

ORDINANCE 71729

**BOARD BILL NUMBER 33 FLOOR SUBSTITUTE AS AMENDED INTRODUCED BY
ADLERMAN BRET NARAYAN**

**COSPONSORS: PRESIDENT MEGAN GREEN/ ALDERWOMAN ALISHA SONNIER/
ALDERWOMAN DANIELA VELAZQUEZ/ ALDERMAN MICHAEL BROWNING**

1 An ordinance requiring a permit to operate a Short-Term Rental; requiring designation of
2 a Short-Term Rental Agent to respond to concerns regarding the operation of a Short-Term
3 Rental; prescribing an application process and process for appeal of the denial of such a permit;
4 setting forth additional conditions on the operation of Short-Term Rentals; setting an effective
5 date for such permit requirement; and these permit processes, procedures and requirements to be
6 codified as Chapter 25.57 of the Revised Code of the City of St. Louis; waiving any conflicts in
7 other ordinances; and containing a severability clause and an emergency clause.

8 **WHEREAS**, the City of St. Louis is a regular host of conventions, conferences, some of the
9 nation’s leading attractions and sporting events; and

10 **WHEREAS**, the additional availability of diverse lodging options helps enhance the City’s
11 competitive position to attract such events that spark the City’s economy; and

12 **WHEREAS**, Short-Term Rental guests are more likely than other visitors to shop at small,
13 locally-owned businesses and restaurants; and

14 **WHEREAS**, Short-Term Rental Owners should be held accountable for operating in accordance
15 with all laws and meeting community standards; and

16 **WHEREAS**, the City of St. Louis desires to strengthen and perpetuate the identity and other
17 benefits neighbors derive from being members of their community; and

1 **WHEREAS**, a lack of regulation of Short-Term Rental Units in a community increases a
2 commercial element among residential uses; and

3 **WHEREAS**, as the popularity of Short-Term Rental Units has grown and it is necessary for the
4 City of St. Louis to establish a framework of regulations; and

5 **WHEREAS**, the establishment of a framework of regulations by the City of St. Louis which
6 shall govern the operation of Short-Term Rentals within the City shall not supersede existing
7 private agreements, leases or covenants such as condominium association rules should such
8 agreements prohibit the operation of certain properties as Short-Term Rentals;

9 **WHEREAS**, nothing contained herein shall create a legal property right to a Short-Term Rental
10 Permit, which may only be issued and maintained as allowed and issued in this Chapter;

11 Therefore:

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

13 **SECTION ONE. City of St. Louis Short-Term Rental Ordinance.**

14 This chapter shall be known as the “City of St. Louis Short-Term Rental Ordinance.”

15 **SECTION TWO. Intent.**

16 It is the purpose of this chapter to protect the public health, safety, and general welfare of
17 individuals and the community at large to facilitate and provide reasonable means for residents to
18 mitigate impacts created by occupancy of Short-Term rental units and to implement rationally
19 based, reasonably tailored regulations to protect the integrity of the city’s neighborhoods.

20 **SECTION THREE. Definitions and General Provisions.**

1 A. "Dwelling Unit," for purposes of this Chapter, Dwelling Unit means a room or group
2 of rooms with cooking and sanitary facilities, occupied or arranged for occupancy by a
3 single family, as defined in the existing zoning code.

4 B. "Short-Term Rental" is a lodging use, that is not a hotel or motel, RV park or
5 campground, any type of institutional dwelling, time share property, or bed and breakfast.

6 "Short-Term-Rental" means a rental of any Dwelling Unit, in whole or in part, within the
7 City of St. Louis, to any person(s) for transient use, other than (1) in a permitted bed and
8 breakfast; (2) ongoing month to month tenancy for the same dwelling; or (3) home exchange
9 for which there is no payment. "Short-Term Rental" allows residential occupancy of the
10 rented dwelling for a term of thirty (30) days or less, and requires that the Short-Term Rental
11 use is permitted to operate pursuant to a current and valid permit on file with the City.

12 C. "Short-Term Rental Agent" means a person or organization authorized by the Short-
13 Term Rental Owner, as the operator of a Short-Term Rental Unit on the Short-Term Rental
14 Permit Application. Such an operator shall be available for and responsive to contact at all
15 times. The Short-Term Rental Agent of Short-Term Rental, Occupied shall be the principal
16 resident, either the owner or the tenant/lessee of the owner and authorized by the owner for
17 Short-Term Rental.

18 D. "Short-Term Rental, Non-Occupied " means a Short-Term Rental Unit not used as a
19 principal residence by either the owner or the tenant/lessee authorized by the owner for
20 Short-Term Rental

1 E. “Short-Term Rental, Occupied” means a Short Term Rental Unit used as the principal
2 residence by either the owner or the tenant/lessee of the owner and authorized by the owner
3 for Short-Term Rental. A resident can have only one principal residence.

4 F. “Short-Term Rental Owner” means the owner of record of the property as reflected in the
5 City of St. Louis Assessor records.

6 G. “Short-Term Rental Permit” is the permit issued by the Building Division of the City of
7 St. Louis to the Short-Term Rental Owner or the designated Short-Term Rental Agent
8 who has submitted the required documentation and met the requirements set forth in this
9 Chapter and in Chapter 25 of the Revised Code for operation of a Short-Term Rental
10 Unit. Short-Term Rentals, Non-Occupied shall require a Graduated Business License to
11 obtain a Short-Term Rental Permit. Short-Term Rental Permits shall only be issued to
12 natural persons, and not to business entities.

13 H. “Short-Term Rental Unit” shall mean a Dwelling Unit, in whole or in part, used as a
14 Short-Term Rental. A Short-Term Rental Unit may be either a Short-Term Rental, Occupied
15 or a Short-Term Rental, Non-Occupied.

16 I. “Short-Term Rental Platform” means a person or company who for compensation or a fee
17 uses an internet platform to primarily list property rentals including Short-Term Rentals as
18 defined in this Chapter.

19 **SECTION FOUR. Short-Term Rental Permit**

- 1 A. No person shall rent, lease or otherwise exchange for compensation all or any portion
2 of a Dwelling Unit as a Short-Term Rental Unit as defined in this Chapter, without
3 first obtaining a Short-Term Rental Permit pursuant to the regulations contained in
4 this Chapter. Nothing in this Chapter shall be construed to require an owner of an
5 owner-occupied property in which said owner resides and makes his primary
6 residence to obtain a permit for Long-Term Rental of a room in said home in which
7 he or she lives, provided such owner is present and living in the home while the room
8 is rented, or to require a General Business License for a Short-Term Rental,
9 Occupied.
- 10 B. No permittee shall transfer the right to operate under any permit issued under this
11 Chapter to any other person or entity by lease, agreement, contract or any other
12 agreement.
- 13 C. A permit issued under this chapter shall grant the legal right to operate a Short-Term
14 Rental Unit only at the Dwelling Unit for which it is issued.
- 15 D. No permit shall be issued for any Short-Term Rental Unit which offers a minimum
16 stay of less than two (2) nights. After issuance of a permit, any Short-Term Rental
17 unit found to offer a minimum stay of less than two (2) nights shall be revoked.
- 18 E. No Short-Term Rental, Non-Occupied unit located within a structure or upon a parcel
19 benefited by tax increment financing or tax abatement shall be eligible for registration
20 as a Short-Term Rental, Non-Occupied unit during the term of the agreement.

1 F. Applicants for units within structures that only contain two dwelling units shall be
2 permitted to apply for up to two Short-Term Rental, Non-Occupied permits. Both of
3 these permits shall count toward the permit holder's cap of four Short-Term Rental,
4 Non- Occupied units.

5 G. No more than one Short-Term Rental, Non-Occupied permit shall be issued to
6 applicants in a structure in which there are three (3) or four (4) units. The total
7 percentage of units with Short-Term Rental permits in a three (3) or four (4) unit
8 structure cannot exceed fifty (50) percent.

9 H. No permits shall be issued for a Short-Term Rental, Non-Occupied in a structure
10 where there between five (5) and twenty three (23) Dwelling Units and over twenty
11 five (25) percent of Dwelling Units in the structure have an active permit for a Short-
12 Term Rental, Non-Occupied unit.

13 I. No permits shall be issued for a Short-Term Rental, Non-Occupied in a structure
14 where there are twenty-four (24) or more Dwelling Units and over twelve and a half
15 (12.5%) percent of Dwelling Units in the structure have an active permit for a Short-
16 Term Rental, Non-Occupied.

