

**BOARD BILL NO. 183 INTRODUCED BY: ALDERWOMAN INGRASSIA/ALDERMAN
TOM OLDENBURG/ALDERWOMAN HEATHER NAVARRO/ALDERWOMAN
CAROL HOWARD**

1 An ordinance authorizing the City’s Building Division to develop and promulgate rules and
2 regulations to be approved by the Department of Safety, and consistent with Chapter 25 of the Revised
3 Code of the City of St. Louis and other applicable laws regarding Short Term Residential Rentals
4 within the City of St. Louis.

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

6 **SECTION ONE. Definitions.**

- 7 1. Booking service is any reservation and/or payment service provided by a person or entity that
8 facilitates a short-term rental transaction between an Owner and a prospective tourist or
9 transient user, and for which the person or entity collects or receives, directly or indirectly
10 through an agent or intermediary, a fee in connection with the reservation and/or payment
11 services provided for the short-term rental transaction.
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- 13 2. Business entity is a corporation, partnership, or other legal entity that is not a natural person.
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- 15 3. Commissioner is the Commissioner of the City’s Building Division or his or her designee.
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- 17 4. Division is the City’s Building Division.
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- 19 5. Dwelling Unit means single-family homes and any single unit in a multifamily dwelling, or
20 any building designed to occupied for Residential Use, or a room or rooms therein, which
21 provide living facilities for one or more persons, including permanent provisions for living,
22 sleeping and sanitation.

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- 6. Hosting Platform is a natural person or business entity that participates in the Short-Term Residential Rental business by providing, and collecting or receiving a fee for, Booking Services through which an Owner may offer a Dwelling Unit for Tourist or Transient Use. Hosting Platforms usually, though not necessarily, provide Booking Services through an online platform that allows an Owner to advertise the Dwelling Unit through a website provided by the Hosting Platform and the Hosting Platform conducts a transaction by which potential tourist or transient users arrange Tourist or Transient Use and payment, whether the tourist or transient pays rent directly to the Owner or to the Hosting Platform.
- 7. Housing Conservation District Short-Term Residential Rental Inspection Certificate or Inspection Certificate is an annual permit that must be obtained by an Owner for a Residential Unit in order for the Owner to offer said Residential Unit for Tourist or Transient Use.
- 8. Owner means a natural person who is the owner of record of a Dwelling Unit recorded as holding title to the property in the official records of the City of St. Louis.
- 9. Permanent Resident is a natural person who occupies a Dwelling Unit for at least ninety (90) consecutive days per calendar year with intent to establish said Dwelling Unit as his or her Primary Residence. A Permanent Resident may be the owner or a lessee of a Dwelling Unit.
- 10. Primary Residence is a Permanent Resident's usual place of return for housing as documented by at least two of the following: motor vehicle registration; driver's license; voter registration; tax documents showing the Dwelling Unit as the Permanent Resident's residence; or a utility bill. A person may have only one Primary Residence.
- 11. Residential Use means use for occupancy of a Dwelling Unit by a Permanent Resident.

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12. Short-Term Residential Rental is Tourist or Transient Use of a Dwelling Unit where all of the following conditions are met:

- (1) The Owner is a natural person and: Owner and Permanent Resident of the Dwelling Unit offered for Tourist or Transient Use; or Permanent Resident of a Dwelling Unit located within the same building as the Dwelling Unit offered for Tourist or Transient Use by the Owner; or the Permanent Resident of a Dwelling Unit located on real property that is immediately adjacent to the real property on which the Dwelling Unit offered for Tourist or Transient Use by the Owner is located; and
- (2) The Owner is the holder of a current Housing Conservation District Short Term Residential Rental Permit for the Dwelling Unit that is being offered for Tourist or Transient Use by the Owner; and
- (3) The Owner has complied all rules and regulations promulgated by the Division pursuant to this ordinance, and no other requirement of federal or state law, or City ordinance prohibits the Owner from renting, leasing, letting out or otherwise allowing Short-Term Residential Rental of the Dwelling Unit; and
- (4) The Dwelling Unit offered for Tourist or Transient Use is not a hotel, residential hotel, and is not designated as low income, income restricted, below market rate housing; and
- (5) No real property or other taxes are owed by the Owner on the Dwelling Unit being offered for Tourist or Transient Use.
- (6) The Owner maintains liability insurance appropriate to cover the Short-Term Residential Rental use in the aggregate of not less than \$500,000 or conducts each Short-Term Residential Rental transaction through a Hosting Platform that

