

**Amendment #15**  
**STR Bill 23-20 AND Bill 348-19**  
**Eliminate requirement to obtain a certificate of compliance for hosted STR**  
**under Rental Unit Conservation Law; retain RUCL for un-hosted STR only**

**Amend the title of Bill 23-20 and multiple sections in both Bill 23-20 and B 348-19 by deleting the following material in strikeout and adding the material which is underlined:**

**AN ORDINANCE**

amending Chapter 22 of the City Code to add short-term rental un-hosted provisions to the City's Rental Unit Conservation Law; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

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Sec. 22-181. Title.

This article shall be known and may be cited as the "Rental Unit Conservation Law of the City of Columbia, Missouri." The provisions of this article apply to short-term rental un-hosted and long-term rental of dwelling units within the corporate limits of the City of Columbia, as defined herein, and shall adhere to the specific regulatory provisions for inspection and issuance of a certificate of compliance prior to the operation of a dwelling unit as either a short-term un-hosted or a long-term rental.

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Sec. 22-183. Definitions.

Unless otherwise expressly stated, for the purpose of this article, the following terms shall have the meanings indicated:

*Agent of the owner, designated agent.* A person who is authorized to act on behalf of the owner, as herein defined, with regard to repairs and maintenance of a dwelling or rooming unit.

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*Rooming unit.* Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

*Short-term rental un-hosted.* A residential dwelling unit, not occupied by the owner of record as owner's primary place of residence that is offered, on occasion, as an accommodation for transient guests.~~portion of a dwelling unit or room or space within a residential dwelling unit rented by a transient guest for a period less than thirty one (31) days.~~

*Single rental unit.* Any dwelling unit existing in a dwelling in which the operator thereof provides, for lease, up to but not to exceed one dwelling unit.

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Sec. 22-184. Certificate of compliance and notice of occupancy limitations.

(a) The following provisions shall apply to long-term rental units:

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(b) The following provisions shall apply to short-term rental un-hosted units:

(1) It shall be unlawful to operate a short-term rental un-hosted within the city without a current short-term rental un-hosted certificate of compliance. The short-term rental un-hosted certificate of compliance shall be displayed within the dwelling or readily available onsite.

(2) It shall be unlawful for any owner, or designated agent, of a short-term rental un-hosted to fail to immediately, upon request by a police officer or city inspector investigating a violation of this article, to provide the short-term rental un-hosted certificate of compliance pertaining to the dwelling.

Sec. 22-185. Dual application and inspection allowed.

Notwithstanding anything herein to the contrary, a property owner shall be allowed to seek a certificate of compliance for both a long-term rental and a short-term rental un-hosted for the same dwelling unit. Provided the application for both types of use is made at the same time, a single inspection may be performed and the property shall only be required to pay a single application and inspection fee to determine if the dwelling unit meets the requirements of this article.

Sec. 22-186. Application for certificate.

(a) The following provisions shall apply to long-term rental units:

...

(b) The following provisions shall apply to short-term rental un-hosted units:

(1) *Formal application required.* Every owner requesting to establish a short-term rental un-hosted shall submit an application for a short-term rental un-hosted certificate of compliance to the director. If the owner has been previously granted a short-term rental un-hosted certificate of compliance for the dwelling and has had such certificate revoked pursuant to section 22-193 of this article, the owner shall be ineligible to obtain a short-term rental un-hosted certificate of compliance for that dwelling unless such owner receives a conditional use permit to re-establish the short-term rental un-hosted in accordance with the provisions of chapter 29 of this Code.

- (2) *Content and form.* The application for such a short-term rental un-hosted certificate of compliance shall be in such form as determined by the director. A separate application for each dwelling unit to be designated as a short-term rental un-hosted shall be submitted. The application for the short-term rental un-hosted certificate of compliance shall include:
- a. The street address and zoning district in which the dwelling is located.
  - b. The name, address and telephone number of the owner of the dwelling. If the owner is a limited liability company or other business entity, the name, address and telephone number of each member of the limited liability company or officers or owners of the corporation or business entity shall be provided.
  - c. An affidavit, signed and notarized, by the owner of record of the dwelling that attests to the number of days the owner resides in the dwelling as their principal residence.
  - d. The name, address and telephone number of ~~the~~ designated agent of the owner, if any, ~~for all dwellings that seek certificate issuance as a "short-term rental hosted" dwelling.~~
  - e. A list of all specific website or other media platforms where the dwelling will be advertised for rental. The owner may supplement this list at any time following the filing of the initial application.
- (3) *Consent to inspection.* The application shall be accompanied by a written consent on forms provided by the director authorizing the director to enter upon and inspect the premises for which the certificate is sought at any reasonable time for the purpose of determining whether or not the premises are in compliance with city code requirements.