17 J. Nothing in this Chapter shall be deemed to alter, affect, supersede or conflict with
18 the requirements of any state or federal law or of the City of St. Louis Revised Code
19 of Ordinances, including but not limited to those within the City of St. Louis Zoning
20 Ordinance, the Building Codes adopted by the City of St. Louis, and any taxes
21 collected under the authorization of City, State or Federal law including the Hotel-

1 Motel room taxes which the City License Collector is authorized to collect under
2 67.657, RSMo., 67. 619, RSMo., or any other law which requires registration with the
3 License Collector, including but not limited to, the requirement of the provision of
4 information as deemed necessary to confirm the type of business to be operated.

5 **SECTION FIVE. Application for Short-Term Rental, Occupied Permit**

6 Applicants for a Short-Term Rental permit for a Short-Term Rental, Occupied shall submit, on
7 an annual basis, an application for a Short-Term Rental permit to the Building Division.

8 A. The application for a Short-Term, Occupied Short-Term Rental Permit shall be accompanied
9 by a non-refundable application fee in the amount of \$150.00. Such application shall require the
10 following information, to be collected on a form provided by the Building Division, and shall be
11 completed prior to the inspection required in the Application process, which shall be conducted
12 by the Building Division:

13 a. The address of the Dwelling Unit to be used as a Short-Term Rental;

14 b. The name, address, telephone number, and email address of the owner, or tenant/lessee
15 applying for the permit;

16 c. Signed acknowledgment that from the owner, or tenant/lessee applying for the permit
17 that they have reviewed this Chapter and understand its requirements;

18 d. The number and location of off street or on site parking spaces allotted to the premises;

1 e. The owner’s or the tenant/lessee’s agreement to use his or her best efforts to ensure
2 that use of the premises by Short-Term Rental occupants will not disrupt the neighborhood, and
3 will not interfere with the rights of neighboring property owners to the quiet enjoyment of their
4 properties; and

5 f. Any other information that this Chapter requires and any other information required by
6 the Building Commissioner in the execution of the Application process as part of any application
7 for a Short-Term Rental Permit, as determined by the Building Commissioner. The Building
8 Commissioner or the Commissioner’s designee shall have the authority to obtain additional
9 information from the applicant as necessary to achieve the objectives of this Chapter. The
10 Building Commissioner shall promulgate rules and regulations deemed necessary in the interest
11 of public safety, public health and general welfare to interpret and implement the provisions of
12 this Chapter.

13 B. An application for a Short-Term Rental, Occupied shall be accompanied by a form requiring
14 the applicant to affirm that the property to be used as a Short-Term Rental, Occupied is occupied
15 by an owner who occupies the property as their primary residence. An individual may have only
16 one primary residence in the City of St. Louis. The applicant shall also affirm that the resident of
17 the property has paid their personal property tax at the address of the proposed Short-Term
18 Rental, Occupied unit for the previous tax period. The applicant shall also affirm that the
19 property is not subject to any contractual restrictions, precluding the property from being used
20 for Short-Term Rentals, including but not limited to: homeowner association agreement,

1 condominium bylaws, restrictive covenants, leases or building restrictions. The applicant shall
2 affirm that the property owner or renter has no outstanding real estate taxes, bills for services of
3 City liens associated with the property that is the subject of the application, nor does the owner
4 or renter owe any other obligations to the City including: (a) Personal Property Tax; (b) Real
5 Estate tax on properties located in the City of St. Louis; (c) City of St. Louis Earnings Tax; (d)
6 City of St. Louis Water and Refuse bills; (e) City of St. Louis Business License Fees; and (f)
7 fees owed in connection with Short-Term Rentals. Submission of an form containing false
8 information will be cause for revocation of permit for Short-Term Rental.

9 C. Attached to the submission of the application described in this section, the Short-Term
10 Rental Permit applicant shall provide:

11 a. Written rules to be posted in the Short-Term Rental Unit, which must include:

12 Acknowledgement that it shall be unlawful to allow or make any noise or sound that exceeds the
13 limits set forth in the City’s existing ordinances, including but not limited to Ordinance 67002 as
14 may be amended, that regulate noise.

15 b. Acknowledgement and agreement that the maximum occupancy of a Short-Term
16 Rental Unit is limited to the occupancy limit as determined by the Building Commissioner and, if
17 available, the location and the amount of on site parking.

18 c. Acknowledgement and agreement that violations of this Chapter by Short-Term Rental
19 Agent, Short-Term Rental Owner, or short-term rental guest may result in immediate termination
20 of the permit as well as the potential liability for payments of fines levied by the City; and

1 d. Written approval by the owner of the property for use of the property as a Short-Term
2 Rental.