1 provides equal or greater coverage. Such coverage shall defend and indemnify the
2 Owner(s), as named additional insured, and any tenant(s) in the building for their
3 bodily injury and property damage arising from the Short-Term Residential Use.
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5 13. Tourist or Transient Use is any use of a Dwelling Unit for occupancy for less than a thirty (30)
6 day term.
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8 **SECTION TWO. Declaration of Policy.**

9 The City of St. Louis recognizes that Short Term Residential Rentals need to be regulated for the
10 safety and welfare of its residents and visitors. This ordinance provides the framework for the
11 development of a policy to meet this need, said policy shall be referred to as The City of St. Louis
12 Short Term Rental Policy.
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14 **SECTION THREE. The City of St. Louis Short-Term Residential Rental Policy.**

15 A. In addition to any requirements set forth in this ordinance the Commissioner is hereby
16 authorized, to promulgate rules and regulations to govern Short-Term Residential Rentals
17 within the City of St. Louis consistent with this ordinance and all applicable laws, which rules
18 and regulations must be approved by the Department of Public Safety before being put into
19 effect. The rules and regulations promulgated pursuant to this ordinance shall be referred to as
20 The City of St. Louis Short-Term Residential Rental Policy.
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22 B. The City of St. Louis Short-Term Residential Rental Policy shall be published on the
23 Division's website and available to the public at the Division's offices. Any changes or

1 additions to The City of St. Louis Short-Term Residential Rental Policy shall be published on
2 the Division’s website and available to the public at the Division’s offices within twenty-four
3 (24) hours prior to their becoming effective.

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5 C. In addition to any rules and regulations promulgated pursuant to this ordinance, the following
6 shall be part of The City of St. Louis Short-Term Residential Rental Policy:

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9 **SECTION FOUR. Short-Term Residential Rentals.**

10 A. Each of the following requirements must be met before a Residential Unit may be offered for
11 Short-Term Residential Rental:

12 (1) The Owner is a natural person and: Owner and Permanent Resident of the Dwelling Unit
13 offered for Tourist or Transient Use; or Permanent Resident of a Dwelling Unit located
14 within the same building as the Dwelling Unit offered for Tourist or Transient Use by the
15 Owner; or the Permanent Resident of a Dwelling Unit located on real property that is
16 immediately adjacent to the real property on which the Dwelling Unit offered for Tourist
17 or Transient Use by the Owner is located; and

18 (2) The Owner is the holder of a current Housing Conservation District Short Term
19 Residential Rental Permit for the Dwelling Unit that is being offered for Tourist or
20 Transient Use by the Owner; and

21 (3) The Owner has complied all rules and regulations promulgated by the Division pursuant
22 to this ordinance, and no other requirement of federal or state law, or City ordinance
23 prohibits the Owner from renting, leasing, letting out or otherwise allowing Short-Term
24 Residential Rental of the Dwelling Unit; and

- 1 (4) The Dwelling Unit offered for Tourist or Transient Use is not a hotel, residential hotel,
2 and is not designated as [low income, income restricted, below market rate housing; and
3 (5) No real property or other taxes are owed by the Owner on the Dwelling Unit being offered
4 for Tourist or Transient Use.
5 (6) The Owner maintains liability insurance appropriate to cover the Short-Term Residential
6 Rental use in the aggregate of not less than \$500,000 or conducts each Short-Term
7 Residential Rental transaction through a Hosting Platform that provides equal or greater
8 coverage. Such coverage shall defend and indemnify the Owner(s), as named additional
9 insured, and any tenant(s) in the building for their bodily injury and property damage
10 arising from the Short-Term Residential Use.

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12 B. It shall be unlawful:

- 13 (1) To offer a Dwelling Unit for Tourist or Transient Use if any of the requirements set forth
14 in this ordinance and The City of St. Louis Short-Term Residential Rental Policy, as may
15 be revised from time-to-time, are not met.
16 (2) To offer a Dwelling Unit either directly or indirectly, including through a Hosting
17 Platform, for Tourist or Transient Use for more than thirty (30) consecutive days or more
18 than one-hundred and twenty (120) days in aggregate per calendar year.
19 (3) For a Business Entity to offer a Dwelling Unit either directly or indirectly, including
20 through a Hosting Platform, for Tourist or Transient Use.
21 (4) For an Owner to offer a Dwelling Unit for rent to a Business Entity that will allow the use
22 of a Residential Unit for Tourist or Transient Use.
23 (5) For a Business Entity to allow the use of a Dwelling Unit for Tourist or Transient Use.

