

**AN ORDINANCE AMENDING CHAPTER 22 OF THE BRANSON MUNICIPAL CODE
PERTAINING TO SHORT-TERM RENTALS TO REMOVE CERTAIN
REQUIREMENTS AND ADD FIRE INSPECTION FEE TO APPENDIX A.**

WHEREAS, after City Staff consideration, a public meeting, and review of proposed regulations, the City of Branson desires to regulate short-term rentals that are in operation within the City; and

WHEREAS, because short-term rentals are intended to provide lodging for transient guests, the City's historically tourism-driven economy supports an estimated 1,600 short-term rentals; and

WHEREAS, the City desires to establish health and safety regulations for short-term rentals, which are intended to provide the City with contact information of the short-term rental operator or property manager in the event of an emergency or law enforcement incident; to provide transient guests (who are likely unfamiliar with location of exit routes, location of fire suppression items, and locations safe for severe weather) with emergency plans and required safety items available for guest use; and to ensure that all short-term rentals are being operated in compliance with City Code; and

WHEREAS, the Board of Aldermen is authorized by Section 79.110 of the Revised Statutes of Missouri to enact ordinances expedient for the good government of the City of Branson and to benefit the trade, commerce, and health of the Branson inhabitants; and

WHEREAS, the Board of Aldermen is authorized by Section 79.450, RSMo. to make all ordinances, not inconsistent with the laws of the state, expedient for maintaining the peace, good government, and welfare of the City and its trade and commerce; and

WHEREAS, the Board of Aldermen finds that the following short-term rental regulations benefit the trade, commerce, and health of the Branson inhabitants and guests of short-term rentals, and are expedient for maintaining the peace and welfare of the City, along with its trade and commerce; and

WHEREAS, the City of Branson is authorized by Section 94.802, RSMo. to impose a tourism tax paid by guests of hotels, motels, condominium units, time-share interests in condominiums, campgrounds, and tourist courts; and

WHEREAS, Section 94.802, RSMo. defines "hotel", "motel", "condominium", "time-share interests in condominiums", or "tourist court" as "any structure or building, under one management, which contains rooms furnished for the accommodation or lodging of guests, with or without meals being provided, including bed and breakfast facilities, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests"; and

WHEREAS, in consideration of this definition, the Board of Aldermen finds that short-term rentals shall be subject to the tourism tax as imposed by Section 94.802, RSMo.; and

48 **WHEREAS**, the Board of Aldermen is authorized by Section 94.270, RSMo. to regulate and
49 license hotels, which is defined by Merriam Webster as “an establishment that provides lodging
50 and usually meals, entertainment, and various personal services for the public”; and
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52 **WHEREAS**, the Board of Aldermen finds that short-term rentals provide lodging and could also
53 provide meals, entertainment, or various personal services, and therefore finds that short-term
54 rentals are properly categorized as hotels under Section 94.270, RSMo.; and
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56 **WHEREAS**, the Board of Aldermen passed Bill No. 6465, Ordinance No. 2024-0072 on July 23,
57 2024 with an effective date of May 1, 2025; and
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59 **WHEREAS**, the Board of Aldermen have determined the ordinance should be amended to remove
60 the parking information requirement; and
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62 **WHEREAS**, a fee must be added for the fire inspection at a rate of \$150.00 per inspection which
63 is required every three years; and
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65 **WHEREAS**, the Board of Aldermen desires to create the following regulations for short-term
66 rentals.
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68 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE**
69 **CITY OF BRANSON, MISSOURI, AS FOLLOWS:**
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71 Section 1: It is the intention of the Board of Aldermen, and it is hereby ordained that the
72 provisions of this ordinance shall become and be made a part of the Branson
73 Municipal Code, and the sections of this ordinance may be renumbered to
74 accomplish such intention.
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76 Section 2: That Chapter 22 – *Businesses*; Article I. – *In General*; Sec. 22-1. – *Definitions* of
77 the Branson Municipal Code is hereby amended to delete the stricken definition
78 and include the bold and underlined definitions:
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80 **CHAPTER 22 – BUSINESSES**
81 **ARTICLE I. – IN GENERAL**

82 **Sec. 22-1. - Definitions.**
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85 *Property Manager* means the owner of the short-term rental or person or representative of the
86 corporation, limited liability company, partnership, limited partnership, trust, or real estate
87 investment trust identified to be the property manager on the short-term rental permit license
88 application. A short-term rental owner may act as the property manager. All short-term rental
89 property managers that are not short-term rental owners shall acquire from the short-term rental
90 owners a signed [~~and notarized~~] authorization to transact the business of short-term rental.
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93 Section 3: That Chapter 22 – *Businesses*; Article IV – *Short-Term Rentals*; *Division 1. –*
94 *Business License for Short-Term Rentals* Sec. 22-459. – *Safety Measures* shall be
95 amended to read as follows:

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CHAPTER 22 – BUSINESSES
ARTICLE IV. – SHORT-TERM RENTALS
DIVISION 1. – BUSINESS LICENSE FOR SHORT-TERM RENTALS

103 Sec. 22-459. - Safety Measures.

105 Safety plans shall be posted within the short-term rental in a place that is easily visible to guests
106 [~~and in each guest bedroom~~]. The safety plan shall comply with section 22-472(c)(4).

108 Section 4: That Chapter 22 – *Businesses*; Article IV – *Short-Term Rentals*; Division 2. –
109 *Short-Term Rental Permit* Sec. 22-472. – *Short-Term Rental Permit* shall be
110 amended to read as follows:

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DIVISION 2. – SHORT-TERM RENTAL PERMIT

114 Sec. 22-472. – Short-Term Rental Permit.

115 (c) Permit Requirements. Each short-term rental property manager shall apply for a permit.
116 The following information is required:

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118 (1) *Dwelling unit*. The exact street address of each dwelling unit that may be offered or
119 operated as a short-term rental.

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121 (2) *Zoning Classification*. The short-term rental shall be allowed only in zoning districts
122 where short-term rentals are allowed as shown in the table of permitted uses.

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124 (3) *Property Manager information*. The property manager of the short-term rental shall
125 provide the following:

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127 a. If the short-term rental property manager is a corporation, limited liability
128 company, partnership, limited partnership, trust, or real estate investment trust, the
129 name and address of the following natural person shall be provided:

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131 (i) For a corporation, a corporate officer and the chief operating officer;

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133 (ii) For a partnership, the managing partner;

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135 (iii) For a limited liability company, the managing or administrative member;

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137 (iv) For a limited partnership, a general partner;

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139 (v) For a trust, a trustee; or

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141 (vi) For a real estate investment trust, a general partner or an officer.
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- b. For the property management information, the above natural person must provide a copy of a valid driver's license or other government-issued identification or federal tax identification number, telephone number, mailing address, and date of birth.
- (4) *Emergency plans.* All short-term rental property managers shall provide the following emergency plan for the purposes of ensuring the health, safety, and welfare of the guests and neighbors. The emergency plan shall be posted at the main entrance [~~and every guest bedroom~~] of the short-term rental and shall include the following:
- The statement: "For Emergency Dial 9-1-1";
 - List the 9-1-1 Address of the short-term rental
 - Provide the actions to take in the event of a fire ("Dial 9-1-1, Evacuate Building, Close Doors);
 - Provide the allowed occupant load of the short-term rental
 - Contact Information for property manager
 - Floor Plan: Provide a floor plan depicting the exit routes and fire extinguisher locations
 - A safety plan for hazardous weather
 - ~~[i. A site plan indicating the location of parking available for guest use]~~
- (5) *Attestation.* The short-term rental property manager shall provide a signed attestation providing that:
- The short-term rental property manager complies, and will continue to comply, with all standards contained in this Code regarding property maintenance and health, fire, and safety requirements in the city's building codes;
 - The short-term rental contains working smoke detectors and at least one fire extinguisher available for guest use;
 - The short-term rental is not subject to any contractual restrictions precluding the short-term rental from being used for short-term rentals, including but not limited to, homeowner association agreements, condominium bylaws, restrictive covenants, or building restrictions; and
 - The short-term rental property manager has read, understands, and agrees to comply with all City Codes applicable to short-term rentals.
- Section 5: That *Appendix A – Fee Schedule* of the Branson Municipal Code is hereby amended to include for Short-Term Rentals as follows:

Chapter 22— Businesses

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| <u>22-454</u> | <u>Fire Inspection Fee</u> | <u>150.00/inspection</u> |
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NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED, STRICKEN] HAS BEEN REMOVED.

Section 6: This ordinance shall be in full force and effective starting May 1, 2025.

Section 7: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

Section 8: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.

Section 9: That the codifier of the Branson Municipal Code is authorized to make numbering and formatting changes as necessary for conformity within the Code.

Read, this first time on this _____ day of _____, 20__.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this _____ day of _____, 20__.

Larry D. Milton
Mayor

ATTEST:

APPROVED AS TO FORM:



Hillary Briand
City Clerk

City Attorney