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Sec. 22-187. Procedure for issuance of certificate.

- (a) The following provisions shall apply to long-term rental units:

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- (b) The following provisions shall apply to short-term rental un-hosted units:

- (1) *Inspection prerequisite.* The director shall make an inspection of the dwelling or dwellings for which a satisfactorily completed and executed application for a short-term rental un-hosted certificate of compliance is filed. Such inspection shall be made pursuant to consent or a search warrant issued under the provisions of section 22-189 of this article. No person shall be prosecuted for a violation of this article prior to inspection of the dwelling or dwellings for which an application for a short-term rental

un-hosted certificate of compliance has been filed, provided that such application is satisfactorily completed and executed and is filed prior to the date when the applicant must obtain or renew the short-term rental un-hosted certificate of compliance.

- (2) *Issuance.* If, as a result of the inspection, the director shall determine that the short-term rental un-hosted dwelling is in compliance with the provisions of chapters 6, 9 (article II), 13, 24, 26 and 29 of this Code, the director shall issue a short-term rental un-hosted certificate of compliance to the owner.
- (3) *Violations.* If, as a result of the inspection, the director shall determine that the short-term rental un-hosted dwelling is in violation of any of the provisions of chapters 6, 9 (article II), 13, 24, 26 or 29 of this Code, the director shall notify the owner of the violations and proceed to correct such violations.

The owner of a short-term rental un-hosted unit where any such violations are found to exist shall have all rights and remedies and shall be subject to the procedures established by chapters 6, 9 (article II), 13, 24, 26 or 29 of this Code, whichever is applicable.

- (4) *Certificate of use conditioned on compliance:*
  - a. *Pending appeal.* The owner of a dwelling where violations of chapters 6, 9 (article II), 13, 24, 26 or 29 of this Code are found to exist may apply to the director for a certificate of use conditioned on compliance to allow the operator to appeal from a notice of violation under the applicable procedures. Such certificate shall be issued only if:
    1. An appeal under the applicable ordinance has been filed;
    2. The director finds no immediate danger to the public exists and there is a reasonable likelihood of success by the owner in the appeal process; and
    3. Only for such time as is actually necessary to complete said appeal.A certificate of use conditioned on compliance issued hereunder shall expire upon completion of the appeals process unless extended under the provisions of this subsection.
  - b. *Period of compliance.* A certificate of use conditioned on compliance may be issued by the director, on application, to make available a reasonable time for existing short-term rental un-hosted units to come into compliance with the provisions of chapters 6, 9 (article II), 13, 24, 26 or 29 of this Code. Such certificate shall be issued only:
    1. On signing of a notarized agreement by the owner admitting such violations and agreeing to remove such violations within a reasonable time period agreed to by the director, or established by an appeals board on appeal under this subsection; and

2. Only for the period as determined by the director or established by an appeals board on appeal under this subsection, which is reasonably required to remove such violations, which period, if established by the director, shall in no event exceed one hundred eighty (180) days. A certificate of use conditioned on compliance shall be revoked if it appears that the owner is not correcting the violations in accordance with the established compliance schedule.

A certificate of use conditioned on compliance may not be issued for a dwelling unit that has not provided evidence it was being used as a short-term rental un-hosted prior to the effective date of these provisions and may not be issued for any dwelling unit which the director has declared to be an unsafe building or a structure unfit for human occupancy under the building code of the city or otherwise detrimental to the public, health, safety and welfare.

(5) *Provisional certificate of compliance.* If the owner of a dwelling being operated as a short-term rental un-hosted has been convicted of a violation of chapters 22, 26, or 29 of this Code, or the director has revoked the certificate of compliance for the dwelling, the owner of the dwelling may apply to the director for a provisional certificate of compliance. In addition to the requirements contained in section 22-186 of this article, the owner must also provide the director with information on the owner's compliance efforts or procedural changes which will ensure compliance with city codes. A provisional certificate of compliance shall expire one (1) year from the date of issuance. The director shall only issue a provisional certificate of compliance when the owner satisfies the director that the structure and the use of the structure is in compliance with city code. The director shall impose conditions upon which the provisional certificate of compliance is granted. At a minimum, these conditions shall include the following requirements:

- a. Owner must consent to inspection by inspectors at all reasonable times upon request by a city inspector.
- b. Immediate revocation of the provisional certificate of compliance if the city inspector finds a violation of city codes.

