

**AN ORDINANCE REGARDING SHORT TERM RENTALS WITHIN THE CITY  
OF NEW MELLE, MISSOURI**

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF NEW MELLE, MISSOURI, THAT TITLE VI Business and Occupation, CHAPTER 602 OF THE CITY OF NEW MELLE MUNICIPAL CODE SHALL BE AMENDED BY ADDING THE FOLLOWING SECTION:

Section 602.010, Short Term Rentals.

- A. "Noise Monitoring Device" is defined as: a device which monitors noise.
- B. "Short Term Rental" is defined as: A rental of any legally permitted dwelling unit, or a portion of such a legally permitted dwelling unit, located in a single-family, two-family, or multi-family zoning district for a period of less than thirty (30) consecutive calendar days and a contract period not to exceed one-hundred eighty (180) days, does not serve meals, and is in compliance with the terms of this Chapter.
- C. "Short Term Rental Property" is defined as: The property on which a short term rental is located.
- D. All Short Term Rentals shall comply with the following:
  - a. In addition to any applicable permits/licenses, an annual Short Term Rental Permit shall be required for every Short Term Rental and renewals of said permit shall be due prior to the last business day in December every year. The fee for said permit shall be approved by Board of Alderman.
  - b. Shall be subject to and shall comply with all requirements of City and State building, fire safety and occupancy codes and limits.
  - c. No occupancy of a Short Term Rental shall occur in any location except within the primary structure.
  - d. No occupancy shall exceed two persons per bedroom in a single residence.
  - e. Total Short Term Rentals within residentially zoned area shall be limited to no more than one-half of one percent (0.5%) of the total qualifying housing units in the City as identified by the most recent

decennial census. Housing in HOAs which prohibit rentals are not qualifying units.

- f. Parking shall be provided in accordance with City Code Chapter 355 and limited to one (1) car per bedroom within the Short Term Rental Property, and street parking shall not be provided/permitted; however, modifications to this standard may be approved by the Board of Alderman via a Conditional Use.
- g. A yearly safety inspection is required for every Short Term Rental Property. Failure to receive and pass a yearly safety inspection is grounds for revocation of any permit for the Short Term Rental.
- h. The owner of any Short Term Rental Property shall apply and obtain a Business License from the City before renting or advertising the availability of the Short Term Rental. Failure to maintain an active Business License will be grounds or revocation.
- i. The owner of the Short Term Rental Property shall submit the following information on the application form provided by the City Clerk, which shall include, at a minimum, the following information: (a) the name, address, email address, and telephone number of the owner of the Short Term Rental Property; and (b) such other information as the City deems reasonably necessary to administer this Section.
- j. Any false statement of false information provided in the application for a Short Term Rental Property shall be grounds for the permit revocation.
- k. The owner shall use reasonable, prudent business practices to insure that the Short Term Rental Property is used in a manner that complies with all applicable Statutes, ordinances, rules, and regulations pertaining to the use and occupancy of the Short Term Rental.
- l. The name, address, and telephone number of a local contact person who shall be available twenty-four (24) hours a day, seven (7) days per week, for the purpose of responding within Sixty (60) minutes to complaints regarding the condition, operation or conduct of occupants of the Short Term Rental Property or their guests, shall at all times be kept on file with the City.
- m. The owner or local contact shall upon notification that any transient, occupant, or guest of the Short Term Rental Property has created unreasonable noise or disturbances, engaged in disorderly conduct or committed a violation of any applicable law, ordinance, rule or

