

BILL NO. 2020- 23

ORDINANCE NO. _____

INTRODUCED BY _____

AN ORDINANCE TO AMEND SECTIONS 420.110 AND 420.120 OF THE HERMANN MUNICIPAL CODE (“CODE”) TO PROVIDE THAT AN OWNER OR MANAGER MUST LIVE WITHIN TEN (10) MILES OF ALL BED AND BREAKFAST INNS, GUEST HOUSES AND OTHER NON-OWNER OCCUPIED LODGING ESTABLISHMENTS IN THE R-2 AND R-3 ZONING DISTRICTS.

WHEREAS, the Code provides that Bed and Breakfast Inns, Guest Houses, Vacation Rentals or Homes and all other non-owner occupied lodging establishments (hereinafter referred to in the recitals as “Guest Houses”) which are allowed in the “R-1,” Single Family Zoning District must have the owner of record or manager living within 10 miles of the Guest House; and

WHEREAS, the Hermann Planning and Zoning Commission has recommended and the Board of Aldermen has determined that all Guest Houses which are allowed in the “R-2” Family Residential District and in the “R-3” Multiple Family Residential District shall also have an owner or manager living within 10 miles of the Guest House; and

WHEREAS, requiring an owner or a manager to live within 10 miles of all Guest Houses would serve a legitimate public purpose and is in the best interests of the citizens of the City of Hermann Missouri.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HERMANN, MISSOURI, AS FOLLOWS:

SECTION ONE: Subsection D *Conditional Uses* of Code Section 420.110, “R-2” Family Residential District is hereby revoked in its entirety and a new subsection is substituted in lieu thereof, as follows ;

D. *Conditional Uses.* The following uses shall be allowed by conditional use permit only: bed-and-breakfast inns, guest houses, vacation rentals or any other non-owner occupied lodging establishments which were not in operation as of February 10, 2020; provided, however, that the owner or manager shall live within 10 miles of the lodging establishment.

SECTION TWO: Subsection C *Conditional Uses* of Code section 420.120 “R-3” Multiple Family Residential District, is hereby revoked in its entirety and a new subsection is substituted in lieu thereof, as follows:

C. *Conditional Uses.* The following uses shall be allowed by conditional use permit only: bed-and-breakfast inns, guest houses, vacation rentals or any other nonowner occupied

lodging establishments which were not in operation as of February 10, 2020; provided, however, that the owner or manager shall live within 10 miles of the lodging establishment.

SECTION THREE: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION FOUR: This Ordinance shall be in full force and effect commencing immediately.

SECTION FIVE: The publisher of the City of Hermann ordinances shall be permitted to re-designate the section or sub-section number of this revised code section to fit within an appropriate portion of the Hermann City Code, within the discretion of the publisher.

First Reading: September 14, 2020

Second Reading: _____

VOTE:

Name	First Reading			Second Reading		
	Aye	Nay	Abs	Aye	Nay	Abs
Alderman David Faerber						
Alderman Rick Owsley						
Alderman Jim Schirmer						
Alderwoman Susan Lenger						

Passed and approved this ___ day of _____, 2020.

Bruce Cox, Mayor

PATRICIA HEANEY, City Clerk