; provided erosion and sediment control measures are provided until grass or other vegetation is established or other approved ground cover means are used. *This exception does not apply to any land disturbance activity associated with work that requires a building permit or special use permit.

106.3.2 *Limited Exception* – Where none of the situations described in a) – f) below exist, land disturbance permits are not required for the activities related to:

1. Existing farming, nursery and agricultural operations conducted as a permitted or accessory use; or
2. Land disturbance activities involving less than thirty (30) cubic yards of earth/soil moved and less than two thousand (2,000) square feet of disturbed area provided the land disturbance activity is for the improvement of the property. Erosion and sediment control measures shall be provided, when necessary, until grass or other vegetation is established, or other approved means of ground cover means are used; or
3. Land disturbance activities associated with additions to and accessory structures for one- and two-family dwellings; or
4. Removal of existing or dying grass or similar vegetation by disturbing not more than ten thousand (10,000) square feet and re-sodding or re-seeding with new landscaping to include preparation of the seed bed; provided erosion and sediment control measures are provided until the grass or other vegetation is established. Any cut or fill in conjunction with the preparation of the seedbed shall not exceed thirty (30) cubic yards; or
5. Gardening and similar activities on property occupied by one- or two-family dwellings and community gardens less than two thousand (2,000) square feet in area, provided there is a vegetative buffer around the perimeter of the garden or other approved method to prevent eroded sediment from leaving the site;

provided that the above activity does not alter, or cause to be altered, the present surface of the ground by any cut or fill:

- a) at the property line; or
- b) that would permanently divert one drainage area to another drainage area; or
- c) that would deposit mud or harmful silt, or create erosion or damage to adjoining properties; or
- d) that would block or affect an existing swale or drainage path in a manner to cause damming and ponding; or
- e) within a flood plain without an approved floodplain study, or

- f) within a creek or waterway channel.

106.4 State of Missouri and other agency permits required: The permit applicant shall obtain a land disturbance permit from the State of Missouri Department of Natural Resources for any site where one (1) acre or more of land will be disturbed before beginning any site work authorized by a County permit. This requirement applies to sites of less than one (1) acre that are part of a proposed development that will ultimately disturb one (1) acre or more.

If permits are also required from the City, the County, or from State or Federal agencies, the permit applicant shall obtain the required permits before beginning any site work authorized by a County land disturbance permit.

106.5 Specialized land disturbance permit: A specialized land disturbance permit may be issued for clearing and grubbing, borrow pits or sites, stockpiling of approved fill materials, rough grading, or similar specialized work provided applicant has submitted a SWPPP, adequate plans, and information complying with pertinent requirements of this Code for the advance work. The holder of such specialized permit shall proceed at their own risk with the scope of land disturbance work authorized without assurance that additional land disturbance activities will be approved. If County does not approve additional land disturbance activities, the holder of the specialized permit shall maintain temporary erosion and sediment control measures until permanent engineered BMP are installed, if required, and permanent vegetation on the site is re-established.

106.6 Posting of permit and inspection placard: Work requiring a permit shall not commence until the permit holder posts the permit and inspection placard at the job site for the recording of inspections. The permit and inspection placard shall be placed in a transparent envelope or other approved transparent receptacle that provides weather protection and kept on the site of work in an approved location until the completion of the land disturbance work.

106.7 Expiration: Land disturbance permits shall expire and become invalid under any of the following conditions:

1. Work on the site does not commence within 180 calendar days after issuance of the permit;
2. Work on the site is suspended or abandoned for a period of 180 calendar days;
3. More than six (6) months has transpired since the issuance of an ordinary land disturbance permit, and no extension has been requested;
4. More than two (2) years have transpired since the issuance of the major land disturbance permit, and no extension has been requested;
5. The deposit agreement required by the Planning Department for the major land disturbance is no longer valid.
6. If requests for extension have not been granted.

The Department of Public Works may issue permits having a longer duration than indicated above for land disturbance activities associated with quarries, sand, and gravel dredging operations, and similar long-term specialized borrow pit or site excavation operations. The Department shall collect the permit extension fees that normally would otherwise be collected in accordance with subsection 106.7.1, along with fees for any additional inspections that may be required, at the time the permit having a longer duration is issued. Permits issued for longer durations shall have an expiration date. Upon expiration of the longer duration permit the Department of Public Works may grant additional extensions in accordance with subsection 106.7.1.

106.7.1 Permit extensions: One (1) or more extensions of time, for periods not to exceed three (3) months each for an ordinary land disturbance and one (1) year each for a major land disturbance, may be granted subject to a permit extension fee at the rate prescribed in Chapter 1100, SLCRO. The request for a permit extension shall be submitted to the County in writing, and justifiable cause demonstrated, by the permit holder at least ten (10) working days before the expiration of the permit. The request shall also include a construction schedule that represents a reasonable, good faith effort to complete the land disturbance work and re-establish permanent vegetation in a timely manner.

106.8 Correction of existing violations: The Department of Public Works may withhold issuance of a land disturbance permit if there are unabated written violations against the property until the violations are corrected and abated or proposed to be corrected and abated by the work to be done under the current application for permit.

106.9 Sites declared unsafe: The Department of Public Works may withhold issuance of a land disturbance permit on any site declared unsafe by any federal, state or county agency.

106.10 Permit holder's responsibilities: Should the permit be abandoned and expire, become invalid, or be suspended or revoked, the permit holder shall continue to comply with applicable BMP provisions of this Code including maintaining temporary BMP erosion and sediment control measures until permanent engineered BMP are installed, if required, and/or permanent vegetation is re-established on the site.

SECTION 407.107 LAND DISTURBANCE PERMIT APPLICATIONS

107.1 Permit applications: Applications for land disturbance permits required by this Code shall be in the form prescribed by and accompanied by the site construction plans and documents determined necessary by the County Department(s) responsible for reviewing and issuing the permit. Applications for major land disturbance permits shall include proof that proposed land disturbance and uses have received approvals from the County Department of Planning or zoning approval from the municipality in which the land disturbance activities will occur. The total estimated fee for the activities to be performed by the Departments of Public Works and Highways and Traffic shall be paid in advance. The filing fee shall be credited towards the total permit fee when the permit is issued. Filing fees are non-refundable should the application for permit be denied or cancelled.

107.1.1 Time limitation of application: An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty (180) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that one (1) or more extensions of time for additional periods not exceeding ninety (90) days each may be granted subject to a non-refundable application extension fee at the rate prescribed in Chapter 1100, SLCRO, which shall be paid at the time the extension is granted. An additional inspection fee may also be charged for status inspections to verify work has not started. Application extension fees shall not be credited towards the total permit fee when the permit is issued.

107.2 Site construction plans required: All applications for permits shall be accompanied by site construction plans in the quantity determined by the Departments of Public Works and Highways and Traffic. Site Construction Plans for all Major Land Disturbances and for Commercial Ordinary Land Disturbances shall be prepared by a Registered Design Professional consistent with the professional registration laws of the State of Missouri. The cover or first sheet of the Site Construction Plans shall bear an original embossed or wet ink seal, the date, and original ink signature of the registered design professional. In addition, all other sheets shall bear an original embossed, wet ink, or mechanically reproduced seal of the registered design professional. The title block of the construction plans shall also include the name and address of the registered design professional that sealed them. Site Construction Plans for Residential Ordinary Land Disturbances may be prepared by the owner or contractor, providing the scope of work is relatively simple and there is no engineering required. A Registered Design Professional shall prepare and seal plans for Residential Ordinary Land Disturbances when the scope of work is complex and/or requires engineering.

107.2.1 Storm water pollution prevention plan required (SWPPP) for major land disturbance permits: All applications for major land disturbance permits shall be accompanied by a storm water pollution prevention plan, prepared for the specific site by or under the direction of a qualified professional as directed by County. Only the components and elements of the storm water pollution prevention plan (SWPPP) that do not require engineering may be prepared by a qualified professional other than a Missouri Licensed Professional Engineer. The storm water pollution prevention plan (SWPPP), when prepared by a Missouri Licensed Professional Engineer, may be incorporated into the site construction plans required by subsection 107.2. The site construction plans shall contain a statement that any land clearing, construction, or development involving the movement of earth shall be in accordance with the storm water pollution prevention plan, and the applicant shall assume and acknowledge responsibility for compliance with this Code and the storm water pollution prevention plan at the site of the permitted activity.

107.3 Required land disturbance escrows for major land disturbance permits: Applicants for major land disturbance permits shall file a land disturbance escrow, naming County as beneficiary, in the form of cash, a letter of credit, or other improvement security in an amount deemed sufficient by the Department of Planning to cover all costs of improvements, landscaping, and maintenance of improvements for such period as specified by the Department of Planning. The land disturbance escrow shall include engineering and inspection costs sufficient to cover the cost of failure or repair of improvements installed on the site.

107.3.1 Release of escrows—Project closure: A land disturbance escrow will not be released to the property owner, site operator, or permit holder until all the following have been completed:

1. All temporary storm water control best management practices (BMP) have been removed and the site has been fully stabilized. A site is considered to be stabilized when perennial vegetation, pavement, buildings, or structures constructed of permanent materials cover all areas that were previously disturbed. Vegetative cover shall be established such that erosion no longer occurs. This typically requires a minimum of seventy (70) percent fully established plant density over one hundred (100) percent of the disturbed area.
2. All permanent storm water control best management practices (BMP) have been completed.
3. All final inspections/certifications have been completed by each of the government jurisdictions involved in authorizing the project.

SECTION 407.108 FEES

108.1 Issuance of permits: Land disturbance permits shall not be issued until the fees associated with the permit are paid to the individual County Departments as specified in subsections 108.1.1 through 108.1.3 of this Code.

Exception: Individual County departments may defer all or parts of fees to a later stage of site development.

108.1.1 Department of Planning: Fees for the activities of the Department of Planning related to Land Disturbance permits shall be in accordance with the fee rates set forth in Chapter 1003 "Zoning Ordinance" and Chapter 1005 "The Subdivision Ordinance of St. Louis County."

108.1.2 Department of Highways and Traffic: Fees for the activities of the Department of Highways and Traffic related to Land Disturbance permits shall be in accordance with the fee rates set forth in Chapter 1100 Code Enforcement Fee Schedules" and Chapter 1105 "Department of Highways and Traffic," and in Chapter 1005 "The Subdivision Ordinance of St. Louis County." The Department of Highways and Traffic is authorized to establish and collect inspection fees by estimating the total number of inspection hours required for the completion of the permitted work.

108.1.3 Department of Public Works: Fees for the activities of the Department of Public Works related to land disturbance permits shall be in accordance with the fee rates set forth in Chapter 1100 "Code Enforcement Fee Schedules." In applying the Code Enforcement Fee Schedule, the total estimated cost of land disturbance activities shall include applicable grubbing, site clearing, rough grading, sediment, and erosion control measures, excavating, backfill, final grading, concrete flatwork, asphalt pavement, and final landscaping. The Department of Public Works may require a bona fide contract(s) or any affidavit of the owner of the project, in which the applicant and owner verify the total cost of the site improvements related to the permit. The Department of Public Works is authorized to establish the fee by determining the plan review cost and estimating the total number of inspections required, when in the opinion of the Department of Public Works, the fee resulting from this method more closely relates to the cost of enforcing the requirements of this code. Fees for land disturbance related inspections associated with construction authorized by a building permit shall be assessed to the building permit in accordance with the additional inspection fee rates set forth in Chapter 1100 "Code Enforcement Fee Schedules."

108.2 Refunds: In the case of revocation of a permit or projects where land disturbance activities have begun, no refund shall be permitted. Any excess fee for abandoned projects, where land disturbance work has not started, shall be returned to the permit holder upon written request received not later than twelve (12) months after the date the permit was issued. All application filing fees, application extension fees, plan examination and

permit processing fees and all penalties that have been imposed upon the permit holder under the requirements of this Code shall be deducted from the refund or paid by the permit holder prior to any refund being issued.

SECTION 407.109 STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

109.1 Content—Storm water pollution prevention plan (SWPPP): The design requirements in Chapter 2 of this Code shall be complied with when developing the storm water pollution prevention plan and the plan shall include the following:

- 1) Name, address and telephone number of the site owner and the name, address and telephone number of the individual who will be in overall responsible charge of construction/development activities at the site. When more than one (1) individual is responsible for the entire construction or land disturbance site, the areas of the site over which each individual has control shall be identified.
- 2) Site address or location description and parcel identification number(s). Description of the nature of the land disturbance and construction activities.
- 3) A site map showing the outlines of the total project area, the areas to be disturbed, existing land uses, locations and names of surface water bodies, locations of flood plains, locations of temporary and permanent best management practices (BMP) and such other information as may be required by the County department(s) having enforcement authority and responsibilities described in Section 407.103 of this Code.
- 4) Existing contours of the site and adjoining strips of off-site property and proposed contours after completion of the proposed land disturbance and development, based on United States Geological Survey datum, with established elevations at buildings, walks, drives, street, and roads; and information on necessary clearing and grubbing, removal of existing structures, excavating, filling materials brought to the site, spreading, and compacting. Existing and proposed contours shall be shown at two-foot elevation intervals. Cross sections may be utilized in lieu of contours as approved by the Department of Highways and Traffic.
- 5) A natural resources map identifying soils, forest cover, and resources protected under other provisions of County Ordinances and a general map with enough detail to identify the location of the construction site and any waters of the United States or wetlands within one (1) mile of the site.
- 6) An estimate of the runoff coefficient of the site prior to disturbance and the runoff coefficient after the construction addressed in the permit application is completed.
- 7) Estimated quantity of land to be disturbed.
- 8) Details of the site drainage pattern both before and after major land disturbance activities.
- 9) Access to construction site.
- 10) Description of best management practices (BMP) to be utilized to control erosion and sedimentation during the period of land disturbance. A table or schedule listing each BMP to be utilized and the quantity or linear footage of each. Each BMP shall be identified as temporary or permanent.
- 11) Description of best management practices (BMP) to be utilized to prevent other potential pollutants such as construction wastes, toxic or hazardous substances, petroleum products, pesticides, herbicides, site litter, sanitary wastes, and other pollutants from entering the natural drainage ways during the period of construction and land disturbance.
- 12) Description of best management practices (BMP) that will be installed during land disturbance to control pollutants in storm water discharges that will occur after land disturbance activity has been completed.
- 13) Location of temporary facilities such as off-street parking, wash-down area for related vehicles, on-site fueling facilities, concrete or asphalt batch plants, and other similar temporary facilities.

- 14) Sources of off-site borrow material or spoil sites, and all information relative to haul routes, trucks, and equipment.
- 15) The anticipated sequence of construction and land disturbance activities, including installation of best management practices (BMP), removal of temporary best management practices (BMP), stripping and clearing; rough grading; construction utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date(s) on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.
- 16) All erosion and sediment control measures necessary to meet the objectives of this Code throughout all phases of construction and after completion of site development. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.
- 17) Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.
- 18) Provisions for maintenance of control facilities, including easements.
- 19) Plans for responding to any loss of contained sediment to include the immediate actions the permit holder will take in case of a containment failure. This plan must include documentation of actions and mandatory reporting to the Department of Public Works.
- 20) Schedules and procedures for routine inspections of any structures provided to prevent pollution of storm water or to remove pollutants from storm water and of the site in general to ensure all best management practices (BMP) are continually implemented and are effective.
- 21) Description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. During construction, strategies shall be implemented to protect post construction best management practices (BMP).
- 22) Description of any non-storm water discharges and any anticipated dewatering methods.
- 23) A signed and dated certification statement that the SWPPP was prepared in accordance with the requirements and regulations of the City, County, and the Missouri Department of Natural Resources.

109.2 Required plan amendments—Storm water pollution prevention plan (SWPPP): The permit holder shall amend, or shall cause the Special Inspector or preparer of the SWPPP to amend, the storm water pollution prevention plan whenever:

- 1) Design, operation, or maintenance of best management practices (BMP) is changed;
- 2) Design of the construction project is changed that could significantly affect the quality of the storm water discharges;
- 3) Site operator's inspections indicate deficiencies in the storm water pollution prevention plan (SWPPP) or any best management practices (BMP);
- 4) Inspections by County or by the Missouri Department of Natural resources indicate deficiencies in the storm water pollution prevention plan (SWPPP) or any best management practices (BMP);
- 5) The storm water pollution prevention plan (SWPPP) is determined to be ineffective in significantly minimizing or controlling erosion or excessive sediment deposits in streams or lakes;
- 6) The storm water pollution prevention plan (SWPPP) is determined to be ineffective in preventing pollution of waterways from construction wastes, chemicals, fueling facilities, concrete truck washouts, toxic or hazardous materials, site litter or other substances or wastes likely to have an adverse impact on water quality;

- 7) Total settleable solids discharging from a storm water outfall exceeds 2.5 ml/L per Standard Method 2540F for storm events up to but not exceeding the local two-year, twenty-four-hour storm. This limitation does not apply during storm events that exceed the local two-year, twenty-four-hour storm;
- 8) The City, County, or the Missouri Department of Natural Resources determines violations of water quality standards may occur or have occurred.