3 **SECTION SIX: Application for Short-Term Rental, Non-Occupied**

4 A. Applicants for a Short-Term Rental permit for a Short-Term Rental, Non-Occupied shall
5 submit, on an annual basis, an application for a Short-Term Rental permit to the Building
6 Division.

7 B. Certain Dwelling Districts. No Short-Term Rental Permit may be issued within a Dwelling
8 District zoned “A Single-Family” without a conditional use permit.

9 C. The application for a Short-Term Rental, Non-Occupied permit shall be accompanied by a
10 non-refundable application fee in the amount of \$150.00. Such application shall require the
11 following information, to be collected on a form provided by the Building Division, and shall be
12 completed prior to the inspection required in the Application process, which shall be conducted
13 by the Building Division:

14 a. The address of the Dwelling Unit to be used as a Short-Term Rental;

15 b. The name, address, telephone number, and email address of the owner, or tenant/lessee
16 and Short-Term Rental Agent.

17 c. Signed acknowledgment that he or she has reviewed this Chapter and understands its
18 requirements;

1 d. The number and location of off street or on site parking spaces allotted to the premises;

2 e. The owner's or the tenant/lessee's and Short-Term Rental Agent's agreement to use his
3 or her best efforts to ensure that use of the premises by Short-Term Rental occupants will not
4 disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to
5 the quiet enjoyment of their properties; and

6 f. Written approval by the owner of the property for use of the property as a Short-Term
7 Rental.

8 g. Any other information that this Chapter requires and any other information required by
9 the Building Commissioner in the execution of the Application process as part of any application
10 for a Short-Term Rental Permit, as determined by the Building Commissioner. The Building
11 Commissioner or the Commissioner's designee shall have the authority to obtain additional
12 information from the applicant as necessary to achieve the objectives of this Chapter. The
13 Building Commissioner shall promulgate rules and regulations deemed necessary in the interest
14 of public safety, public health and general welfare to interpret and implement the provisions of
15 this Chapter.

16 D. Attached to the submission of the application described in this section, the Short-Term
17 Rental Permit applicant shall provide:

18 a. Written rules to be in the Short-Term Rental Unit, which must include:

19 Acknowledgement that it shall be unlawful to allow or make any noise or sound that

1 exceeds the limits set forth in the City’s existing ordinances that regulate noise, including
2 but not limited to Ordinance 67002.

3 b. Acknowledgement that the maximum occupancy of a Short-Term Rental Unit is
4 limited to the occupancy limit as determined by the Building Commissioner and, if
5 available, the location and the amount of on-site parking.

6 c. Acknowledgement and agreement that violations of this Chapter by Short-Term Rental
7 Agent, Short-Term Rental Owner, or short-term rental guest may result in immediate
8 termination of the permit as well as the potential liability for payments of fines levied by
9 the City; and

10 d. A form affirming that the property is not subject to any contractual restrictions,
11 precluding the property from being used for Short-Term Rentals, including but not
12 limited to: homeowner association agreement, condominium bylaws, restrictive
13 covenants, leases or building restrictions. The applicant shall affirm that the property
14 owner or renter has no outstanding real estate taxes, bills for services of City liens
15 associated with the property that is the subject of the application, nor does the owner or
16 renter owe any other obligations to the City including: (a) Personal Property Tax; (b)
17 Real Estate tax on properties located in the City of St. Louis; (c) City of St. Louis
18 Earnings Tax; (d) City of St. Louis Water and Refuse bills; (e) City of St. Louis Business
19 License Fees; and (f) fees owed in connection with Short-Term Rentals. Submission of
20 false information will be cause for revocation of permit for Short-Term Rental.

1 **SECTION SEVEN: Regulations.**

2 A. Any Short-Term Rental, Non-Occupied applicant may be issued permits for no more than
3 four (4) Short-Term Rental Units owned by the same property owner in the City of St. Louis.
4 Applicants must be natural persons and applicants are limited to four (4) active Short-Term
5 Rental, Non-Occupied permits. No permits for a Short-Term Rentals, Non-Occupied shall be
6 issued to applicants in a structure for which the percentage limit of Short-Term Rentals, Non-
7 Occupied has already been reached as provided in Section Four.

8 B. Short-Term Rentals shall be made available only for the occupancy load to be determined by
9 the Building Commissioner in accordance with the City’s Residential Code, and that shall be the
10 limit of persons that may occupy the Dwelling Unit being rented.

11 C. The permit holder of a Short-Term Rental unit may not enter into a contract with more than
12 one (1) party during any given rental period.

13 D. The Short-Term Rental unit may not be rented or offered for use as reception space, party
14 space, meeting space, or for other similar events.

15 E. No food service may be provided by the permit holder of the Short- Term Rental; pre-
16 packaged foods and beverages may be provided in the Short-Term Rental Unit and will not
17 violate this provision.

1 F. No exterior evidence that the property is being used as a Short-Term Rental shall be allowed,
2 including signs, with the exception of a marker limited to one (1) foot by one (1) foot in size
3 issued by the City of St. Louis.

4 G. If the Short-Term Rental Agent changes, the new Short-Term Rental Agent shall notify the
5 City of St. Louis within ten (10) business days of the change or prior to any rental of the Short
6 Term Rental, whichever is sooner.

7 H. The Short-Term Rental unit shall have working smoke detectors inside and outside every
8 bedroom, carbon monoxide alarms outside every bedroom, and a properly maintained and
9 charged fire extinguisher on all habitable floors.

10 I. A legible copy of the Short-Term Rental Unit Permit shall be posted within the unit, and
11 include prominently all of the following information, in addition to any other information
12 required by the Building Commissioner:

13 a. The name, address, telephone number and email address of the Short-Term Rental
14 Agent;

15 b. The Short-Term Rental Unit permit number

16 c. The maximum occupancy of the unit

17 d. The maximum number of vehicles that may be parked at the unit.

18 **SECTION EIGHT. Short-Term Rental Agent**

1 Every Short-Term Rental shall have a Short-Term Rental Agent designated on the application for
2 a Short-Term Rental Permit. Failure of the Short-Term Rental Agent to fulfill the duties listed
3 below may result in the revocation of the Short-Term Rental Permit. A Short-Term Rental
4 Owner may also serve as the Short-Term Rental Agent. The duties of the Short-Term Rental
5 Agent are to:

6 A. Be available to address any problems at all times arising from the use of the Short-Term
7 Rental Unit during the entire period of the rental;

8 B. The Short-Term Rental Agent must be able to be physically present at the address within one
9 hour if required. It is an obligation of the applicant to provide a Short-Term Rental Agent that
10 can be on-site within an hour if required.

11 C. Keep his or her name and emergency contact phone number posted in a readily visible place
12 in the Short-Term Rental Unit;

13 D. Receive and retain a copy of any notice of violation related to the use or occupancy of the
14 premises from the property owner;

15 E. Monitor the Short-Term Rental Unit for compliance with this Chapter; and

16 F. Ensure that the Short-Term Rental Permit number is listed on each online listing.

17 **SECTION NINE: Publication of Short-Term Rentals**

18 All addresses for Short-Term Rentals with a permit will be posted publicly on the City's website.

19 All addresses for Short-Term Rentals with a revoked permit shall be posted publicly on the
20 City's website.

21 **SECTION TEN: Grant or Denial of Application.**

Page 15 of 23

Board Bill Number 33

Floor Substitute

As Amended

Narayan

May 19, 2023

1 Review of a Short-Term Rental Permit Application shall be conducted in accordance with due
2 process principles and shall be granted unless the applicant fails to meet the conditions and
3 requirements of this Chapter or federal or state law or local ordinance related to the operation of
4 a Short-Term Rental, or otherwise fails to demonstrate the ability to comply with local, state or
5 federal law through the operation of the proposed Short-Term Rental. No permit shall be granted
6 to operate a Short-Term Rental unit if the property is the subject of a unresolved nuisance
7 violation and no permit shall be issued for any property with any unresolved City violations. Any
8 false statements or information provided in the application are grounds for revocation and/or
9 imposition of penalties, including denial of future applications.

10 **SECTION ELEVEN: Provisions for Revocation**

11 A. To ensure the continued application of the intent and purpose of this Chapter, the Building
12 Division shall notify the Short-Term Rental Owner and the Short-Term Rental Agent of a Short-
13 Term Rental Unit of all instances in which nuisance behavior of the rental guest or the conduct
14 of his or her Short-Term Rental Unit Agent results in a notification letter for a code violation or
15 other legal infraction.