If there are no further violations of chapters 22, 26 or 29 of this Code, the owner may apply to the director for an extension of the provisional certificate of compliance for an additional one-year term. The director may grant no more than two (2) extensions of the provisional certificate of compliance.

#### Sec. 22-188. Fees and charges.

In order to defray the costs incident to the administration of this article, the following fees shall be required to be paid for the inspection and shall be nonrefundable:

- (a) The following fees shall apply to long-term rental units:

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- (b) The following fees shall apply to short-term rental un-hosted units:
- (1) There shall be an application fee of sixty dollars (\$60.00) per dwelling unit for each application for a certificate of compliance.
  - (2) There shall, in addition, be an inspection fee of twenty-six dollars (\$26.00) per dwelling unit covered by each certificate of compliance.
  - (3) There shall, in addition, be a reinspection fee of forty-three dollars (\$43.00) per dwelling unit.
  - (4) There shall, in addition, be a fee of thirty-four dollars (\$34.00) to be assessed when owner or owner's representative fails to meet with inspector at scheduled appointment time.

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Sec. 22-189. Search warrant.

When application is made pursuant to this article for a certificate of compliance with respect to any house, dwelling or long-term or short-term rental un-hosted unit, the municipal judge of the county circuit court shall have authority to issue search warrants for searches or inspections of such house, dwelling or unit to determine the existence of violations of chapters 6, 9 (article II), 24, or 29 of this Code. Warrants and searches or inspections made pursuant thereto shall conform to and be governed by the following provisions:

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Sec. 22-190. Unlawful to refuse entry.

It shall be unlawful for any person to refuse entry or access to any long-term or short-term rental un-hosted unit, dwelling or structure to any person to whom a search warrant has been issued authorizing inspection of said unit, dwelling or structure pursuant to the provisions of this article.

Sec. 22-191. Duration of certificates; renewal.

- (a) The following provisions shall apply to long-term rental units:

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- (b) The following provisions shall apply to short-term rental un-hosted units:

- (1) A short-term rental un-hosted certificate of compliance issued pursuant to this article shall be effective for three (3) years from its date of issue, unless sooner revoked, or unless extended by the director under the procedures established in this article, or unless title or ownership of the dwelling changes. Such short-term rental un-hosted certificate of compliance shall be renewable triennially upon forms supplied by the

director in accordance with the procedures for obtaining a short-term rental un-hosted certificate of compliance set forth herein. Initial short-term rental un-hosted certificates shall be issued for new structures in conjunction with issuance of occupancy permits provided that application to establish the dwelling as a short-term rental un-hosted was submitted in accordance with the provisions of this article; inspection for the purposes of determining compliance with the building code shall satisfy the inspection provisions of this article.

- (2) The director may, upon written application of the owner and accompanied by a renewal payment of forty-three dollars (\$43.00), extend a current short-term rental un-hosted certificate of compliance for a period not to exceed three (3) years without further inspection, provided that the dwelling for which the short-term rental un-hosted certificate of compliance was issued has not been the subject of any violations of this article within the prior three (3) years.
- (3) A provisional short-term rental un-hosted certificate of compliance shall be effective for one (1) year from the date of issue unless sooner revoked, or unless title or ownership of the property or any portion of the dwelling changes.

Sec. 22-192. Transfer of ownership.

- (a) The following provisions shall apply to long-term rental units:

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- (b) The following provisions shall apply to short-term rental un-hosted units:

- (1) Upon the transfer of record, legal title of any dwelling or portion thereof which has a short-term rental un-hosted certificate of compliance or a provisional short-term rental un-hosted certificate of compliance, the short-term rental un-hosted certificate and any approved conditional use permit required pursuant to chapter 29 of this Code to operate such rental shall become null and void.
- (2) Nothing contained in this section shall affect the validity of any sale, transfer or disposition of any interest in real property.

Sec. 22-193. Noncompliance; revocation of certificate.

Whenever the director shall determine that any unit in an apartment house, rooming house, two-family dwelling, single rental unit, long-term rental, or short-term rental un-hosted for which a certificate of compliance has been issued under this article is in violation of the provisions of chapters 6, 9 (article II), 24, or 29 of this Code, or whenever the director shall determine that the conditions of a certificate of use conditioned on compliance are not being satisfied because violations are not being corrected in accordance with the terms and time limits set forth in the certificate of use conditioned on compliance, the director shall notify the operator or owner of same in accordance with the notice provisions set forth in chapters 6, 9 (article II), 24, or 29 of this Code, as applicable. Before revoking a certificate of compliance for such violations, a hearing shall be held in accordance with the hearing procedures set forth in chapters 6, 9 (article II), 24, or 29 of this Code. The operator of the apartment

house, rooming house, two-family dwelling, or single rental unit, long-term rental, or owner of the short-term rental, to which the certificate of occupancy issued shall have all rights and remedies and shall be subject to the procedures established by chapters 6, 9 (article II), 24, or 29 of this Code, whichever is applicable with regard to such violations.