regulation pertaining to the use and occupancy of the Short Term 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 Rental Property in a timely and appropriate manner shall be grounds for revocation of the 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 a Short Term Rental Property do not create unreasonable noise or disturbances, engage in disorderly conduct or violate any applicable law, ordinance, rule or regulation pertaining to the use and occupancy of the Short Term Rental Property.
- o. No amplified or reproduced sound shall be used outside or audible from the property line of any Short Term Rental Property between the hours of 10:00 p.m. and 10:00 a.m.
- p. In order to ensure compliance and compatibility with the surrounding land uses, each Short Term Rental shall be affixed with an operable Noise Monitoring Device. Said device shall notify the tenant and property owner of any noise deemed unreasonable. Said device shall be documented/inspected and in good working order prior to the issuance of any occupancy for the Short Term Rental.
- q. No Short Term Rental shall be rented more than one (1) time between the hours of 6:00 p.m. and 6:00 a.m., in any 24-hour period.
- r. Prior to the rental of a Short Term Rental Property, the owner shall:
  - i. Obtain through positive identification by driver's license or passport the contact information of all transients, including the names, permanent address, telephone number and emergency contact for each person to occupy the Short Term Rental Property.
  - ii. 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 Rental Property unit with all applicable laws, ordinances, rules and regulations pertaining to the use and occupancy of the Short Term Rental Property.

- iii. Information required above shall be maintained by the owner for a period of three (3) years and shall be made available upon request to any employee of the City responsible for the enforcement of any law, ordinance, rule or regulation pertaining to the use and occupancy of the Short Term Rental Property.
- iv. The Board of Alderman or designee shall have the authority to impose additional conditions on the use of any Short Term Rental Property to insure that any potential secondary affects unique to the subject Short Term Rental Property are avoided or adequately mitigated.

E. Residential Zoning. Short Term Rentals within a residential zoning district shall conform to the following standards and provisions in addition to the standards of Subsection (D) of this Section:

- a. The dwelling unit shall be a single-family, two-family dwelling or multi-family dwelling.
- b. No Short Term Rental Property shall be within 500 feet of another Short Term Rental Property located within a residential zoning district, unless otherwise permitted by this Section.
- c. A yearly safety inspection is required for every Short Term Rental Property. Failure to receive and pass a yearly inspection will render the Condition use and/or permit, as applicable, null and void.
- d. Failure to receive or maintain a valid Business License for the Short Term Rental Property will render the Conditional Use and/or permit, as applicable, null and void.
- e. Past approvals of Short Term Rental Permits. Unexpired Short Term Rental Permits approved prior to the effective date of this ordinance shall be permitted to apply for a Conditional Use regardless of the buffer requirement of Subsection (E)(b) of this Section; however, an application shall be received no later than December 30, 2023. Failure to receive a complete application by December 30, 2023 will render the previous permit null and void and subject to all current standards of Short Term Rentals including, but not limited to the buffer requirement of Subsection (E)(b) of this Section.

F. Commercial Zoning. Where Short Term Rentals are within a commercial zoning district the use shall conform to the standards and provisions of this Section, as applicable.

G. Penalties and Enforcement.

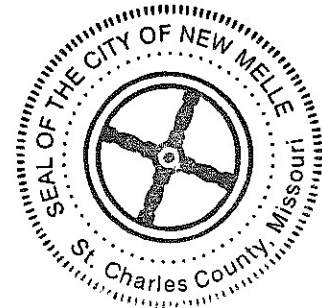
- a. The City Clerk or designee is responsible for enforcement of this Section.
- b. The City Clerk or designee is authorized to suspend or revoke occupancy permits as appropriate for violation of this Section. Appeal of a permit suspension or revocation shall be in accordance with Section 605.100 pertaining to business licenses.
- c. Upon request by the City Clerk or designee, the owner shall provide access to the Short Term Rental Property and to any records related to the use and occupancy of the Short Term Rental Property during normal business hours for the purpose of determining compliance with this Section.

**PASSED BY THE BOARD OF ALDERMAN FOR THE CITY OF NEW MELLE**  
THIS 13 DAY OF June, 2023.

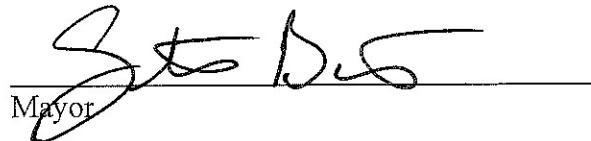
  
\_\_\_\_\_  
Presiding Officer

Attest:

  
\_\_\_\_\_  
City Clerk



APPROVED THIS 13<sup>th</sup> DAY OF June, 2023

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk