

BILL NO. 2024-17

ORDINANCE NO. _____

INTRODUCED BY _____

**AN ORDINANCE CREATING AN EXCEPTION TO THE
MORATORIUM ON CONDITIONAL USE PERMITS FOR SHORT
TERM RENTAL PROPERTIES IN RESIDENTIAL ZONES.**

WHEREAS, on February 12, 2024, the Board of Aldermen passed Ordinance #2386 imposing a moratorium (“Moratorium”) on processing applications for conditional use permits for bed and breakfast inns and guest houses (“Short Term Rental Properties”) in Residential Zones; and

WHEREAS, conditional use permits are exclusive and personal to the permittee and they do not “run with the land;” and

WHEREAS, the Planning and Zoning Commission has recommended that the Board of Aldermen allow an exception to the Moratorium for successors in interest to Short Term Rental Properties operating per a conditional use permit, including, but not limited to a buyer of the Short Term Rental Property; an heir, trustee, representative or beneficiary of a Short Term Rental Property; and/or a transferee or assignee of a majority in interest in a Limited Liability Company, Corporation or other entity which holds title to a Short Term Rental Property (“Successors in Interest”); and

WHEREAS, providing this exception will allow a Successor in Interest to apply for a conditional use permit for a Short Term Rental Property if the predecessor in interest had a conditional use permit for a Short Term Rental Property at the time of the transfer of ownership of the Short Term Rental Property; and

WHEREAS, the Planning and Zoning Commission has recommended that Successors in Interest should apply for their own conditional use permit within 6 months after acquiring their interest in the Short Term Rental Property; and

WHEREAS, the Board of Aldermen has determined that making such an exception 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: The Moratorium imposed by Ordinance #2386 shall not apply to a Successor in Interest to a Short Term Rental Property operating per a conditional use permit so long as the Successor in Interest submits an application for their own conditional use permit for a Short Term Rental Property within six (6) months of the date the Successor in Interest acquires their interest in the Short Term Rental Property.

SECTION TWO: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage and adoption.

First Reading: February 26, 2024

Second Reading: _____

VOTE:

Name	First Reading			Second Reading		
	Aye	Nay	Abs	Aye	Nay	Abs
Alderman Ash Geers						
Alderman Derek LeRoy						
Alderman Jim Schirmer						
Alderman Susan Lenger						

Passed and approved this ___ day of _____, 2024.

BRUCE COX, Mayor

COREY ORR, City Clerk