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1 **SECTION FIVE.** Annual Housing Conservation District Short-Term Residential Rental
2 Certificate of Inspection.

3 A. It shall be unlawful for any Owner to offer either directly or indirectly, including through a
4 Hosting Platform, a Dwelling Unit for Tourist or Transient Use without first securing a
5 Housing Conservation District Short-Term Residential Rental Certificate of Inspection for
6 said Dwelling Unit.

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8 B. Housing Conservation District Short-Term Residential Rental Certificate of Inspections shall
9 expire twelve (12) months from the date of issuance, and must be renewed.

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11 C. It is the responsibility of the Owner to secure a Housing Conservation District Short-Term
12 Residential Rental Certificate of Inspection.

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14 D. Only the Owner of a Dwelling Unit may apply for Housing Conservation District Short-Term
15 Residential Rental Certificate of Inspection. It shall be unlawful for any Owner applying for
16 a Housing Conservation District Short-Term Residential Rental Certificate of Inspection to
17 make a false statement in the application. It shall be the responsibility of the Owner to
18 inform prospective transient or tourist occupants of the maximum occupancy load and post a
19 copy of the Housing Conservation District Short-Term Residential Rental Certificate of
20 Inspection and a current copy of The City of St. Louis Short-Term Residential Rental Policy
21 within the Dwelling Unit.

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23 E. Notwithstanding the provisions of any other ordinance it shall be unlawful to occupy or to
24 allow occupancy of a Dwelling Unit beyond that number specified as legally allowed in the
25 Housing Conservation District Short-Term Residential Rental Certificate of Inspection. It
26 shall be the responsibility of the Owner to inform any prospective transient or tourist

1 occupants of a Dwelling Unit that said Dwelling Unit and the building in which it may be
2 located is subject to the requirements of this ordinance, of the posted occupancy load of all
3 the Dwelling Units within that building, and of any outstanding violations of this ordinance.
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5 **SECTION SIX. Housing Conservation District Short-Term Residential Rental Inspection**
6 **Certificate or Inspection Certificate.**

7 A. If the Dwelling Unit is available for inspection, the Commissioner shall inspect the unit
8 within seven (7) working days from date of application for Certificate of Inspection unless
9 the Owner approves a longer time. Failure to make an inspection within said seven days
10 does not waive requirements of Certificate of Inspection.

11 B. The Certificate of Inspection will be issued for the proposed or actual Dwelling Unit and
12 premises that comply with the exterior provisions of the International Property Maintenance
13 Code, the Zoning Ordinance of the City of St. Louis, and the requirements of Exhibit "A" of
14 this ordinance, which is attached to this ordinance and made a part hereof.

15 C. The Certificate of Inspection may be issued for the proposed or actual Dwelling Unit and
16 premises that comply with the Zoning Code of the City of St. Louis and the requirements of
17 Exhibit A and are in substantial but not complete compliance with the exterior provisions of
18 the International Property Maintenance Code as determined by the Commissioner, but said
19 building must meet total compliance within ten (10) calendar days after the date of issuance.
20 When total compliance is not practical or feasible within the specified time period,
21 extensions to the aforementioned compliance period may be granted at the discretion of the
22 Commissioner.

1 D. No Certificate of Inspection can be issued when the Dwelling Unit, building or the premise
2 is in such condition as to warrant condemnation or when there are found to be conditions
3 existing that may imminently and adversely affect the health, safety and welfare of
4 occupants.

5 E. When long-term rehabilitation work is in progress with required building permits being
6 issued, a portion of that building may be occupied if that portion meets the requirements of
7 Exhibit "A" and the exterior portion of the building is in compliance with the International
8 Property Maintenance Code. That portion of the building that meets the requirements will be
9 inspected and a Certificate of Inspection with an occupancy load will be issued for that area
10 only. Additional areas will be required to be inspected after rehabilitation work is completed
11 and before those areas become occupied. A new application must be filed for these
12 additional areas.

