

**AN ORDINANCE AMENDING SECTION 5.04.260, “FEES BASED ON GROSS ANNUAL RECEIPTS”, OF THE CODE OF THE CITY OF NORTH KANSAS CITY, MISSOURI, BY ADDING “LODGING—BED AND BREAKFAST” AND “LODGING—SHORT-TERM RENTAL”; AMENDING SECTION 17.12.040 “SPECIFIC USE STANDARDS” BY ADDING A SUBSECTION “B. LODGING – SHORT-TERM RENTAL”; AMENDING SECTION 17.36.010 “DESCRIPTION OF USES” BY ADDING A USE DESCRIPTION “LODGING, SHORT-TERM RENTAL”; AMENDING SECTION 17.36.030 “DEFINED TERM” BY ADDING DEFINITIONS FOR “NON-OWNER-OCCUPIED”, “OWNER”, AND “OWNER-OCCUPIED”.**

---

**WHEREAS**, the City of North Kansas City, Missouri (the “**City**”) is a body corporate, a third class city and political subdivision of the State of Missouri, duly created, organized and validly existing under and by virtue of the Constitution and laws of the State of Missouri; and

**WHEREAS**, Section 5.04.260, “Fees based on gross annual receipts,” of the Code of the City of North Kansas City, Missouri (the “**City Code**”), establishes standards and fee schedules for business licenses in the City; and

**WHEREAS**, the City Council finds and determines that it is appropriate and in the best interests of the citizens of the City that Section 5.04.260 of the City Code be amended in regard to business licenses and regulations by adding “Lodging – bed and breakfast” and “Lodging – short term rental” to the fee schedule based on gross annual receipts; and

**WHEREAS**, Title 17, “Zoning,” of the City Code (the “**Zoning Code**”) regulates the development and use of buildings and land within each zoning district to create a compatible scale, intensity, design and range of building types and provides for the coordinated development consistent with established policies of the City; and

**WHEREAS**, Section 17.12.040, “Specific use standards,” of the Zoning Code establishes standards for specific uses; and

**WHEREAS**, Section 17.36.010, “Description of uses,” of the Zoning Code describes uses of land and buildings; and

**WHEREAS**, Section 17.36.030, “Defined terms,” of the Zoning Code defines terms used in the said regulations; and

**WHEREAS**, in accordance with procedures established in Title 17, “Zoning,” of The Code of the City of North Kansas City, and Chapter 89 of the MISSOURI REVISED STATUTES, proceedings

were initiated to amend the Zoning Code, including the North Kansas City Zoning Ordinance as hereinafter set forth; and

**WHEREAS**, public notice was given by publication on March 22, 2023, in THE KANSAS CITY STAR, a newspaper having a general circulation in the City of North Kansas City, Missouri, that a public hearing of the Planning Commission would take place on April 6, 2023, at 6:00 p.m., where the Planning Commission of said City would consider the aforesaid amendments; and

**WHEREAS**, on April 6, 2023, at 6:00 p.m., the Planning Commission did conduct said public hearing, and evaluated public testimonies, and voted to continue the proposed amendments to the Zoning Code, including the North Kansas City Zoning Ordinance to May 4, 2023; and

**WHEREAS**, on May 4, 2023, at 6:00 p.m., the Planning Commission did conduct said public hearing, and evaluated a revised proposal, and voted to continue the proposed amendments to the Zoning Code, including the North Kansas City Zoning Ordinance to June 15, 2023; and

**WHEREAS**, at said public hearing on June 15, 2023, the Planning Commission did conclude and recommend to the City Council that the hereinafter described amendments to the Zoning Code, including the North Kansas City Zoning Ordinance should be approved.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH KANSAS CITY, MISSOURI, AS FOLLOWS:**

**Section 1.** Section 5.04.260, “Fees based on gross annual receipts,” of the Code of the City of North Kansas City, Missouri (the “**City Code**”) is hereby amended by adding “Lodging – bed and breakfast” and “Lodging – short-term rental” to said section.

**Section 2.** Section 17.12.040 “Specific use standards” of the City Code is hereby amended by adding a Subsection “B. Lodging – short-term rental”, and shall hereafter read as follows:

**17.12.040 Specific use standards.**

In addition to the general use and development standards applicable to all districts, the following standards are specific to particular uses. These standards shall be met whether the use is a generally permitted use, accessory use or a conditional use according to Table 12-2. The uses in this section may include more specific types or formats of the uses generally enabled in Table 12-2.

- A. Lodging—Bed and Breakfast. Bed and breakfast establishments may be permitted to the extent the following conditions are met:

1. The use is within, or near the downtown activity core of North Kansas City, such that guests may experience the convenience of nearby retail, office, entertainment and recreation amenities;
2. The owner or the applicant shall occupy a residence on the site and must demonstrate a sufficient ability for site maintenance and property management;
3. Guests must pay based on a daily rental rate, and must limit their stay to fourteen (14) days;
4. There are to be no more than four guest rooms;
5. Meals are restricted to breakfast and may only be served to guests. No cooking facilities are allowed in the guest rooms.
6. Receptions or meetings of groups are prohibited;
7. One off-street parking space shall be provided per guest room, and one per employee; or evidence that existing downtown parking is sufficient for the establishment;
8. Additional conditions may be added where necessary to protect adjacent properties or the character of the district.

B. Lodging—Short-Term Rental. Short-Term Rental establishments may be permitted to the extent the following conditions are met:

1. Approved spaces for short-term rentals may include:
  - a. Individual bedrooms in the principal building on the property, sharing common entrance, kitchen facilities, and living areas with the primary residents.
  - b. Approved accessory dwelling on the property.
  - c. The entirety of the property.
2. Short-term rental is permitted in R-1A, R-1B, R-2, R-3, R-4, R-5, CIO, and C-1, except that in R-1A and R-1B short-term rental is allowed only as follows:

Owner-occupied dwelling unit as defined in Section 17.36.030. The owner shall provide proof of ownership and at least two (2) of the following documents demonstrating that such dwelling unit is their primary residence:

- a. Proof of valid motor vehicle registration;
- b. Federal or state tax returns or other financial documentation;
- c. Proof of voter registration;
- d. A utility bill, and/or

- e. Any other legal documentation deemed sufficient by the director of community development that is pertinent to establishing primary residence.
3. Only one short-term rental contract is permitted at a time per one approved short-term rental application. No more than one dwelling unit rental registration (including short-term and other rental unit registration) may be permitted per dwelling unit, regardless of building types.
4. The proposed registrant, owner, and other local emergency contact information shall be posted within each dwelling unit offered, provided and/or operated as a short-term rental.
5. For a short-term rental within a multi-unit building, a map is posted depicting all evacuation routes by doors in the event of an emergency. The map shall be posted on or immediately adjacent to every required egress door from each unit depicting all evacuation routes in the event of an emergency.
6. Interconnected smoke and carbon monoxide detectors shall be installed and maintained in locations as specified in the Building Code.
7. Fire extinguishers and a working, battery-powered flashlight or other emergency lighting device shall be located in each dwelling unit that is workable during an electrical power outage.
8. No more than two persons per each bedroom being rented plus one additional person per dwelling unit, not to exceed eight guests per dwelling unit, shall occupy the dwelling unit at any given time.
9. No food shall be prepared for or served to guests of any short-term rental by the proposed registrant or owner of the dwelling unit or their agents.
10. No exterior evidence that the property is being used as a short-term rental is allowed, including signage.
11. The short-term rental unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests.
12. Registration is required with the City including the following information and documentation, upon forms provided by the director of community development department.
  - a. The common name of the property, if any, and exact street address of each dwelling unit to be registered, including unit number and total number dwelling units in each dwelling structure;



- b. The legal names of all owners of the property;
  - c. The complete mailing address and physical address of all owners;
  - d. Telephone numbers of each owner, including mobile phone numbers;
  - e. Date of birth of all owners.
  - f. If the property is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name, address, and phone number of the any of the following shall be provided:
    - (1) For a corporation, a corporate officer, and the chief operating officer;
    - (2) For a partnership, the managing partner;
    - (3) For a limited liability company, the managing or administrative member;
    - (4) For a limited partnership, a general partner;
    - (5) For a trust, a trustee; or
    - (6) For a real estate investment trust, a general partner, or an officer.
  - g. The full name, address, telephone number, and email address of the owner to handle the affairs of the property. The owner shall reside within thirty (30) miles of the City limits.
13. Regardless of ownership, each dwelling unit shall have separate applications. There will be an initial registration fee of \$200.00 upon receiving of an application. All registrations issued shall expire on December 31 of each year and shall be subject to renewal annually. Application for renewal of registration in any year will be accepted beginning January 1 and may be made without penalty through January 31. There is a yearly registration fee of \$200.00. A late renewal fee will be charged at \$50 per month.
14. The dwelling unit shall comply with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits, and all property maintenance, building, fire, electrical, mechanical, and plumbing codes.
15. Every owner or owner's agent who manages a short-term rental dwelling unit shall upon the registration of said dwelling unit,

be required to obtain from the City of North Kansas City, Community Development Department and Fire Department an inspection of the premises and an inspection report stating that no code violation was observed. No dwelling shall be reoccupied until the required inspection and report have been obtained from the Community Development Department.

16. Staff shall have administrative approval authority for short-term rental application, provided all requirements of Section 17.12.040, Subsection B are adhered to. For instances where a variance or exception is requested, applicants will need to obtain a conditional use permit subject to the City's discretionary review process in Section 17.08.030.
17. Upon approval of the registration, the property owner must apply and successfully obtain a city business license as required in Chapter 5.04 of the North Kansas City Municipal Code prior to establishing the use.
18. The city issued short-term rental certificate for such dwelling unit shall be displayed in a conspicuous place in the interior of the rental unit.
19. Lodging-short-term rental operation is prohibited in a dwelling unit that receives any City incentives, or located within a structure or upon a parcel that receives any City incentives. Such incentives may include any economic incentive granted by the City or any economic development agency created by the City, in the nature of capture and redirection, abatement, or exemption of taxes or the issuance of bonds or grants by the City or other City-backed financing.
20. Change in either ownership or registration information shall require a new registration within thirty (30) days of such change.
21. The City shall issue a violation notice to any person or entity who fails to comply with Section 17.12.040. Any person or entity fail to take actions to correct the violation within thirty (30) days is guilty of an ordinance violation and shall be fined not less than \$200.00, but not more than \$500.00. Each day may be considered as a separate offense.
22. The City retains its right to deny, suspend or revoke the license when the short-term dwelling unit fails to meet or uphold any of Section 17.12.040, or any other provisions of the North Kansas City Municipal Code. Such dwelling units may not be eligible for registration within two (2) years upon the issuance of denial, suspension, or revocation of the license.

23. All short-term rentals in the City of North Kansas City are to be charged the Hotel/Motel Transient Guest Tax paid by transient guests of hotels, motels, bed and breakfast inns, and other short-term rental spaces of similar use, per Chapter 3.30 of the North Kansas City Municipal Code.
24. As determined by the director of community development department, additional requirements may be added where necessary to protect adjacent properties or the character of the neighborhood.

C. Residential Care—Homes. Residential or out-patient facilities for the treatment of alcohol and other drug abuse may be permitted to the extent the following conditions are met:

1. The use shall be permitted in CIO, C-3, M-1 and M-2 zoning districts.
2. State certification requirements of the division of alcohol and drug abuse of the department of mental health shall be met.
3. The design of the facility shall be generally compatible with other physical structures in the surrounding neighborhood and in general no modifications necessary to meet the program of the building or other specific codes shall be permitted to the extent they are incompatible with other structures and the character of the area.
4. The facility shall be located no closer than one thousand (1,000) feet from another such facility, and no closer than three hundred (300) feet from any residentially zoned districts.
5. The applicant shall submit site plans to the planning commission for review and approval to demonstrate compliance with these standards.

D. Adult Uses. Adult businesses may be permitted to the extent that the following conditions [are] met.

1. The use shall meet all licensing, performance and operation standards in Chapter 5.08 of the city code.
2. The use shall only be permitted in the M-1 and M-2 zoning districts.
3. The use shall not be permitted on any lot abutting Burlington or Swift, and shall not be permitted on any lot abutting or north of 16<sup>th</sup> Avenue.
4. All signs shall be limited to the standards of downtown business district in the Chapter 15.44 of the city code.

5. The use shall require a conditional use permit per the provisions of 17.08.030 to ensure compliance with these standards and the criteria of that review process.

E. Pawn Shops and Short-term Lending. Pawn shops, car title lenders, check cashing lenders, and pay day lenders establishments may be permitted to the extent the following conditions are met:

1. The use shall only be permitted in the C-3, M-1 and M-2 zoning districts.
2. The use shall not be permitted on any lot abutting or north of 16<sup>th</sup> Avenue.
3. Pawn shops must be approved by the North Kansas City Police Department in accordance with RSMo. Ch. 367, and shall comply with all other applicable statutes of the State of Missouri, and all other city regulations.

F. Short-Term Conditional Uses.

1. Types. The following uses may be enabled by the city, where they may not otherwise meet the standards or criteria for the district, as a short-term conditional use by action of the city council without referral to the planning commission:

- a. Trade shows and expositions such as boat shows, car shows.
- b. Community recreation or entertainment events such as street fairs, art fairs, carnivals and circuses.
- c. Promotional ventures or special commercial events such as sidewalk sales, trucks sales, and warehouse sales.
- d. Temporary off-site construction yards and offices such as storage yards for construction supplies, materials, or equipment for temporary use during a construction project. Sites of temporary construction yards and offices shall be restored to its original vegetative and topographic condition within a period determined by the Director.

2. Criteria. A short-term conditional use shall be evaluated based on the following criteria:

- a. The applicant shall submit a complete description of the event or activity, including anticipated traffic, hours and peak times of operation, access and circulation plans, the ability to accommodate fire and police access, and any need for special protection or other public safety, health and welfare needs.

- b. The applicant shall submit a plan identifying the extent of the grounds, gathering places and circulation routes, any streets or public spaces to be dedicated to the event, the location of all structures, equipment or other accessory facilities, and any utility needs for these structures, equipment or fixtures.
  - c. The need for any special signs, promotional elements or other permissions needed for the event beyond what the regulations would allow.
  - d. The applicant shall submit any other information pertaining to the event required by the community development department.
- G. Medical Marijuana. No building shall be constructed, altered, or used for a medical marijuana facility without complying with the following regulations.
1. Buffer Requirement. No medical marijuana business shall be located within three hundred (300) feet of an existing elementary or secondary school, licensed child day care center, or church. Measurements shall be made in a straight line, without regard to intervening structures, from the nearest point on the exterior building wall of the school, childcare center, or church, to the nearest point on the property line containing the medical marijuana business.
  2. Outdoor Operations or Storage Prohibited. All operations and all storage of materials, products, or equipment shall be within a fully enclosed building. No outdoor operations or storage shall be permitted.
  3. Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of a medical marijuana business.
  4. Hours of Operation. All medical marijuana businesses shall be closed to the public, no persons not employed by the business shall be on the premises, and no sales or distribution of marijuana shall occur upon the premises or by delivery from the premises between the hours of 10:00 p.m. and 8:00 a.m.
  5. Display of Licenses Required. The medical marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.
  6. Residential Dwelling Units Prohibited. No medical marijuana business shall be located in a building that contains a residence.
  7. Ventilation Required. All medical marijuana businesses shall install and operate a ventilation system that will prevent any

odor of marijuana from leaving the premises of the business. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the facility is located.

8. Site Plan Review Required. A site plan meeting the requirements of this title shall be submitted for review and approval subject to the procedures of Section 17.08.030. The site plan shall include a description of the ventilation system to be used to contain odors within the building.

H. Outdoor Storage. Where outdoor storage is allowed as a principle or accessory use in the M-1 and M-2 zoning districts, it shall meet the following standards.

1. Storage areas shall either be located behind the [principal] building, or screened from view from the streetscape and public spaces with a fence, landscape buffer, or combination of these spaces.
2. In the M-1 district, outdoor storage shall be screened from view by any combinations of buildings, fences or landscape buffers to not be visible at eye level from adjacent property.
3. All outdoor storage shall be screened from residential property according to the landscape and buffer requirements of Section 17.24.030.
4. Exceptions to these screening requirements may be approved by the director for areas on Service B frontages of the urban areas frontage map (Figure 20-A in Section 17.20.020) or by the planning commission for other areas through the site plan process.

**Section 3.** Section 17.36.010, “Description of uses,” of the City Code is hereby amended by adding thereto a description of short-term rental to the said section, which description of short-term rental shall read as follows:

“Lodging, short-term rental” means a rental of a property, a dwelling unit, an accessory dwelling unit, or portion thereof for a period of less than thirty consecutive days.

**Section 4.** Section 17.36.030, “Defined terms,” of the City Code is hereby amended by adding thereto the definition for the terms “non-owner-occupied”, “owner”, and “owner-occupied”, which definitions for such added terms shall read as follows:

“Non-owner-occupied” means a dwelling unit that is not occupied by the owner as their primary residence.

“Owner” means any natural person who, alone or with others, has legal or equitable title to a dwelling unit. A person whose interest in a dwelling unit is solely that of a tenant, subtenant, lessee, or sublessee under an oral or written rental housing agreement shall not be considered an owner.

“Owner-occupied” means a dwelling unit that is occupied by the owner as their primary residence.

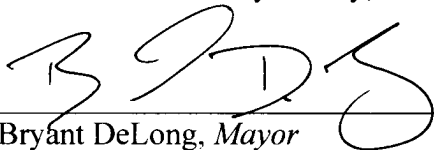
**Section 5.** Providing for Repeal or Amendment of Conflicting Ordinances. All ordinances or parts of ordinances of the City in conflict with the provisions of this ordinance, or any parts hereof, are hereby amended to conform to the provisions and requirements of this ordinance or repealed, whichever will best carry out the intent of this ordinance.

**Section 6.** Severability. The sections, paragraphs, sentences, clauses and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

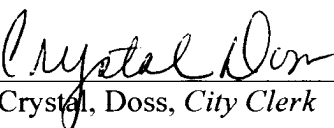
**Section 7.** Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

**Section 8.** Effective Date. This ordinance shall be in full force and effect from and after September 1, 2023, and upon its passage by the City Council and approval by the Mayor.

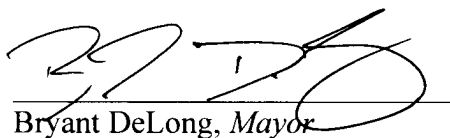
**PASSED** this 5<sup>th</sup> day of July, 2023.

  
Bryant DeLong, Mayor

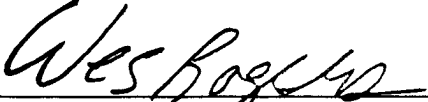
ATTEST:

  
Crystal, Doss, City Clerk

**APPROVED** this 5<sup>th</sup> day of July, 2023.

  
Bryant DeLong, Mayor

APPROVED AS TO FORM:

  
Wes Rogers, City Attorney

  
Thomas E. Barzee, Jr., City Counselor



---

## **CITY COUNCIL MEMORANDUM**



---

**TO:** Mayor and City Council  
City Administrator

**FROM:** Xue Wood, AICP; Community Development Director

**DATE:** July 5, 2023

**RE:** Code Amendments regarding Lodging – Short-Term Rental of Residential Dwelling Units (Section 17.12.040; Section 17.36.010, Section 17.36.030; Section 5.04.060)

**PC Rec.:** Approval

---

### **Background**

Staff has been researching best practices for short-term residential dwelling rentals (STRs) regulations in the Kansas City Metropolitan Area, which are often provided via third-party platforms such as Airbnb or VRBO. The City currently does not regulate STRs separately from our general regulations for rental property that require landlords to register with the Community Development Department and have rental property inspected prior to occupancy. To the best of our knowledge, there are approximately 15 North Kansas City properties that appear to be currently listed as short-term rentals on one or more third-party platforms. All of these properties are residential dwelling buildings.

Staff delivered a presentation at the City Council Work Session on December 6, 2022, and has gathered feedback from City Councilmembers. An online survey was launched to gather more input from the community since then and the survey results have been attached to this report, it has also been posted on NKC website.

On February 2, 2023, staff delivered a presentation at the Planning Commission public meeting. Feedback was provided from the Planning Commissioners directing staff to draft an ordinance regarding regulations on short-term rental. A community open house was hosted at City Hall on March 2<sup>nd</sup>, where the survey results and proposed text were published as exhibition. Such drafted language is attached to this report and has been posted on the NKC website.

### **Public Notice**

A notice was published on KC Star on March 22, 2023. The Planning Commission held the required public hearing on April 6, 2023. Details of the hearing is unfolded below.

### **First Hearing – April 6, 2023**

On April 6, 2023, a public hearing was held at the Planning Commission regular meeting. An initial draft was proposed by staff. Several public testimonies were given. The Commissioners' discussion was focused on the following items:

- Requirement for owner-occupied properties only;
- Higher tax rate than current NKC hotel/motel transient tax.

After hearing public testimonies and extended discussions among Planning Commissioners, the Commission voted to continue this text amendment to May 4<sup>th</sup> meeting. According to the directions provided by Commissioners, staff has made a few changes highlighted below:

### **Second Hearing – May 4, 2023**

On May 4, 2023, a public hearing was held at the Planning Commission regular meeting. A slightly modified draft was proposed by staff. Commissioners heavily discussed short-term rental ordinances in neighboring municipalities. No public testimonies were given. The Commissioners' discussion was focused on the following items:

- Clarification on spaces permitted for short-term rental;
- Requirement for owner-occupied short-term rental only in R-1A and R-1B zoning districts;
- Allowing current non-owner-occupied short-term rental in R-1A and R-1B zoning districts to continue operating if they comply with approved regulations.
- Owner to be lived within certain distance from the short-term rental property.
- Code requirements regarding building, electric, fire, etc.
- Registrant's contact information.
- Prohibit short-term rental in city-incentivized projects.
- Higher registration fee and means of potential penalties.

The Commission voted to continue this text amendment to June 15<sup>th</sup> meeting. According to the directions provided by Commissioners, staff has made significant changes to the initial draft and has proposed a total of twenty-four regulations under Lodging-Short-term rental.

### **Third Hearing – June 15, 2023**

After further discussion among Planning Commissioners, the Commission voted unanimously to approve the text amendment with minimum modifications stated below:

"12. g. The full name, address, telephone number, and email address of ~~a local agent or representative~~ authorized by the owner to handle the affairs of the property. The ~~local agent is a person who resides~~

owner shall reside within thirty (30) miles of the City limits. and may be one of the owners. If the local representative is not an owner, the owner shall provide proof that the local representative is authorized to act on the owner's behalf."

## Review Criteria

State law and the Municipal Code establish that the Planning Commission has the duty to recommend appropriate regulations for the City's zoning districts and shall hold public hearings and make a recommendation to the governing body.

<b>Review Criteria</b>	<b>Analysis</b>
1. The application is consistent with the authority granted to the City in Chapter 89 RSMo.	<p>Missouri Revised Statutes give the City the authority to provide for the manner in which zoning regulations shall be established in accordance with a comprehensive plan.</p> <p>This amendment is in accordance with the City's comprehensive master plan, as discussed below.</p>
2. The application furthers the general purposes of the Zoning Ordinance.	<p>The purposes of the Zoning Ordinance are contained in Section 17.12.040 and include:</p> <ul style="list-style-type: none"> <li>• Building high-quality dense development;</li> <li>• Secure long-term partnerships;</li> <li>• Strengthen the community's capacity for economic development.</li> </ul>
3. The application is in conformance with the Master Plan.	<p>The 2016 Master Plan includes the following Vision Themes and associated principles related to these subjects:</p> <p>Vision Theme #1: Grow and attract new and innovative business opportunities to create jobs, support local economy, and increase tax base.</p> <p>Associated principles:</p> <ul style="list-style-type: none"> <li>• Increase development densities and include a vibrant mix of residential, office, retail, and civic uses.</li> <li>• Create a range of great places and destinations to attract the "creative Class".</li> <li>• Identify vacant, abandoned, or underutilized assets and determine suitable potential for reuse and redevelopment.</li> </ul>



**Review Criteria****Analysis**

Vision Theme #2: Attract new residents and increase homeownership rates that support sustainable and social benefits.

- Encourage a full spectrum of housing options for more people to age-in-place.
- Increase the supply of townhomes, loft style, multi-family options around centers of activity and along transit corridors.
- Expanding housing to support retail businesses.

**Attachments**

Redlined\_17.12.040\_\_Specific\_use\_standards

Redlined\_17.36.010\_\_Description\_of\_uses

Redlined\_17.36.030\_\_Defined Terms

Redlined\_5.04.260\_\_Fees\_based\_on\_gross\_annual\_receipts

Written public comments as of 06-15-23

Community survey results

---

### 17.12.040 Specific use standards.

In addition to the general use and development standards applicable to all districts, the following standards are specific to particular uses. These standards shall be met whether the use is a generally permitted use, accessory use or a conditional use according to Table 12-2. The uses in this section may include more specific types or formats of the uses generally enabled in Table 12-2.

- A. **Lodging—Bed and Breakfast.** Bed and breakfast establishments may be permitted to the extent the following conditions are met:
1. The use is within, or near the downtown activity core of North Kansas City, such that guests may experience the convenience of nearby retail, office, entertainment and recreation amenities;
  2. The owner or the applicant shall occupy a residence on the site and must demonstrate a sufficient ability for site maintenance and property management;
  3. Guests must pay based on a daily rental rate, and must limit their stay to fourteen (14) days;
  4. There are to be no more than four guest rooms;
  5. Meals are restricted to breakfast and may only be served to guests. No cooking facilities are allowed in the guest rooms.
  6. Receptions or meetings of groups are prohibited;
  7. One off-street parking space shall be provided per guest room, and one per employee; or evidence that existing downtown parking is sufficient for the establishment;
  8. Additional conditions may be added where necessary to protect adjacent properties or the character of the district.
- B. **Lodging—Short-Term Rental.** Short-Term Rental establishments may be permitted to the extent the following conditions are met:
1. Approved spaces for short-term rentals may include:
    - a. Individual bedrooms in the principal building on the property, sharing common entrance, kitchen facilities, and living areas with the primary residents.
    - b. Approved accessory dwelling on the property.
    - c. The entirety of the property.
  2. Short-term rental is permitted in R-1A, R-1B, R-2, R-3, R-4, R-5, CIO, and C-1, except that in R-1A and R-1B short-term rental is allowed only as follow:
    - a. Owner-occupied dwelling unit as defined in Section 17.36.030. The owner shall provide proof of ownership and at least two (2) of the following documents demonstrating that such dwelling unit is their primary residence:
      - (1). Proof of valid motor vehicle registration;
      - (2). Federal or state tax returns or other financial documentation;
      - (3). Proof of voter registration;
      - (4). A utility bill, and/or
      - (5). Any other legal documentation deemed sufficient by the director of community development that is pertinent to establishing primary residence.

- 
- b. Non-owner-occupied dwelling unit has been used as a short-term rental prior to the passage date of this ordinance and the applicant can provide documentary evidence to the satisfaction of the director of community development department of such use. The burden of proof is on the applicant. Such use of the dwelling unit shall be registered with the City within thirty (30) days upon the passage date of this ordinance.
3. Only one short-term rental contract is permitted at a time per one approved short-term rental application. No more than one dwelling unit rental registration (including short-term and other rental unit registration) may be permitted per dwelling unit, regardless of building types.
  4. The proposed registrant, owner, and other local emergency contact information shall be posted within each dwelling unit offered, provided and/or operated as a short-term rental.
  5. For a short-term rental within a multi-unit building, a map is posted depicting all evacuation routes by doors in the event of an emergency. The map shall be posted on or immediately adjacent to every required egress door from each unit depicting all evacuation routes in the event of an emergency.
  6. Interconnected smoke and carbon monoxide detectors shall be installed and maintained in locations as specified in the Building Code.
  7. Fire extinguishers and a working, battery-powered flashlight or other emergency lighting device shall be located in each dwelling unit that is workable during an electrical power outage.
  8. No more than two persons per each bedroom being rented plus one additional person per dwelling unit, not to exceed eight guests per dwelling unit, shall occupy the dwelling unit at any given time.
  9. No food shall be prepared for or served to guests of any short-term rental by the proposed registrant or owner of the dwelling unit or their agents.
  10. No exterior evidence that the property is being used as a short-term rental is allowed, including signage.
  11. The short-term rental unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests.
  12. Registration is required with the City including the following information and documentation, upon forms provided by the director of community development department.
    - a. The common name of the property, if any, and exact street address of each dwelling unit to be registered, including unit number and total number dwelling units in each dwelling structure;
    - b. The legal names of all owners of the property;
    - c. The complete mailing address and physical address of all owners;
    - d. Telephone numbers of each owner, including mobile phone numbers;
    - e. Date of birth of all owners.
    - f. If the property is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name, address, and phone number of the any of the following shall be provided:
      - (1). For a corporation, a corporate officer, and the chief operating officer;
      - (2). For a partnership, the managing partner;



- 
- (3). For a limited liability company, the managing or administrative member;
- (4). For a limited partnership, a general partner;
- (5). For a trust, a trustee; or
- (6). For a real estate investment trust, a general partner, or an officer.
- g. The full name, address, telephone number, and email address of the owner to handle the affairs of the property. The owner shall reside within thirty (30) miles of the City limits.
13. Regardless of ownership, each dwelling unit shall have separate applications. There will be an initial registration fee of \$200.00 upon receiving of an application. All registrations issued shall expire on December 31 of each year and shall be subject to renewal annually. Application for renewal of registration in any year will be accepted beginning January 1 and may be made without penalty through January 31. There is a yearly registration fee of \$200.00. A late renewal fee will be charged at \$50 per month.
14. The dwelling unit shall comply with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits, and all property maintenance, building, fire, electrical, mechanical, and plumbing codes.
15. Every owner or owner's agent who manages a short-term rental dwelling unit shall upon the registration of said dwelling unit, be required to obtain from the City of North Kansas City, Community Development Department and Fire Department an inspection of the premises and an inspection report stating that no code violation was observed. No dwelling shall be reoccupied until the required inspection and report have been obtained from the Community Development Department.
16. Staff shall have administrative approval authority for short-term rental application, provided all requirements of Section 17.12.040, Subsection B are adhered to. For instances where a variance or exception is requested, applicants will need to obtain a conditional use permit subject to the City's discretionary review process in Section 17.08.030.
17. Upon approval of the registration, the property owner must apply and successfully obtain a city business license as required in Chapter 5.04 of the North Kansas City Municipal Code prior to establishing the use.
18. The city issued short-term rental certificate for such dwelling unit shall be displayed in a conspicuous place in the interior of the rental unit.
19. Lodging-short-term rental operation is prohibited in a dwelling unit that receives any City incentives, or located within a structure or upon a parcel that receives any City incentives. Such incentives may include any economic incentive granted by the City or any economic development agency created by the City, in the nature of capture and redirection, abatement, or exemption of taxes or the issuance of bonds or grants by the City or other City-backed financing.
20. Change in either ownership or registration information shall require a new registration within thirty (30) days of such change.
21. The City shall issue a violation notice to any person or entity who fails to comply with Section 17.12.040. Any person or entity fail to take actions to correct the violation within thirty (30) days is guilty of an ordinance violation and shall be fined not less than \$200.00, but not more than \$500.00. Each day may be considered as a separate offense.
22. The City retains its right to deny, suspend or revoke the license when the short-term dwelling unit fails to meet or uphold any of Section 17.12.040, or any other provisions of the North Kansas

---

City Municipal Code. Such dwelling units may not be eligible for registration within two (2) years upon the issuance of denial, suspension, or revocation of the license.

23. All short-term rentals in the City of North Kansas City are to be charged the Hotel/Motel Transient Guest Tax paid by transient guests of hotels, motels, bed and breakfast inns, and other short-term rental spaces of similar use, per Chapter 3.30 of the North Kansas City Municipal Code.

24. As determined by the director of community development department, additional requirements may be added where necessary to protect adjacent properties or the character of the neighborhood.

**BC.** Residential Care—Homes. Residential or out-patient facilities for the treatment of alcohol and other drug abuse may be permitted to the extent the following conditions are met:

1. The use shall be permitted in CIO, C-3, M-1 and M-2 zoning districts.
2. State certification requirements of the division of alcohol and drug abuse of the department of mental health shall be met.
3. The design of the facility shall be generally compatible with other physical structures in the surrounding neighborhood and in general no modifications necessary to meet the program of the building or other specific codes shall be permitted to the extent they are incompatible with other structures and the character of the area.
4. The facility shall be located no closer than one thousand (1,000) feet from another such facility, and no closer than three hundred (300) feet from any residentially zoned districts.
5. The applicant shall submit site plans to the planning commission for review and approval to demonstrate compliance with these standards.

**CD.** Adult Uses. Adult businesses may be permitted to the extent that the following conditions [are] met.

1. The use shall meet all licensing, performance and operation standards in Chapter 5.08 of the city code.
2. The use shall only be permitted in the M-1 and M-2 zoning districts.
3. The use shall not be permitted on any lot abutting Burlington or Swift, and shall not be permitted on any lot abutting or north of 16<sup>th</sup> Avenue.
4. All signs shall be limited to the standards of downtown business district in the Chapter 15.44 of the city code.
5. The use shall require a conditional use permit per the provisions of 17.08.030 to ensure compliance with these standards and the criteria of that review process.

**DE.** Pawn Shops and Short-term Lending. Pawn shops, car title lenders, check cashing lenders, and pay day lenders establishments may be permitted to the extent the following conditions are met:

1. The use shall only be permitted in the C-3, M-1 and M-2 zoning districts.
2. The use shall not be permitted on any lot abutting or north of 16<sup>th</sup> Avenue.
3. Pawn shops must be approved by the North Kansas City Police Department in accordance with RSMo. ch. 367, and shall comply with all other applicable statutes of the State of Missouri, and all other city regulations.

**EF.** Short-Term Conditional Uses.



- 
1. Types. The following uses may be enabled by the city, where they may not otherwise meet the standards or criteria for the district, as a short-term conditional use by action of the city council without referral to the planning commission:
    - a. Trade shows and expositions such as boat shows, car shows.
    - b. Community recreation or entertainment events such as street fairs, art fairs, carnivals and circuses.
    - c. Promotional ventures or special commercial events such as sidewalk sales, trucks sales, and warehouse sales.
    - d. Temporary off-site construction yards and offices such as storage yards for construction supplies, materials, or equipment for temporary use during a construction project. Sites of temporary construction yards and offices shall be restored to its original vegetative and topographic condition within a period determined by the Director.
  2. Criteria. A short-term conditional use shall be evaluated based on the following criteria:
    - a. The applicant shall submit a complete description of the event or activity, including anticipated traffic, hours and peak times of operation, access and circulation plans, the ability to accommodate fire and police access, and any need for special protection or other public safety, health and welfare needs.
    - b. The applicant shall submit a plan identifying the extent of the grounds, gathering places and circulation routes, any streets or public spaces to be dedicated to the event, the location of all structures, equipment or other accessory facilities, and any utility needs for these structures, equipment or fixtures.
    - c. The need for any special signs, promotional elements or other permissions needed for the event beyond what the regulations would allow.
    - d. The applicant shall submit any other information pertaining to the event required by the community development department.

**FG.** Medical Marijuana. No building shall be constructed, altered, or used for a medical marijuana facility without complying with the following regulations.

1. Buffer Requirement. No medical marijuana business shall be located within three hundred (300) feet of an existing elementary or secondary school, licensed child day care center, or church. Measurements shall be made in a straight line, without regard to intervening structures, from the nearest point on the exterior building wall of the school, childcare center, or church, to the nearest point on the property line containing the medical marijuana business.
2. Outdoor Operations or Storage Prohibited. All operations and all storage of materials, products, or equipment shall be within a fully enclosed building. No outdoor operations or storage shall be permitted.
3. Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of a medical marijuana business.
4. Hours of Operation. All medical marijuana businesses shall be closed to the public, no persons not employed by the business shall be on the premises, and no sales or distribution of marijuana shall occur upon the premises or by delivery from the premises between the hours of 10:00 p.m. and 8:00 a.m.
5. Display of Licenses Required. The medical marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.

- 
6. Residential Dwelling Units Prohibited. No medical marijuana business shall be located in a building that contains a residence.
  7. Ventilation Required. All medical marijuana businesses shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the business. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the facility is located.
  8. Site Plan Review Required. A site plan meeting the requirements of this title shall be submitted for review and approval subject to the procedures of Section 17.08.030. The site plan shall include a description of the ventilation system to be used to contain odors within the building.
- GH.** Outdoor Storage. Where outdoor storage is allowed as a principle or accessory use in the M-1 and M-2 zoning districts, it shall meet the following standards.
1. Storage areas shall either be located behind the [principal] building, or screened from view from the streetscape and public spaces with a fence, landscape buffer, or combination of these spaces.
  2. In the M-1 district, outdoor storage shall be screened from view by any combinations of buildings, fences or landscape buffers to not be visible at eye level from adjacent property.
  3. All outdoor storage shall be screened from residential property according to the landscape and buffer requirements of Section 17.24.030.
  4. Exceptions to these screening requirements may be approved by the director for areas on Service B frontages of the urban areas frontage map (Figure 20-A in Section 17.20.020) or by the planning commission for other areas through the site plan process.

(Ord. No. 9212, § 3(Exh. A), 7-2-2019; Ord. No. 9421 , § 1, 9-21-2021; Ord. No. 9490 , § 1, 7-19-2022)

---

### 17.36.010 Description of uses.

This section provides descriptions of uses of land and buildings associated with Table 17-12-2: Allowed Uses. It is organized by categories and types of uses, with some types including more specific types. Where a proposed use is not generally listed or appears to meet the description of more than one use type, the director shall make an interpretation of the most appropriate and relatively equivalent described use considering (1) the similarity of the proposed use in scale, impact and operations to a described use; (2) the typical building formats and site designs associated with the proposed use, and compatibility with the zoning district standards; and (3) the potential contribution the proposed use and typical formats of that use have on the intent of the zoning district. Any use that may not be interpreted as relatively equivalent to a use in the use table, is not anticipated by these regulations, and may only be allowed by a text amendment.

**Residential Dwelling.** The residential dwelling category is the principal use of land and buildings for dwelling units. The arrangement and extent of dwelling units depends on the zoning district, lot sizes and building types, arranged in the following types:

"Apartment, garden apartment/complex" means a grouping of small or medium apartment buildings in a common development arranged around an internal system of streets/internal access, walkways and common open space.

"Apartment (small, medium or large)" means a small- to moderate-scale, multi-unit residential building designed on a small or moderate-sized lot in a compact walkable neighborhood or mixed-use setting. The building is accessed by a common lobby entrance at building frontage, is designed with a compatible scale and frontage to other residential building types, and arranged to integrate into the block structure of a neighborhood. Variants of this type are based primarily on building scale, lot size and context and include small, medium and large apartments.

"Detached house" means a residential building designed for one primary dwelling unit in a neighborhood, suburban setting. Variants of this type are based primarily on lot size and context and include detached house—neighborhood and detached house—compact.

"Duplex/multi-unit house" means a residential building designed to accommodate two to four primary dwelling units in a neighborhood or suburban setting. Duplex units that share a single common wall may be on a single lot, or it may be platted as separate lots along the common wall line subject to platting restrictions. All other duplex or multi-unit houses shall be on a single lot. Duplex/multi-unit houses shall have a scale, design and orientation of access and entrance features that maintains the appearance and form similar to a detached house.

"Live/work" means a residential building type designed with a single dwelling unit, but where an additional component of the structure is designed for a small-scale business function run by the occupant. Live/work units can either be detached structures or attached with common party walls with other live/work units similar to the row house configuration.

"Mixed-use (apartment over commercial/service)" means a residential use in a building designed primarily for street level retail, service or employment uses, and where dwelling units are accommodated on upper stories, or otherwise separated from the principal commercial function of the building.

"Row house" means a multi-unit residential building designed for three to eight dwelling units within an urban and sometimes suburban context. Row houses abut one another sharing an adjoining party wall. These units are conjoined however, each unit has its own private entry. Units may be on a single lot subject to common ownership restrictions or platted on separate lots along the common wall subject to platting restrictions.



---

"Small format or manufactured home communities" means a parcel of land planned and designed for multiple home sites for the placement of manufactured, mobile or other small homes, and used for the principal dwelling of households for long-term residency. Home sites may either be located on a single lot, owned through appropriate condominium procedures, or platted for individual ownership of each site under certain conditions.

Civic/Institutional. The civic/institutional category is the use of land and buildings to serve public or community interest by enhancing the daily cultural, social, or recreation need for residents and neighborhoods, whether by way of open and public citizenship, by property ownership or residency, or by membership affiliation. It includes the following types:

"Assembly" means a civic or institutional use designed to serve the community for regular or periodic events, including worship, civic, recreation or entertainment.

"Assembly—event venue (1,201+ occupants)" means places of public assembly designed and located to serve community or civic needs of the city or region and typically designed for more than one thousand two hundred (1,200) people. Examples include an auditorium, large event hall or major worship hall.

"Assembly—large (651-1,200 occupants)" means places of public assembly designed and located to serve community or civic needs of a broad vicinity, and typically designed for six hundred fifty-one (651) to one thousand two hundred (1,200) people. Examples include a community/recreation center, small event hall or large religious facility.

"Assembly—limited (under 150 occupants)" means a place of public assembly designed and located to serve immediately adjacent uses or be accessory to other uses, and typically designed for less than one hundred fifty (150) people. Examples include small neighborhood association clubhouse or meeting room.

"Assembly—small (151—650 occupants)" means places of public assembly designed and located to serve community or civic needs for residents of nearby neighborhood(s), and typically designed for between one hundred fifty-one (151) and six hundred fifty (650) people. Examples include a neighborhood association recreation center, meeting hall, or small religious facility.

For the purposes of performance standards or separation parameters for particular uses, assembly uses that are "churches/places of worship" shall include a building primarily used for public religious worship and associated religious functions (education, fellowship, etc.), including synagogues and temples.

"Buildings for public utility services or public service corporations" means any building necessary for the operational or administrative functions of a public utility, including buildings to support communications, electric, gas, water or sewer services.

"Cemeteries, mausoleums or crematories" means land or building used for the burial of the deceased and dedicated for interment purposes.

"Community and public service" means a civic use that supports the community at large by through public safety, recreation, leisure or similar government functions. Examples include police and fire stations, post offices, public open spaces or similar government and quasi-government buildings and grounds.

"Hospital" means a large institution with multiple buildings and other improvements that may be connected or stand-alone and dedicated to providing a broad range of healthcare and wellness services including emergency care, in-patient and out-patient care, physician services, health and wellness care, and other related services, and includes other accessory services to support the institution and its activities such as food services (cafeteria and restaurant facilities), offices, educational programs, patient or employee meetings, indoor and outdoor workout or wellness facilities, day care, retail shops, and other uses that serve the institution or its employees.

---

"Public library/museum" means a civic or institutional use provided resources and exhibits to support education, culture, and information exchange, open to the public at large.

"School" means a civic or institutional use designed to provide structured, seasonal or year-round education opportunities for the community.

"School—campus" means a public or private institution for post-secondary education, skills and trade instruction or job training, targeted to the region. Examples include colleges, universities, and vocational/technical schools. School campuses that are arranged on multiple blocks and lots without altering the neighborhood character and development patterns, may be permitted as multiple, smaller scale schools (i.e. a "School—Small (less than two acres)" and a "School—Large (five to ten (10) acres)" may each be permitted per those types).

"School—large" means a large public or private institution for primary or secondary education and typically serving more than six hundred (600) students and targeted to the broad vicinity, including neighborhoods beyond one mile, and arranged on a property of five to ten (10) acres.

"School—neighborhood" means a small public or private institution for primary or secondary education and typically serving up to six hundred (600) students, primarily targeted to neighborhoods within one mile. Special purpose schools that have a larger target area but are designed and scaled to perform similarly to a neighborhood school may be included in this type. These types of schools are built or arranged on a property of two to five acres.

"School—small (less than two acres)" means a small public or private institution for primary or secondary education, on a property of less than two acres.

Retail. The retail category is the use of land and buildings for the sale, lease or rental of products to the general public with frequent interaction of patrons or consumers on premises.

