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## ZONING ORDINANCE CHANGE PETITION REVIEW REPORT

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**Petition Number:** Z18-02

**Petitioner:** City of Ballwin  
14811 Manchester Rd.  
Ballwin, MO 63011

**Agent:** None

**Commission Review Date:** April 2, 2018

**Requested Action:** Zoning Ordinance Regulation Change

**Code Section:** Zoning Ordinance: Section 30, Article XVI Appendix A

**Background:**

The Mayor and Board have directed City Staff to look into regulating Short Term Rentals. City Attorney Jones has done research and looked at what other cities have done. Attached is a draft ordinance that will be presented to the Mayor and Board of Aldermen upon Planning and Zoning Commission Approval.

**Proposal Description:**

The use and regulation of Short Term Residential Rentals for properties within single-family zoning districts within the City of Ballwin.

Respectfully Submitted,

A handwritten signature in black ink that reads "Andy Hixson". The signature is written in a cursive, flowing style.

Andy Hixson  
Director of Development/ Assistant City Administrator



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**CITY OF BALLWIN**  
14811 Manchester Road, Ballwin, MO  
63011

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**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**INTRODUCED BY**  
**ALDERMEN TERBROCK, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON,**  
**BULLINGTON**

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**AN ORDINANCE REGULATING SHORT TERM RENTALS IN THE CITY OF BALLWIN.**

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Whereas, the Board of Aldermen has considered the impact of Short Term Residential Rentals upon properties within single-family zoning districts and determined that it is in the best interests of the residents and businesses in the City of Ballwin to allow such rentals, subject to certain regulations.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN AS FOLLOWS:

Section 1. Section 30 of Article XVI, Appendix A of the Code of Ordinances of the City of Ballwin shall be amended by adding a new paragraph 15 thereto as follows:

15. Short Term Residential Rentals

A. Definitions. As used in this subsection, the following terms shall have the prescribed meaning:

**PERMANENT RESIDENT**

A property owner or lessee who maintains a dwelling as a primary residence as documented by at least two of the following:

- a. motor vehicle registration;
- b. driver's license;
- c. voter registration;
- d. bank statement; or
- e. utility bill.

Such documentation shall not be retained by the City.

**SHORT TERM RESIDENTIAL RENTAL**

The leasing of a dwelling, or portion thereof, to overnight guests.

B. Requirements and Restrictions. In addition to all other pertinent and applicable federal, state, and local regulations, including but not limited to business license, tax, occupancy, fire, building, zoning, and property maintenance regulations, the following special conditions shall apply to Short Term Residential Rentals:

1. Short Term Residential Rentals may only be offered by a Permanent Resident within the Permanent Resident's principal residential structure, not within a detached building or structure.
2. The Permanent Resident shall reside on the property at least 180 days within a one-year period.
3. Prior to offering Short Term Residential Rentals, the Permanent Resident must obtain an inspection and a permit from the City for Short Term Residential Rentals, and must renew the permit every two (2) years from the date of issuance. Permits for Short Term Residential Rentals will be issued in accordance with the procedures and requirements for issuance of occupancy permits. Prior to issuance of a permit for Short Term Residential Rentals, the owner must provide, in writing, the name and telephone number of the Permanent Resident and the name and telephone number of a local contact person that will be available 24 hours per day, 7 days per week, for the purposes of responding within 45 minutes to complaints regarding the operation of the Short Term Residential Rental or the conduct of overnight guests. A permit fee of \$100.00 shall be paid to offset the cost of the inspection.
4. Maximum occupancy, including overnight guests, shall be as set forth in this Code.
5. All vehicles of the Permanent Resident, overnight guests, and guests of overnight guests must be parked on the property or on the street abutting the property.
6. The owner shall maintain records of all Short Term Residential Rentals for a period of two (2) years, available for inspection, which includes the following information: dates the dwelling was leased for Short Term Residential Rental; date(s) of stay, name and contact information.
7. Short Term Rentals shall be subject to compliance with all applicable property maintenance, nuisance, zoning and building code regulations.

C. Penalties for Violation.

1. Any act in violation of the requirements set forth in this Section is declared to be unlawful and shall be subject to Section 1.6 General Penalty.
2. If a property owner or Permanent Resident is convicted of or pleads guilty to two (2) citations for violations of this Section which occur within 180 days of each other, the business license and permit allowing Short Term Residential Rentals on the property shall be subject to revocation pursuant to the procedures set forth in Section 14-62. Revocation and the licensee shall not be eligible for a business license or permit to conduct Short Term Residential Rentals for a period of one (1) year.

Section 2. The definition of "Family" in Section 1.2 of the Code of Ordinances of the City of Ballwin shall be amended by adding an additional sentence thereto as follows:

This definition shall not be interpreted to prohibit Short Term Residential Rentals, as defined and regulated in Appendix A, Article XVI, Section 30.15 of this Code.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2018. \_\_\_\_\_  
*TIM POGUE, MAYOR*

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018. \_\_\_\_\_  
*TIM POGUE, MAYOR*

ATTEST: \_\_\_\_\_  
*ERIC HANSON, CITY ADMINISTRATOR*