16 B. The Saint Louis Metropolitan Police Department shall maintain a record of all municipal
17 violations of City ordinances and state law occurring at or relating to a Short-Term Rental Unit
18 and communicate those violations regularly to the Building Division. Building Inspectors, and
19 other City departments, may also contribute violations to this record of violations. Violations
20 may be incurred by the Short-Term Rental Owner, Short-Term Rental Agent, as well as short

1 term rental guests. When there are three (3) violation notices sent regarding law violations and
2 nuisance instances at the same property within a period of twenty four (24) consecutive months,
3 the City shall revoke any existing permits and reject all applications for Short-Term Rental
4 Permits for that particular property for a period of up to twelve (12) consecutive months. Any
5 additional properties with the same owner that do not have three (3) consecutive violation notices
6 within a twenty four (24) month period shall remain valid, and the Short-Term Rental Agent of
7 such additional properties may continue to serve as the Short-Term Rental Agent unless and
8 until the underlying permit has been revoked. Permit holders shall be afforded an opportunity to
9 rectify all violations within thirty (30) days to the satisfaction of the Building Commissioner.
10 Further, the permit holder shall have the right to appeal the revocation decision within thirty (30)
11 days of the date of revocation, as set forth in this Chapter.

12 C. Fully adjudicated violations prosecuted in municipal court involving a property that is a
13 Short-Term Rental Unit will be assessed a \$500.00 fine per violation. Short-Term Rental Permits
14 that are revoked shall be posted on the official City website by the Building Commissioner.

15 D. Except as provided herein, any person violating the provisions of the Code shall be
16 prosecuted as provided in this Chapter. With respect to violations that are continuous with
17 respect to time, each day the violation continues is a separate offense. Renter guests staying in
18 Short-Term Rentals who violate any City, state or federal law are subject to being charged with
19 law violations.. Nothing in this Chapter shall be intended to limit the ability of the City to pursue
20 any other remedies available to it under any law, federal, state or local.

1 E. The Building Commissioner has the power to initiate revocation of the permit when the
2 subject property of the permit is not being operated in compliance with the Short-Term Rental
3 Operating Requirements set forth under this ordinance and also to initiate revocation in the
4 interest of the public welfare. The Building Commissioner may initiate permit review and
5 potential revocation of the permit upon the first instance of a violation or a complaint. Nothing in
6 this ordinance limits existing powers of the Building Commissioner, including his ability to
7 condemn properties for occupancy and to take emergency actions.

8 F. A Short-Term Rental Owner or Short-Term Rental Agent aggrieved by the City’s decision to
9 revoke or deny a Short-Term Rental Permit may appeal the decision in writing to the Building
10 Commissioner. The appeal must be filed within thirty (30) business days of the adverse action
11 and it shall contain a concise statement of the reasons for the appeal. The Building
12 Commissioner or appointed designee shall consider and respond to the appeal in writing within
13 thirty (30) days after receipt. The Building Commissioner shall adopt administrative rules which
14 shall govern any such appeals. Such procedures and processes must conform to the constitutional
15 principles of due process and shall provide notice and an opportunity to be heard. The Building
16 Commissioner shall render a determination, which will constitute a final ruling. The decision of
17 the Building Commissioner may be appealed to the Circuit Court of the City of St. Louis.

18 G. Nothing in this section shall limit the City from enforcement of its Code, state or federal law
19 by any other legal remedy available to the City. Nothing in this section shall be construed to limit
20 or to supplant the power of any City inspector, Marshal, or other duly empowered officer under

1 the City’s ordinances, rules, and regulations and the authority granted under state law, as
2 amended, to take necessary action, consistent with the law, to protect the public from property
3 which constitutes a public nuisance or to abate a nuisance by any other lawful means or
4 proceedings.

5 H. The assistance and cooperation of police, fire and health departments and all other officials
6 shall be available to the Building Commissioner as required in the performance of his duties
7 under this Chapter.

8 I. The Building Division shall monitor a public intake portal through which residents can submit
9 questions or complaints to the Building Division regarding short-term rentals.

10 **SECTION TWELVE: Taxes.**

11 Short-Term Rentals are subject to applicable state and local taxes and are responsible for
12 payment thereof as established by state law and city ordinances, including all taxes set forth in
13 Section Four herein.