"Gas station—general (13 to 20 pumps)" means a retail use engaged in the sale of fuel and other convenience goods to the general public, and may include accessory repair or maintenance services. The use is limited to thirteen (13) to twenty (20) fueling stations. Examples include a convenience center and gas station.

"Gas station—large (21 or more pumps)" means a retail use engaged in the sale of fuel and other convenience goods to the general public, and may include accessory repair or maintenance services. The use contains more than twenty (20) fueling stations. Examples include a large convenience center and gas station.

"Gas station—limited (four pumps or less)" means a retail use engaged in the sale of fuel and other convenience goods to the general public. The use is limited to no more than four fueling stations. Examples include a small convenience store and gas station.

"Gas station—small (five to 12 pumps)" means a retail use engaged in the sale of fuel and other convenience goods to the general public, and may include accessory repair or maintenance services. The use is limited to five to twelve (12) fueling stations. Examples include a small convenience center and gas station.

"Grocery—convenience/market (under 8K s.f.)" means a retail use selling food and produce or specialty food products for household consumption in a small-scale format under eight thousand (8,000) square feet. Examples include a corner market, butcher shop, produce stand or similar food store.

"Grocery—large store (over 40K s.f.)" means a retail use selling food, produce and household products for household consumption in a large-scale format, at least forty thousand (40,000) square feet. Examples include a large-format grocery or supermarket, or a similar function housed within a larger warehouse retail store.



---

"Grocery—small store (8K—40K s.f.)" means a retail use selling food, produce and other household products for household consumption in a small-scale format at least eight thousand (8,000) but less than forty thousand (40,000) square feet. Examples include a small grocery store that may serve as the anchor to a small-scale walkable center.

"Restaurant" means a retail use engaged in the business of serving prepared food and/or beverages to the public for immediate consumption. This use type is further categorized by the following formats:

"Restaurant—general" means a service use that prepares and sells food and/or beverages for on premises consumption, and may include accessory off-premises consumption through carry-out or drive-through services, and may also include accessory indoor entertainment.

"Restaurant—limited" means a small scale restaurant under one thousand five hundred (1,500) square feet, often associated with other uses, such as a cafe, lunch counter, walk-up window or similar small retail sales food outlet.

"Restaurant—small" means a small scale restaurant between one thousand five hundred (1,500) and four thousand (4,000) square feet that prepares and sells food and beverages for on premises consumption, and may include accessory off-premises consumption through carry-out or drive-through services.

"Retail—general" means a retail use at least three thousand (3,000) but less than eight thousand (8,000) square feet.

"Retail—large" means a large-scale retail use at least fifty thousand (50,000) but less than one hundred thousand (100,000) square feet.

"Retail—limited" means a small scale retail use under one thousand five hundred (1,500) square feet, including food trucks, sales kiosks or machines, and other temporary or permanent sales receptacles.

"Retail—medical marijuana dispensary facility" means a retail facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana to a qualifying patient, a primary caregiver, another licensed dispensary facility, a licensed testing facility, or a licensed manufacturing facility.

"Retail—moderate" means a large-scale retail use at least eight thousand (8,000) but less than fifty thousand (50,000) square feet.

"Retail, outdoor sales, general" means a retail use where the primary business is associated with large-scale equipment and merchandise that can only be displayed permanently and year-round out of doors. Examples include a motor vehicle sales lot, equipment sales lot, boat or recreational vehicle sales lot, large nursery, large machine or farm implement sales yard.

"Retail—outdoor sales, limited" means a retail use where the primary business is associated with merchandise that can only be displayed permanently and year-round out of doors. Examples include a small-scale nursery, a lumber yard, or a small machine or equipment sales.

"Retail—small" means a small scale retail use at least one thousand five hundred (1,500) but less than three thousand (3,000) square feet.

"Retail—warehouse" means a large-scale retail use at least one hundred thousand (100,000) square feet.

Office/Service. The office/service category is the use of land and buildings for businesses engaged in the exchange of professional and individual services or uses employing people in the administrative functions of businesses. It includes the following types:

---

"Animal care" means a service use offering professional medical care or boarding, grooming and training for animals. This use type is further categorized by the following formats.

"Animal care—general" means a service use offering full care for animals with activities taking place in large scale indoor and/or outdoor facilities, and which may include services offered outside of normal business hours. This use includes more than five thousand (5,000) square feet of indoor or outdoor area, or care for fifty (50) or more animals. Examples include large animal hospitals, kennels, animal adoption agencies or other similar facilities.

"Animal care—limited" means a service use offering basic care for animals in an indoor setting, and which may include services offered outside of normal business hours. This use is limited to no more than five thousand (5,000) square feet, and typically care for less than fifty (50) animals at one time. Examples include a small veterinary office, grooming service, animal hospital or rehabilitation facility.

"Day care (accessory or in-home)" means a service use providing care for adults or children whom are not residents and that is operated incidental to the principal use of property, whether in someone's residence, associated with a school, religious institution, or other employment or institutional use. This use is subject to specific limitations and procedures based upon the particular zoning district.

"Day care center (non-accessory)" means a service use providing care for adults or children whom are not residents of the facility as a principal use of the property, excluding uses that are primarily providing education services during ordinary school hours.

"Lodging" means a service use providing accommodations for short-term overnight occupancy.

"Lodging, bed and breakfast" means an existing residential building used for short-term lodging with one or more meals for compensation and shared living space between the primary occupants and patrons, and includes no more than five rooms.

"Lodging, short-term rental" means a rental of a property, a dwelling unit, an accessory dwelling unit, or portion thereof for a period of less than thirty consecutive days.

"Lodging, hotel/motel" means a service use by a licensed (where applicable) business providing accommodations for short-term overnight occupancy, and fifty (50) or more rooms.

"Lodging, inn" means a service use by a licensed (where applicable) business providing accommodations for short-term overnight occupancy, and less than fifty (50) rooms.

"Office—campus" means an office use where the total gross leasable area is at least one hundred thousand (100,000) square feet, or involves more than one building in a complex.

"Office—general" means an office use where the total gross leasable area is at least fifteen thousand (15,000) but less than one hundred thousand (100,000) square feet, and may include more than one building.

"Office—home occupation" means an office use where a business, profession, service, or trade is conducted entirely within a residential dwelling and/or its accessory structures, when such activities are clearly incidental or subordinate in use to the dwelling and may involve limited on premises interaction with customers.

"Office—limited" means an office use where the total gross leasable area is less than fifteen thousand (15,000) square feet, and may include more than one building.

"Recreation" means a service use providing daily or regularly scheduled activities for entertainment, recreation or exercise to the general public or through membership. This use includes accessory buildings for the transaction of business and accessory services. This use type is further categorized by the following formats.



---

"Recreation—gun club or skeet shooting" means an indoor or outdoor facility of any scale designed and used for recreational shooting or target practice. Examples include shooting range, gun clubs or skeet shooting park.

"Recreation—indoor general (10K s.f. or more)" means indoor recreation that involves a building ten thousand (10,000) square feet or more. Examples include a large bowling alley, sports and recreation center, theater complex, large health club, or shooting range.

"Recreation—indoor limited (less than 10K s.f.)" means indoor recreation that involves a building less than ten thousand (10,000) square feet. Examples include a small bowling alley, fitness club, billiard hall, martial arts centers, yoga studio, or dance studio.

"Recreation—outdoor general" means outdoor recreation that typically include significant areas of outdoor lighting or designed to host significant events. Examples include theme park, water park, fairground, zoo, drive-in theater, racetrack, driving range, or golf course.

"Recreation—outdoor limited" means outdoor recreation that does not include significant areas of outdoor lighting or major community events. Examples include miniature golf, swimming pool, tennis, batting cage, small band shell or amphitheater.

