

AGENDA
MAPLEWOOD CITY COUNCIL WORK SESSION
TUESDAY, JULY 12, 2022 @ 6:00 P.M.
CITY COUNCIL CHAMBERS
(7601 MANCHESTER ROAD)
OR
VIA TELECONFERENCE
(WWW.CITYOFMAPLEWOOD FOR DETAILS)

1. Call to Order
2. Roll Call
3. Motion to Excuse Councilmember
4. Short Term Vacation Rentals Ordinance
5. Hate Crime Legislation
6. Adjournment

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CHAPTER 14 – BUSINESSES AND BUSINESS REGULATIONS, ARTICLE XIII., SECTION 14-801. DEFINITIONS AND SECTION 14-802. – SHORT TERM VACATION RENTALS, AMENDING THE REGULATIONS FOR SHORT-TERM VACATION RENTALS.

WHEREAS, the City Council may adopt ordinances necessary to preserve the health, safety, and welfare of its residents; and

WHEREAS, the Section 14-802 of the City’s Code of Ordinances contains regulations for short-term vacation rentals in the City of Maplewood; and

WHEREAS, the City Council recognizes that such regulations are necessary to limit the impact of transient occupants in residential neighborhoods and to allow citizens to enjoy quiet enjoyment of their homes and properties; and

WHEREAS, the City Council further recognizes that some citizens of the City of Maplewood wish to utilize their primary legal residence as a short-term vacation rental property temporarily when they are not using the property; and

WHEREAS, after due consideration, the City Council now finds and determines that it would be in the best interest of the City to allow such citizens to rent their primary legal residence as a short-term vacation rental property while they are not using the residence and that doing so will have a limited impact on residential neighborhoods.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS:

Section I. Subsection (b) of Chapter 14, Article XIII, Section 14-801. Definitions. is hereby amended as follows:

- (b) *Owner occupied* means the owner (or person controlling any entity that is the owner) resides in said short term vacation rental property as the owner's (or such controlling person's) legal residence **and spends the night on-site in the short term vacation rental property for at least nine (9) months of each short-term rental permit year (from July 1 to June 30).**

Section II. Chapter 14, Article XIII, Section 14-802. Short term vacation rentals. is hereby amended by deleting subsections (c) and (d):

...

- (c) ~~The owner of the short term vacation rental shall spend the night on-site at the short term vacation rental property at all times during the term of any short term vacation rental.~~
- (d) ~~Not more than two rooms in any dwelling unit may be rented at the same time as a short term vacation rental.~~

...

Section III. This ordinance shall take effect and be in force from and after its passage and approval as provided by law.

Passed this ____ day of ____, 2022

Nikylan Knapper, Mayor

Attest:

Karen R. Scheidt, City Clerk

Approved this ____ day of ____, 2022

Nikylan Knapper, Mayor

Attest:

Karen R. Scheidt, City Clerk

ARTICLE XIII.

SHORT TERM VACATION

Sec. 14-800. Purpose.

- (a) The purpose of this article is to establish regulations for short term vacation rentals in order to safeguard the peace, safety and general welfare of neighborhoods within the City of Maplewood by minimizing negative secondary affects related to short term vacation rentals including excessive noise, disorderly conduct, illegal parking, overcrowding, and excessive accumulation of refuse.
- (b) This article is not intended to provide any owner of residential property with the right or privilege to violate any deed restriction or private conditions, governance or restrictions applicable to the property's owner that may prohibit the use of such owner's residential property for short term vacation rentals as defined in this article. Short term vacation rentals are not permitted in dwelling units that have deed restrictions for affordable housing purposes or other city imposed conditions of approval or restrictions would prohibit the use of such dwelling as a short term vacation rental as defined herein.

(Ord. No. 5785, § I, 10-13-2015)

Sec. 14-801. Definitions.

- (a) *Owner* means the person or entity that holds legal and equitable title to a short term vacation rental property and who resides there as the legal residence of such person.
- (b) *Owner occupied* means the owner (or person controlling any entity that is the owner) resides in said short term vacation rental property as the owner's (or such controlling person's) legal residence.
- (c) *Short term vacation rental* means a rental of any legally permitted dwelling unit, or a portion of such a legally permitted dwelling unit, located in a single family zoning district as defined by sections 56-71 to 56-73 of this Code for a period of less than 30 consecutive calendar days, in compliance with the terms of this article sections 14-800 to 14-804.
- (d) *Short term vacation rental property* means the property in which a short term vacation rental is located.
- (e) *Transient* means any person who occupies any rooms or accommodations within a short term vacation rental property for a period of less than 30 continuous days.

(Ord. No. 5785, § I, 10-13-2015)

Sec. 14-802. Short term vacation rentals.

- (a) Short term vacation rentals shall be permitted only in owner occupied single family residences within the SR Single-family Residential Zoning District and as permitted as provided in the zoning ordinance.
- (b) Short term vacation rentals shall be subject to and shall comply with all requirements of the city and state building, fire, safety and occupancy codes and limits.
- (c) The owner of the short term vacation rental shall spend the night on-site at the short term vacation rental property at all times during the term of any short term vacation rental.

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- (d) Not more than two rooms in any dwelling unit may be rented at the same time as a short term vacation rental.
 - (e) The owner of any short term vacation rental shall be required to apply for and obtain a short term vacation rental permit and business license from the city before renting or advertising the availability of the short term vacation rental.
 - (f) A short term vacation rental permit shall be valid from July 1 and shall expire on the following June 30.
 - (g) Obtaining and renewing a short term vacation rental permit. The owner of the short term vacation rental property shall adhere to the following conditions and shall submit the following information on a short term vacation rental permit application form provided by the city, which shall include, at a minimum, the following information:
 - (1) The name, address and telephone number of the owner of the short term vacation rental property.
 - (2) Such other information as the city manager or designee deems reasonably necessary to administer this article.
 - (h) Any false statements or false information provided in the application for a short term vacation rental permit shall be grounds for denial of permit, permit revocation or imposition of penalties as outlined in this Code of Ordinances.
 - (i) A short term vacation rental permit application shall be denied if the owner has had a short term vacation rental permit revoked within the past 12 months for the same or other short term vacation rental property. If a short term vacation rental permit is revoked twice, no short term vacation rental permit shall subsequently be issued for such owner or such short term vacation rental property.
 - (j) Operational requirement. The owner shall use reasonable, prudent business practices to insure that the short term vacation rental property is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental property.
 - (k) The name, address and telephone number of a local contact person who shall be available 24 hours per day, seven days per week, for the purpose of responding within 45 minutes to complaints regarding the condition, operation or conduct of occupants of the short term vacation rental unit or their guests, shall at all times be kept on file with the city.
 - (l) The owner shall post the short term vacation rental permit on the exterior of the short term vacation rental property within plain view for the general public with a 24 hours a day, seven days a week local contact phone number for complaints. The permit shall be between eight and one-half inches by 11 inches and four inches by five inches in size and shall be displayed at all times that the short term vacation rental property is being used for a short term vacation rental.
 - (m) The owner or local contact shall upon notification that any transient, occupant or guest of the short term vacation rental property has created unreasonable noise or disturbances, engaged in disorderly conduct or committed violation of any applicable law, rule or regulations pertaining to the use and occupancy of the short term vacation rental property, respond in a timely and appropriate manner to immediately halt or prevent reoccurrence of such conduct. Failure of the owner or local contact to respond to such calls or complaints regarding the condition, operation or conduct of the occupants and/or guests of a short term vacation rental in a timely and appropriate manner shall be grounds for revocation of the short term vacation rental permit and shall subject the owner to all administrative, legal and equitable remedies available to the city.
 - (n) The owner or local contact shall use reasonably prudent business practices to insure that the occupants and/or guests of the short term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short term vacation rental property.

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- (o) No amplified or reproduced sound shall be used outside or audible from the property line of any short term vacation rental property between the hours of 10:00 p.m. and 10:00 a.m.
 - (p) Prior to rental of a short term vacation rental property, the owner shall:
 - (1) Obtain the contact information of all transients, including the name, permanent address, telephone number and emergency contract for each person to occupy the short term rental vacation property.
 - (2) Require the transient to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants or guests of the short term vacation rental unit with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental unit.
 - (3) Information required in items (1) and (2) above shall be maintained by the owner for a period of three years and shall be made available upon request to any officer of the city responsible for the enforcement of any provision of the municipal code or any applicable law, rule or regulation pertaining to the use and occupancy of the short term vacation rental property.
 - (4) On-site parking shall be allowed on approved driveway, garage and/or carport areas only.
 - (5) The number of occupants allowed to occupy any short term vacation rental property shall be limited to two people per bedroom and no more than two bedrooms within any short term vacation rental property shall be rented at the same time.
 - (6) The city manager or designee shall have the authority to impose additional conditions on the use of any short term vacation rental property to insure that any potential secondary affects unique to the subject short term vacation rental unit are avoided or adequately mitigated.
 - (q) The owner shall post the current short term vacation rental permit number on or in any advertisement appearing in any written publication or any website that promotes the availability or existence of a short term vacation rental property.

(Ord. No. 5785, § I, 10-13-2015)

Sec. 14-803. Permit procedure.

- (a) Upon receiving an application for a permit for a short term vacation rental property that complies with the provisions of this article, the residents within 200 feet of the property lines of the subject property shall be notified of the application for short term vacation rental permit.
- (b) The fee for a short term vacation rental permit shall be \$75.00 annually.

(Ord. No. 5785, § I, 10-13-2015)

Sec. 14-804. Penalties and enforcement.

- (a) Upon request by the city manager or designee, owners shall provide access to the short term vacation rental property and to any records related to the use and occupancy of the short term vacation rental property during normal business hours for the purpose of determining compliance with this article.
- (b) Any person violating any of the provisions in this article shall be deemed guilty of a misdemeanor punishable pursuant to section 1-11, general penalty; continuing violations.
- (c) In addition to any penalty imposed pursuant to section 1-11 of this Code, the city manager or his designee may impose additional conditions on the use of any short term vacation rental permit pursuant to section 14-802(p)(6), permits.

(d) Except as otherwise expressly provided in sections 14-800 to 14-804, enforcement of sections 14-800 to 14-804 is at the sole discretion of the city. Nothing in this article shall create a right of action on any person against the city or its agents for damages or to compel public enforcement of the provisions of sections 14-800 and 14-804 against private parties.

(e) Pursuant to section 1-11(c) of this Code, each and every day during any portion of which a violation of this Code or any other ordinance of this city is committed, continued or permitted, shall be a separate offense.

(Ord. No. 5785, § I, 10-13-2015)