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14 **SECTION SEVEN. Reinspection of Dwelling Unit.**

15 A. The Commissioner may require reinspection of a Dwelling where he or she has reasonable
16 cause to believe that the Dwelling Unit to be re-inspected, and/or the building in which the
17 unit or units are located no longer comply with the standards for issuance of a Housing
18 Conservation District Short-Term Residential Rental Certificate of Inspection. Reasonable
19 cause to conduct a reinspection shall include, but not be limited to: (1) damage to the
20 building in which the Dwelling Unit to be re-inspected was impacted by wind, fire,
21 earthquake, an Act of God, or by man-made causes that jeopardize the health and safety of
22 the occupants; (2) a complaint made by an occupant of the Dwelling Unit to be re-inspected;
23 or (3) a documented complaint of the existence of conditions not in compliance with

1 standards for issuance of a Housing Conservation District Short-Term Residential Rental
2 Certificate of Inspection from someone other than an occupant, including, but not limited to,
3 police officers and inspectors employed by the Division of Building and Inspection or other
4 City agencies. No reasonable cause shall be necessary to conduct a reinspection where an
5 occupant of the Dwelling Unit to be re-inspected voluntarily permits the reinspection to be
6 conducted.

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8 B. If Dwelling Units or common areas are not accessible for reinspection, a request for
9 reinspection shall be made in writing to the Owner designating the date and time on which
10 the reinspection shall be made, giving at least seven (7) days' notice of the date on which the
11 reinspection is to occur.

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13 C. If the Commissioner determines that a Dwelling Unit should be re-inspected, the Owner or
14 owner's agent shall be responsible for providing access to the Dwelling Unit and common
15 areas for which a Certificate of Inspection has previously been issued. If entry for
16 reinspection of a dwelling unit(s) is denied by the owner, owner's agent, and/or tenant, the
17 Code Official may revoke the Certificate of Inspection for said dwelling unit(s), condemn
18 the unit(s) for occupancy, and require vacation of the unit(s).

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20 D. Should the Commissioner determine upon reinspection that a dwelling unit no longer
21 complies with the standards for issuance of a Housing Conservation District Short-Term
22 Residential Rental Certificate of Inspection, the Commissioner shall give the Owner notice of
23 the deficiencies found by the inspection. This notice shall specify that such deficiencies
24 must be corrected within ten (10) calendar days of the date of notice. It shall further state
25 that if the deficiencies are not corrected within ten (10) calendar days of the date of the

1 notice that the Commissioner may revoke the Housing Conservation District Short-Term
2 Residential Rental Certificate of Inspection for such Dwelling Unit, order the Dwelling Unit
3 vacated, and may condemn it for occupancy. The Commissioner shall have authority to
4 grant extensions for completion of work necessary to eliminate deficiencies observed during
5 a reinspection where it is not feasible or possible to complete such work within ten (10)
6 calendar days of the date on which the notice was issued. Notwithstanding the foregoing, if
7 the Commissioner determines that a Dwelling Unit, or the building in which such unit is
8 located, is condemnable pursuant to the provisions of this ordinance or any other
9 ordinances, the Commissioner shall have authority to condemn such Dwelling Unit or
10 building pursuant to the applicable sections of the City of St. Louis Code of Ordinances,
11 without regard to the time limits specified above.

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13 **SECTION EIGHT.**

14 A. The Commissioner shall implement and is charged with the enforcement of the requirements
15 of this ordinance and The City of St. Louis Short-Term Residential Rental Policy.

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17 B. The Commissioner may adopt and promulgate such rules, policies and procedures as are
18 necessary for the administration of this ordinance. This ordinance is solely for the benefit of
19 the City of St. Louis and not for the benefit of any Owner, lessee, tenant, occupant, including
20 without limitation tourist or transient occupants. The City makes no warranties as a result of
21 inspections for securing a Housing Conservation District Short-Term Residential Rental
22 Certificate of Inspection.

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1 C. Any person aggrieved by the decision of the Commissioner relative to this ordinance or The
2 City of St. Louis Short-Term Residential Rental Policy may file an appeal with the Board of
3 Building Appeals in the same manner and time period as provided in the Building Code of the
4 City of St. Louis.

5 **SECTION NINE.** Penalties for violation.