When any of the above storm water pollution prevention plan (SWPPP) amendments cause engineering design changes, the permit holder shall cause the registered design professional to revise and re-submit the site construction plans to the County for approval. The County may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or evidence of contamination from activities at the site.

109.3 Permit holder responsibilities for administration of storm water pollution prevention plan (SWPPP): The permit holder shall:

- 1) Notify all contractors and other entities (including utility crews, the City, County employees, or their agents) that will perform work at the site, of the existence of the storm water pollution prevention plan (SWPPP) and what actions or precautions shall be taken while on site to minimize the potential for erosion and the potential for damaging any best management practices (BMP);
- 2) Determine the need for and establish training programs to ensure that all site workers have been trained, at a minimum, in erosion control, material handling and storage, and housekeeping;
- 3) Provide copies of the storm water pollution prevention plan (SWPPP) to all parties who are responsible for installation, operation, or maintenance of any best management practices (BMP);
- 4) Maintain a current copy of the storm water pollution prevention plan (SWPPP) on the site during the installation, operation, and maintenance of the best management practices (BMP);
- 5) Cause regular weekly and after-rain special inspections of the land disturbance site by a County approved special inspector as required by subsection 301.2; including notifying the special inspector of any rainfall event causing storm water runoff to leave the construction site;
- 6) Ensure that all off-site borrow-from or haul-to sites and similar construction support activities are properly permitted by the authority having jurisdiction;
- 7) Ensure that dates of major grading activities, construction temporarily or permanently ceased, and stabilization measures initiated are recorded; and
- 8) Ensure that City, State and County permits are posted at the construction site; and
- 9) Ensure that required inspections are requested and that the storm water pollution prevention plan (SWPPP) and approved site construction plans, if not maintained on-site, are brought to the site for the Inspector's use during the inspections, including any additional or extra County inspections.

Article II—Design Requirements.

SECTION 407.201 GENERAL

201.1 Design: The design of erosion and sediment controls required for land disturbance activities shall comply with the following minimum requirements:

1. Land disturbance, erosion and sediment control practices, and watercourse crossings shall be adequate to prevent transportation of sediment from the site.
2. Materials brought to any site or property under a permit issued under this Code, where said material is intended to be utilized as fill material at the site for land disturbance, erosion, or sediment control, shall consist of clean uncontaminated earth, soil, dirt, sand, rocks, gravel or masonry materials or other approved materials.

3. Cut and fill slopes shall be no greater than 3:1 except as approved by the Department of Public Works or the Department of Highways and Traffic to meet other community or environmental objectives.
4. Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with all other County Ordinances.
5. Clearing techniques that retain existing vegetation to the maximum extent practicable shall be used and the time period for disturbed areas to be without vegetative cover shall be minimized to the extent practical.
6. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.
7. Phasing shall be required on all sites disturbing greater than thirty (30) acres of land. The size of each phase will be established by the Department of Planning at the time of plan review for the issuance of a major land disturbance permit.

201.2 Erosion control design: Erosion control requirements shall include the following:

1. Permit holder shall install temporary stabilization when soil disturbing activities will cease on any portion of the site and are not planned to resume for a period exceeding fourteen (14) calendar days. Temporary stabilization must be initiated immediately upon knowing the duration is more than fourteen (14) days. Temporary stabilization must be completed within seven (7) calendar days. Final stabilization of disturbed areas must be initiated immediately and completed within seven (7) calendar days whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site. County may grant allowances to the seven-day completion period for temporary and final stabilization due to weather or equipment malfunctions. The use of allowances shall be documented in the SWPPP.
2. If seeding or another vegetative erosion control method is used, it shall become established within two (2) weeks, or the site shall be re-seeded, or a non-vegetative option employed.
3. Techniques shall be employed to ensure stabilization on steep slopes and in drainage ways.
4. Soil and material stockpiles must be stabilized or covered at the end of each workday or perimeter controls must be in place to prevent silt from the stockpile from leaving the site.
5. The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.
6. Techniques shall be employed to prevent the blowing of dust or sediment from the site.
7. Techniques shall be employed to divert upland runoff past disturbed slopes.

201.3 Sediment control design: Sediment control requirements shall include:

1. Settling basins, sediment traps, or tanks and perimeter controls.
2. Settling basins shall be provided for each drainage area within ten (10) or more acres disturbed at one (1) time and shall be sized to contain one-half (0.5) inch of sediment from the drainage area and be able to contain a two-year, twenty-four-hour storm. If the provision of a basin of this size is impractical, other similarly effective best management practices (BMP), as evaluated and specified in the storm water pollution prevention plan (SWPPP), shall be provided.
3. Settling basins shall be designed in a manner that allows adaptation to provide long-term storm water management, as required by the County department(s) having enforcement authority and responsibilities described in Section 407.103 of this Code.
4. Settling basins shall have stabilized spillways to minimize the potential for erosion of the spillway or basin embankment.

5. Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls.

201.4 Watercourse design: Watercourse protection requirements shall include:

1. Encroachment into or crossings of active water courses/riparian areas and wetlands shall be avoided to the maximum extent practicable. All City, County, state, and federal permits, and approvals shall be obtained by a permit holder prior to beginning work authorized by a County land disturbance permit.
2. Stabilization of any watercourse channels before, during, and after any in-channel work.
3. If a defined watercourse is to be re-aligned or re-configured, clearing, and grubbing activities within fifty (50) feet of the watercourse shall not begin until all materials and equipment necessary to protect the watercourse and complete the work are on site. Once started, work shall be completed as soon as possible. Areas within fifty (50) feet of the watercourse shall be re-contoured and stabilized. Permit holder shall install temporary stabilization when soil disturbing activities will cease on any portion of the site and are not planned to resume for a period exceeding fourteen (14) calendar days. Temporary stabilization must be initiated immediately upon knowing the duration is more than fourteen (14) days. Temporary stabilization must be completed within seven (7) calendar days. Final stabilization of disturbed areas must be initiated immediately and completed within seven (7) calendar days whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site. County may grant allowances to the seven-day completion period for temporary and final stabilization due to weather or equipment malfunctions. The use of allowances shall be documented in the SWPPP.
4. All storm water conveyances shall be designed according to the criteria of the City, County, and the St. Louis Metropolitan Sewer District (MSD) and the necessary permits obtained.
5. Stabilization adequate to prevent erosion shall be provided at the outlets of all pipes and paved channels.
6. Except as otherwise permitted above, stream buffers along flood plain zoned streams and other natural waterways as required by City Code shall not be disturbed.

201.5 Construction site access design: Construction site access requirements for major land disturbance activities shall include:

1. A temporary construction access entrance, located to provide adequate sight distance, shall be provided at all land disturbance sites including a wash down area supporting all active sites.
2. The City or Department of Highways and Traffic may require other measures to ensure that construction vehicles do not track sediment onto public streets or roadways or be washed with wash effluent channeled directly into storm drains.

201.6 Control of construction materials and waste: Control requirements for construction materials, construction wastes and other wastes generated on site at the land disturbance site, including facilities that process and handle materials and waste such as temporary concrete or asphalt batch plants, temporary recycling or waste incineration facilities, and similar temporary construction material and waste handling facilities shall include provisions, satisfactory to the City or those County department(s) having enforcement authority and responsibilities described in Section 407.103 of this Code for:

1. Spill prevention and control facilities for materials such as paint, solvents, petroleum products, chemicals, toxic or hazardous substances, substances regulated under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and any wastes generated from the use of such materials and substances, including their containers. Any containment systems employed to meet this requirement shall be constructed of materials compatible with the substances contained and shall be adequate to protect both surface and ground water.

2. Collection and disposal of discarded building materials and other construction site wastes, including those listed in subsection 201.6.1 above.
3. Litter control.
4. Control of concrete truck washouts.
5. Assurance that on-site fueling facilities will adhere to applicable federal and state regulations concerning storage and dispensers.
6. Provision of sufficient temporary toilet facilities to serve the number of workers on major land disturbance sites as directed by the Department of Health.
7. Assurance that on-site temporary construction materials or waste handling equipment and facilities including, but not limited to, batch plants, recycling or grinding facilities, and temporary incineration equipment also adhere to County Department of Health regulations.

Article III—Inspections.

SECTION 407.301 GENERAL

301.1 Department(s) of Public Works and Highways and Traffic—General: The County department(s) having enforcement authority and responsibilities described in Section 407.103 of this Code shall make inspections as herein required and shall either approve that portion of the work completed or shall notify the permit holder wherein the work fails to comply with the storm water pollution prevention plan (SWPPP) and/or the Site Construction, Land Disturbance, Erosion and Sediment Control Plan as approved. Plans for land disturbance, stripping, excavating, and filling work bearing the stamp of approval of the County department conducting the review for compliance under this code and/or issuing the permit shall be maintained at the site by the permit holder during the progress of the work. Construction work shall be done in accordance with the approved plans. To obtain inspections, a permit holder shall notify the Department(s) of Public Works or Highways and Traffic as applicable, at least two working days before the following:

- 1) Start of construction;
- 2) Installation of sediment and erosion measures;
- 3) Completion of site clearing;
- 4) Completion of rough grading;
- 5) Completion of final grading;
- 6) Close of the construction season;
- 7) Completion of final landscaping;

Exception 1: Inspections conducted by the Department of Highways and Traffic related to construction and maintenance of County highways and roadways.

Exception 2: When conditions are not favorable to maintain copies of the approved plans on-site, a sign shall be installed at the entrance to the site listing information pertinent to the location of the storm water pollution prevention plan (SWPPP), approved site construction plans and the twenty-four-hours/seven-day a week phone number of the person in charge of them. The SWPPP and approved site construction plans shall be brought to the site and made available for the inspector's use during the above required inspections and any additional or extra inspections.

301.1.1 Additional inspections: In addition to the required inspections specified above the Departments of Public Works and Highways and Traffic are authorized to perform and charge fees for additional inspections which are reasonably necessary to enforce this Code and the zoning and building construction codes. These inspections may include, but not be limited to, interim status inspections due to length or complexity of project, BMP and subdivision escrow releases, compliance with approved site development plans, excavations for building

foundations and underground utilities and sewers, and final finish grading and landscaping related to completion of the building construction project.

301.1.2 Extra inspections: In addition to the inspections otherwise required, the Departments of Public Works and Highways and Traffic are authorized to perform and charge fees for extra inspections or re-inspections which in their judgment are reasonably necessary due to non-compliance with the requirements of this Code or work not ready or accessible for inspection when requested.

301.2 Permit holder special inspection and report responsibilities—Major land disturbances: The holder of a major land disturbance Permit, or his/her agent, shall cause regular and after-rain inspections of land disturbance sites by a qualified special inspector approved by the County. Inspections shall include examining all erosion and sediment and other pollutant control measures, outfalls, and off-site receiving waters in accordance with the inspection schedule outlined in the approved storm water pollution prevention plan (SWPPP). Inspections must be scheduled at least once per week. When rainfall causes storm water runoff to leave the site, the BMP must be inspected within forty-eighty (48) hours after the rain event has ceased during a normal workday and within seventy-two (72) hours on the next business day if the rain event ceases during a non-workday such as on weekends and holidays. The total rainfall measured for that day must be recorded on the inspection report. A properly maintained rain gauge must be kept on site or the storm event information must be obtained from a weather station that is representative of the site location. The purpose of such inspections will be to ensure proper installation, operation, and maintenance of best management practices (BMP) and to determine the overall effectiveness of the storm water pollution prevention plan (SWPPP) and the need for additional control measures. All inspections shall be documented in written form on weekly and after-rain reports with copies submitted weekly to the Department(s) of Public Works or Highways and Traffic. The inspection reports must include the following minimum information:

- 1) Inspector's name and signature;
- 2) Date of inspection;
- 3) Observations relative to the effectiveness of the best management practices (BMP);
- 4) Actions taken or necessary to correct deficiencies; and
- 5) A listing of areas where land disturbance operations have permanently or temporarily stopped.

The special inspector shall immediately notify both the permit holder and the site contractor(s) responsible for any deficiencies identified so that deficiencies can be corrected within seven (7) calendar days of the weekly or after-rain inspection report. If weather conditions make it impossible to correct the problem within seven (7) calendar days, a detailed report of the problem (including pictures) shall be filed with the regular inspection reports. The permit holder shall be responsible for ensuring that the deficiencies are corrected.

The permit holder shall notify the County by the next working day whenever a special inspector is terminated, resigns, or is unable to conduct inspections for whatever reason. The permit holder shall retain a new special inspector from the County's list of approved special inspectors within five (5) calendar days to ensure that the regular weekly and after rain inspections required by this section are conducted and reported upon. The permit holder shall notify the County by the next working day whenever a new special inspector is retained. Only a County approved special inspector can be responsible for the inspection of BMP required under this Code.

301.2.1 Verification of permit holder's reports: The Department(s) of Public Works or Highways and Traffic may make and charge fees for extra inspections as deemed necessary to ensure the validity of the reports filed under subsection 301.2 of this Code or to otherwise ensure proper installation, operation and maintenance of storm water best management practices (BMP) and to determine the overall effectiveness of the storm water pollution prevention plan (SWPPP) and the need for additional control measures.

301.3 Removal from approved list of qualified special inspectors: Failure of the special inspector to conduct required inspections and file accurate valid inspection reports with the County as required by subsection 301.2 shall constitute cause to remove the special inspector from the approved list of special inspectors. A special inspector that has been removed from the approved list has the right to appeal to the Board.

Article IV—Penalties

SECTION 407.401 GENERAL PENALTY.

401.1. Whenever in this Land Disturbance Code or any other ordinance of the City, or in any rule, regulation, notice or order promulgated by any officer or agency of the City under authority duly vested in him/her or it, any act is prohibited or is declared to be unlawful or an offense, misdemeanor or ordinance violation or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense, misdemeanor or ordinance violation, and no specific penalty is provided for the violation thereof, upon conviction of a violation of any such provision of this Chapter or the Code adopted in this Chapter or of any such ordinance, rule, regulation, notice or order, the violator shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment; provided, that in any case wherein the penalty for an offense is fixed by a Statute of the State, the statutory penalty, and no other, shall be imposed for such offense, except that imprisonments may be in the City prison or workhouse instead of the County Jail.

401.2. Every day any violation of this Chapter or the Code adopted in this Chapter or any other ordinance or any such rule, regulation, notice or order shall continue shall constitute a separate offense.

401.3. Whenever any act is prohibited by this Chapter or the Code adopted in this Chapter, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by this Chapter or the Code adopted in this Chapter, an attempt to do the act is likewise prohibited.

Section 2. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS ___ DAY OF SEPTEMBER 2023.

Russ Fortune, Mayor

Attest:

Frank Johnson, City Clerk/Administrator

City Clerk/Administrator's Report

City of Twin Oaks, Board of Alderman

September 15, 2023

General Updates

Family Fun Day Volunteers

- Staff reached out to the Parkway School District and recruited 10 student volunteers for Family Fun Day. Combined with the available staff, we should have enough workers for the event.

Development Plan Application for Sav-On Liquor & Wine

- The City has provided initial feedback to Sav-On Liquor & Wine on their amended development plan application and expects it will be ready for review by the Planning and Zoning Commission at their Sept. 26 meeting.
- Currently, a liquor store is not listed as a permitted or planned use for commercial districts in the City's zoning code, so its approval will also require amending the code to include a liquor store as a planned use.

Bartolino's Restaurant

- Bartolino's is currently working on putting together a set of plans for their amended development plan application. We currently anticipate that the City will receive the application in time for it to be placed on the Sept. 26th agenda for the Planning and Zoning Commission.

Project Updates

Water Feature Excavation and Repair

- DJM has largely completed the work on the dry creek bed and the repair of the water feature. However, the water pump did not turn on when re-installed. DJM has pulled the pump for diagnosis and repair.

Fireworks

- The City has notified Arc Pyro that their bid was accepted for the 2024 Fireworks Display. Staff is working with them on the contract for the show and is planning to have a resolution for Board approval at the Oct. 4 meeting.

Crescent Ave. Stormwater and Sidewalk Improvements

- Negotiations are continuing for the ROW acquisition. ORC has met with all four impacted property owners. BFA is continuing to work on the plans for the stormwater infrastructure at Crescent Road and Laws Court.

Meramec Station Curb Replacements

- Staff is working with St. Louis County to receive their sign-off on the portion of the proposed project that takes place in their ROW.