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Sec. 22-195. Penalty.

Any person violating the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction therefor shall be punished as provided in section 1-8 of this Code. In addition thereto, the city may institute injunction, mandamus or other appropriate forms of remedy or relief. Provided, that it shall be a defense to a prosecution under this article that a person charged requested and used reasonable efforts to obtain access to a long-term rental, short-term rental un-hosted, dwelling unit or rooming unit under lease to another and was refused access by the lessee or person in possession of such unit.

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Sec. 29-3.3. Use-specific standards.

All uses for which the permitted use table in section 29-3.2 shows use-specific standard(s) shall comply with the applicable standard(s) in this section. In addition, all development shall comply with all other applicable provisions of this chapter.

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(pp) *Accessory and temporary uses of land and buildings: short-term rental.*

A. *Short-term rental types.* Short-term rentals shall be classified as either “short-term rental hosted” or “short-term rental un-hosted” dwelling units subject to the following provisions:

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B. *Authorization to operate.* Authorization to operate a short-term rental shall be based upon its classification under section 29-3.3 (pp)A. and may be granted administratively by the director or the director’s designee or following the approval of a conditional use permit by the city council pursuant to the requirements of section 29-6.4(m) of this chapter.

...

C. *Supplemental use-specific standards.* The following standards shall be applicable to all short-term rentals regardless of classification under subsection 29-3.3(pp)A.

1. *Adjacent property owner notification.* The city shall provide public notice for any conditional use application seeking to increase the number of permitted transient guests for a short-term rental hosted or to establish a short-term rental un-hosted in accordance with the provisions of section 29-6.3(c) of this chapter.

2. *Proof of ownership.* The property owner shall submit, upon forms provided by the city, an affidavit affirming the following:

(a) The dwelling unit to be used as a short-term rental is under the property owner's ownership,

(b) The number of days the dwelling serves as the property owner's primary residence, and

(c) The name, address and contact number of a designated agent, if applicable ~~when application to establish a short-term rental hosted is sought.~~

Designation of an agent shall be provided annually at the time of business license renewal or within thirty (30) days of any change to the required affidavit content.

3. *Property registration.* The property owner shall register the short-term rental with the city, and if applicable, obtain prior to being granted a certificate of compliance pursuant to chapter 22 of this Code. ~~Such registration shall follow the provisions of chapter 22 of this Code and shall grant the city the right to inspect the dwelling unit for compliance with all applicable city codes.~~

4. *Dual rental designation.* A dwelling unit that has an active certificate of compliance, pursuant to the Rental Unit Conservation Law, may apply to have an approved short-term rental un-hosted added to such certificate subject to the provisions of subsection 29-3.3(pp)B. and other applicable city codes, without requiring re-inspection.

If approved to become a short-term rental un-hosted, the dwelling unit may be offered for rental purposes as either a short-term rental un-hosted, subject to the provisions of subsection (pp), or as a traditional rental unit pursuant to the provisions of the Rental Unit Conservation Law of this Code. This dual designation shall not relieve the property owner of remittance of any applicable lodging taxes or business licensing requirements as adopted or passed by the city.

5. *Certificate of compliance – posting.* The certificate of compliance issued by the city for any short-term rental un-hosted shall be conspicuously posted at the entry of the dwelling unit or in a readily available location onsite for review upon the request of a police officer or city inspector investigating a violation of this subsection (pp), chapter 16, article IV (Nuisances), or chapter 22, article V (Rental Unit Conservation Law) of this Code. In addition to posting the issued

certificate, the operator shall post their contact information as well as the contact information of any designated agent.

6. *Rental platform identification.* Upon application to register a dwelling unit as a short-term rental and annually thereafter, the property owner shall provide the city with a list of all specific website or other media where the dwelling unit will be advertised for rental ~~following issuance of a certificate of compliance~~. Such advertising shall include any registration or the certificate of compliance license number issued by the city.

...

11. *Revocation of a certificate of compliance – short-term rental.* Operation of a short-term rental un-hosted, ~~regardless of classification~~, in violation of any of the foregoing provisions of subsection (pp) of this section shall constitute a violation of this Code and shall be subject to any fines and penalties of such. Any property owner who has had the short-term rental un-hosted certificate of compliance revoked shall only be permitted to seek a conditional use permit to re-establish the short-term rental un-hosted.