6 A. Any person or Business Entity who shall violate any provision of this ordinance or any of
7 the rules and regulations of The City of St. Louis Short-Term Residential Rental Policy shall
8 upon conviction thereof, be subject to a fine of not less than one-hundred dollars (\$100) nor
9 more than five-hundred dollars (\$500) or imprisonment for a term not to exceed ninety (90)
10 days, or both. Every day that a violation exists shall be deemed a separate violation.

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EXHIBIT A

(Interior Only)

1. SANITATION. General unsanitary conditions shall not be allowed within Public Areas, Dwelling Unit or Basement. Trash, debris, rodent and insect infestation shall be eliminated.

2. WALLS & CEILINGS. Plaster or tile shall not be missing, loose or broken. Required fire resistance assemblies shall be maintained. Wall coverings shall not be loose, water damaged or in bad repair.

3. ENTRY DOORS. Lock on entry door(s) shall be in good working order. Door(s) shall latch properly for privacy. If entry door is a fire door, it shall have an operable self closer. Common area entrance/exit door(s) where a door frame exists shall not be equipped with double key or clasp type locking mechanism.

4. STRUCTURAL. Floors/joists shall not be missing, rotten, fire damaged, spalled, rusted or broken. Floor covering shall not be torn or broken. There shall be no unsafe structural conditions.

- 1 5. SAFETY. Sufficient exits shall be provided. Stair(s) shall not be missing, rotten, fire
2 damaged, spalled, rusted or broken. Handrail(s) or guardrail(s) shall not be missing, rotten
3 or broken. Operable entrance/exit doors shall be provided and maintained. Excessive
4 storage of any material shall not be permitted. Operable smoke detectors shall be provided
5 as required by Ordinance.
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7 6. PLUMBING FIXTURES. No fixtures shall be missing, inoperable or defective. No pipe
8 or fixture shall be leaking or improperly connected. Hot water heater shall be required. Hot
9 water heater shall be operable, and properly vented. Hot water heater shall have a
10 temperature/pressure relief valve.
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12 7. ELECTRICAL EQUIPMENT. Cover plates shall not be missing or broken. Switches or
13 outlets shall be operable, and of sufficient number. Fuses/Circuit breakers shall be
14 properly sized. Lighting fixtures shall not be defective. Excessive, defective or hazardous
15 extension cords shall not be allowed. Loose, hanging, frayed, bare wires or open splices
16 shall not be permitted. Defective or hazardous electrical services shall be prohibited.
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18 8. MECHANICAL EQUIPMENT. Heating unit shall be operable. Furnace shall be properly
19 vented. Space heaters shall be properly vented (when applicable).
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21 9. SPACE REQUIREMENTS. Occupancy load shall be limited by the most stringent of:
- 22 a. Minimum habitable gross floor area of 150 square feet for first occupant, plus 100
23 square feet for each additional occupant; or
- 24 b. Sleeping room area of a minimum of 70 square feet for first occupant, 50 square
25 feet for each additional occupant; and the master bedroom will be limited to a
26 maximum of two (2) occupants.

- 1 c. The master bedroom will be construed as the largest bedroom within said unit.
2 After an occupancy load has been established and unit is legally occupied, said unit
3 will still be considered to be legally occupied if an infant under the age of thirty
4 (30) months is found to be added to the legally occupied unit.
- 5 d. Minimum occupancy area requirements for living room and dining room as
6 reflected in the applicable Sections of Chapter Four of adopting Ordinance #68791
7 of the 2009 International Property Maintenance Code of the City of St. Louis.
- 8 e. Basement occupancies shall not be permitted unless they meet the following
9 requirements:
- 10 i. Floors and walls are weather tight so as to prevent entry of moisture.
- 11 ii. Minimum ceiling heights are in accordance with applicable sections of this
12 ordinance.
- 13 iii. Means of egress and emergency escape requirements as reflected in the
14 applicable sections of the current building code of the City of St. Louis.
- 15 iv. **MINIMUM CEILING HEIGHT:** Habitable spaces shall have a clear
16 ceiling height over the minimum area required by this code at not less than
17 7 feet (2134 mm) except that in attics or top half stories the ceiling height
18 shall be not less than 7 feet (2134 mm) over not less than one third of the
19 minimum area required by this code when used for sleeping, study or
20 similar activity. In calculating the floor area of such rooms, only those
21 portions of the floor area of the room having a clear ceiling height of 5 feet
22 (1524 mm) or more shall be included. Exception: Hallways, corridors,
23 bathrooms, toilet rooms, and habitable basements used as recreation rooms