14 **SECTION THIRTEEN: Short-Term Rental Platforms**

15 A. Permit Required. A permit will be required for a Short-Term Rental Platform to operate
16 utilizing properties in the jurisdiction of the City of St. Louis. The application for Short-Term
17 Rental Platform shall be accompanied by a non-refundable application fee in the amount of
18 \$500.00. The permit application to be generated by the City shall include requirements as
19 determined by the Building Commissioner, and such requirements shall include, but are not

1 limited to: the Short-Term Rental Platform shall limit listings within the City of St. Louis to
2 those with a valid short-term rental permit. Short-Term Rental Platforms shall have the duty to
3 remove properties with no such permit, and properties which have experienced a loss or
4 revocation of such permit, from the platform. The City will notify the platform permit holder
5 when the permit for such property's Short-Term Rental has been revoked. Platforms shall
6 remove properties that are no longer permitted within seven (7) days of the notice provided to the
7 Platform by the City. Failure to so remove such property from the Platform shall result in a
8 violation of this Section, and may result in revocation of the Permit issued to the Short-Term
9 Rental Platform, as well as constituting a violation of this Chapter.

10 B. The City shall post a list of all Short-Term Rental Platforms with a revoked permit and those
11 with a valid permit publicly on the City's website.

12 C. Short-Term Rental Platforms shall ensure that each listing for a Short-Term Rental is
13 accompanied by a Short-Term Rental Permit number.

14 D. Short-Term Rental Platforms must provide a phone line and a link to the City's website portal
15 for community members to submit concerns and complaints regarding Short-Term Rentals in
16 their neighborhood.

17 E. Short-Term Rental Platforms must provide information regarding compliance with this
18 Chapter, and penalties for violation of this Chapter to Short-Term Rental Agents prior to listing
19 a Short-Term Rental.

1 F. Within the first year of the ordinance’s effective date, Short-Term Rental Platforms must meet
2 with the Building Division to provide and receive feedback on implementation.

3 G. Short-Term Rental Platforms that are properly permitted will be listed on the City’s website
4 as permitted platforms in the City of St. Louis.

5 H. Short-Term Rental Platforms shall be required to prompt hosts to include the City-issued
6 permit number in their listing(s). Hosting platforms shall not complete any booking transactions
7 for any Dwelling Unit or other property purporting to be a Short-Term Rental in the City unless
8 it is listed on the City’s registry to be created by the Building Commissioner, at the time the
9 Platform receives a fee for the booking transaction. However, no Short-Term Rental Platform
10 shall be in violation of this subsection for any short-term rental transaction occurring fewer than
11 two (2) days after the Short-Term Rental Permit expired or was revoked.

12 I. In addition to any other remedy provided by this Chapter or allowed by law, the Building
13 Commissioner may deny a permit or revoke a Short-Term Rental Platform permit for violations
14 of this Chapter. Such permit holder shall be notified in writing of the grounds for denial or
15 revocation of such permit and of their right to appeal the decision.

16 J. The remedies provided for in this Chapter are in addition to, and not in lieu of, all other legal
17 remedies, civil or criminal, which may be pursued by the City to address any violation of this
18 Chapter.

19 **SECTION FOURTEEN: Authority to Prescribe Additional Rules and Regulations.**

20 The Building Commissioner shall promulgate regulations as may be necessary and feasible for
21 the carrying out of the intent of this ordinance and the duties of the Commissioner that are not

1 inconsistent with the provisions of this ordinance and rules and regulations deemed necessary in
2 the interest of public safety, public health and general welfare to interpret and implement the
3 provisions of this Chapter within one hundred and eighty (180) days following the effective date
4 of this ordinance subject to approval by the Board of Public Service. The rules and procedures as
5 adopted by the Board of Public Service shall be in writing and kept on file in the Building
6 Commissioner’s Office and posted to the City’s website. The rules and procedures may be
7 amended by the Building Commissioner as needed with the approval of the Board of Public
8 Service.

9 **SECTION FIFTEEN IS RESERVED**

10 **SECTION SIXTEEN: Effective Date.**

11 This Chapter shall become effective as soon as technically feasible as determined by the
12 Building Commissioner or one year from the date this bill becomes law.

13 **SECTION SEVENTEEN: Conflicts.**

14 Except as provided herein, all ordinances or parts thereof in conflict with this Chapter are hereby
15 waived to the extent of the conflict.

16 **SECTION EIGHTEEN: Severability Clause.** It is hereby declared to be the intention of the
17 Board of Aldermen that each and every part, section, and subsection of this Ordinance shall be
18 separate and severable from each and every other part, section, and subsection hereof, and that
19 the Board of Aldermen intends to adopt each said part, section and subsection separately and

1 independently of any other part, section and subsection. In the event that any part, section or
2 subsection of this Ordinance shall be determined by a court of competent jurisdiction to be or to
3 have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be
4 and remain in full force and effect, unless the court making such finding shall determine that the
5 valid portions standing alone are incomplete and are incapable of being executed in accord with
6 the legislative intent.

7

**ORDINANCE 71729
BOARD BILL NUMBER 33
FLOOR SUBSTITUTE
AS AMENDED
FISCAL NOTE**

Preparer's Name: Frank Oswald

Phone Number or Email Address: (314) 622-3318

Bill Sponsor: Alderman Bret Narayan

Bill Synopsis:	<p>This bill requires a permit to operate a Short-Term Rental, requires designation of a Short-Term Rental Agent to respond to concerns regarding the operation of a Short-Term Rental, prescribes an application process and process for appeal of the denial of such permit.</p> <p>The bill sets on the operation of Short-Term Rentals.</p> <p>The permit processes, procedures and requirements are intended to be codified as Chapter 25.57 of the Revised Code of the City of St. Louis.</p>
Type of Impact:	The regulation of short-term rental properties in the City of St. Louis
Agencies Affected:	Building Division

SECTION A

Does this bill authorize:

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? __X__ Yes __No
- An undertaking of a new service for which no funding is provided in the current adopted city budget? __X__ Yes __No
- A commitment of city funding in the future under certain specified conditions? __X__ Yes __No

- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget? ___ Yes X No
- An execution or initiation of an activity as a result of federal or state mandates or requirements? ___ Yes X No
- A capital improvement project that increases operating costs over the current adopted city budget? ___ Yes X No
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? ___ Yes X No

If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill. Complete Section B of the form below.

SECTION B

- Does the bill require the construction of any new physical facilities? ___ Yes X No
 - If yes, describe the facilities and provide the estimated cost:
- Is the bill estimated to have a direct fiscal impact on any city department or office? X Yes ___ No
 - If yes, explain the impact and the estimated cost:

It is estimated the cost of regulating short-term rentals will be an average cost of \$306,909 the first 3 years.

- Does the bill create a program or administrative subdivision? ___ Yes X No
 - If yes, then is there a similar existing program or administrative subdivision? ___ Yes X No
 - If yes, explain the how the proposed programs or administrative subdivisions may overlap:
- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources: See Budget

ACCT	ACCT DESCRIPTION	AMOUNT REQUESTED
------	------------------	------------------

5101000	Salaries Regular Employees	\$	101,412.00
	Salaries Regular Employees	\$	41,730.00
		\$	143,142.00
5136000	Social Security Coverage	\$	10,950.36
5137000	Employee Health Ins	\$	25,200.00
5138000	ERS Contribution	\$	18,035.89
5138100	ERS Debt Contribution	\$	20,898.73
5142000	Employees Life Insurance	\$	558.25
5144201	Long Term Disability	\$	200.39
5147000	Workers Comp	\$	2,075.56
5197000	Reserve 27th Pay	\$	629.82
	TOTAL PERSONAL COST	\$	221,691.00
5234000	Computer/Technology Supplies	\$	62,000.00
5636000	Communication Services	\$	674.00
5647000	Transportation	\$	6,480.00
5659000	Consultant Services	\$	48,000.00
	TOTAL PROGRAM COST	\$	338,845.00

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

Financial Estimate of Impact on General Fund			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	\$338,845	\$283,845	\$298,037
Additional Revenue	\$160,000	\$160,000	\$160,000
Net	\$178,845	\$123,845	\$138,037
Financial Estimate of Impact on Special Funds			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	N/A	N/A	N/A
Additional Revenue	N/A	N/A	N/A
Net	N/A	N/A	N/A

- Describe any assumptions used in preparing this fiscal note: Start up & computer cost in 1 year

It is assumed that the cost of regulating short-term rentals would be as indicated in the budget listed above. The City would generate approximately \$160,000 in fee revenue per year assuming the city would regulate 800 short-term rentals.

- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note
The Building Division

- Have the financial estimates of this bill been verified by the City Budget Division?
 Yes No
 - If yes, by whom? _____ .