"Residential care—general" means a facility providing long term care, health services and residency, that admits residents on medical referral, and where medical, behavioral and rehabilitative care is necessary beyond normal business hours. Examples include nursing homes, assisted living centers, or other similar care facilities.

"Residential care—institutional living" means a facility offering long-term care for individuals residing on the site that need a high degree of services or monitoring, and where full-time staff are present on the premises at all times, and where the building(s) and site design emphasize the institutional function, secondary to the residential accommodations. Examples include treatment centers, hospice centers, homeless shelters, or other facilities with a high intensity of care or supervision.

"Residential care—limited" means a facility providing residential living, social programs and limited health care services for residents, where the social and healthcare services are accessory to the building(s) and site design emphasizing household living, where the social programs and health care services are limited accessory elements in terms of the function and extent, and where dedicated staff are present primarily during normal business hours. Examples include retirement villages or independent living communities.

"Service" means a service use providing professional or individual services and where frequent interaction with the general public, consumers or patrons occurs on the premises. This use type is broken into the following sub-classes based on scale and intensity:

"Service—general" means a service use where the gross leasable area is six thousand (6,000) square feet or more. Examples include a large spa or beauty complex, a copy or mail center, laundromat, large bank, or large medical offices or clinic.

"Service—limited" means a service use where the gross leasable area is under six thousand (6,000) square-feet. Examples include a neighborhood barber shop or hair salon, a small professional office (lawyer, accountant, architect, or travel agent), a small medical service such as a dentist or small doctor's office, a small bank, dry cleaners or tailor.

"Service—pawn shops and short-term lending" means a service used engaged in the business on providing non-depository credit for short term loans typically secured by car titles, paychecks, post-dated checks or personal property other than personal property affixed to real estate; or engaged in the business of lending money on the security of pledged goods, or the purchase of tangible personal property on the condition that it may be redeemed or repurchased for a fixed price within a fixed period of time.



---

"Vehicle/equipment service and repair—general" means a service use engaged in equipment and motor vehicle maintenance and repair services, and accessory retail sale of supplies and accessories, that involves four or more vehicle service bays, where all work and storage of equipment and supplies occurs indoors, but where on-site or overnight storage of vehicles may involve nine or more cars on the lot. Examples include large mechanic shop, lubricant center, tire store, auto glass installation or audio or alarm installation or an auto body shop where the likelihood of overnight storage, outdoor storage and over-night or multi-day drop off is more likely.

"Vehicle/equipment service and repair—heavy" means a service use engaged in the maintenance and repair of motor vehicles, commercial vehicles or heavy equipment, and accessory retail sale of supplies and accessories, that is likely to involve larger outdoor storage areas for vehicles and supplies, and where larger multi-bay garages or warehouses are needed to conduct services.

"Vehicle/equipment service and repair—limited" means a service use engaged in motor vehicle maintenance and repair services, and accessory retail sale of supplies and accessories, but limited to small scale operations that involve no more than three vehicle service bays, and where all work and storage of equipment and supplies occurs indoors, and where on-site or overnight storage of vehicles is limited to no more than eight cars on the lot. Examples include a small neighborhood mechanic shop, lubricant center, tire store, auto glass installation or audio or alarm installation.

"Vehicle—parking (primary use)" means a service use offering surface or structured parking of vehicles, that is not accessory to another principle use of the site.

Industrial. The industrial category is the use of land and buildings engaged in the production, processing, storage or distribution of goods with potential impacts beyond the site due to the types of activities, the physical needs of the site or facility, the types of materials used, or the delivery and access operations, and which in typical formats and operations may not be compatible with other business uses. It includes the following types:

"Manufacturing—general" means an industrial use where byproducts such as noise, dust, smoke or odor are produced, but are mitigated to limit impacts beyond the property boundary. Outside storage and activities may be necessary, and distribution and delivery needs involve frequent or large truck access. Examples include large scale manufacturing or fabrication plants, food production and manufacturing plants, metal fabrication plants, chemical laboratories or other similar high-intensity manufacturing or distribution operations.

"Manufacturing—heavy" means an industrial use capable of producing significant byproducts such as noise, dust, smoke or odor beyond the building or site, or where hazardous materials may be stored, used or produced as a typical part of the business, and distribution involves heavy truck, freight and machinery access. Examples include chemical, wood or metal storage and production, pressing and dyeing plants, asphalt or cement production, animal processing or other heavy or hazardous manufacturing operations.

"Manufacturing—light" means an industrial use where little or no byproducts such as smoke, odor, dust or noise are discernable from outside of the building, and where distribution and delivery needs occur through light to moderate commercial truck access. Examples include research labs or facilities, small equipment or commodity assembly, warehousing or wholesaling of consumer products, commercial bakery, non-retail laundry services, or similar businesses that provide products for support of other businesses.

"Manufacturing—limited/artisan" means a small-scale industrial use where activities produce little or no byproducts such as smoke, odor, dust or noise discernable from outside of the building, where deliveries and distribution are made by general consumer delivery services requiring no special large truck access, and where products are made available to the general public. Uses typically occupy buildings or spaces under ten thousand (10,000) square feet of gross leasable area. Examples include artists' studios, small wood or metal shops, craft manufacturing, small bakery or micro-brewery, or other similar small-scale assembly of finished products.

---

"Manufacturing—medical marijuana cultivation facility" means a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or a medical marijuana infused products manufacturing facility.

"Manufacturing—medical marijuana infused products manufacturing facility" means a facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

"Manufacturing—medical marijuana testing facility" means a facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.

"Manufacturing—medical marijuana transportation facility" means a facility certified by the State of Missouri to transport marijuana to a qualifying patient, a primary caregiver, or any other licensed medical marijuana facility.

"Natural resource processing and extraction" means the growth, harvesting, and preparation of byproducts of land (other than agriculture) for distribution and sale as a raw material in some other manufacturing process, where the growth and harvesting involves outdoor machinery operation or outdoor storage. Examples include a quarry, mining operation, oil or gas well, or wood storage yard.

"Storage and warehousing—indoor, general" means storage of consumer products or small-scale commercial products inside a building fifteen thousand (15,000) square feet or more. Examples include large mini-warehouses where all storage areas including those leased or rented to individual customers are accessed from inside the principal building, or general warehouses for consumer or commercial projects.

"Storage and warehousing—indoor, limited" means storage of consumer products or small-scale commercial products inside a building less than fifteen thousand (15,000) square feet. Examples include mini-warehouses where all storage areas including those leased or rented to individual customers are accessed from inside the principal building, or a small warehouse for consumer or commercial projects.

"Storage and warehousing—outdoor, general" means storage of consumer products or small-scale commercial products on an outdoor lot. Examples include contractor's yard, or similar facility where products used in other small business operations are stored for distribution.

"Storage and warehousing—outdoor, junkyard" means storage of commercial products or large-scale machinery on an outdoor lot to be bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. Examples include boat or RV storage, towing service storage yard, or similar large-scale storage lots and facilities.

"Waste processing" means an area dedicated to the storage, processing, treatment and distribution of waste products. Examples include landfills, recycling centers, transfer stations, and other similar uses.

Other Uses.

"Adult uses" means any use of property for specific uses more directly regulated and described in Chapter 5.08 of the city code.

"Helicopter ports or similar private landing areas" means the use of property for the take-off and landing of aircraft incidental to and in support of some other principal use of property. Examples are emergency aircraft landing areas, executive landing areas for corporate headquarters, or similar limited and private access airways.

"Wireless telecommunication facilities" means the use of property, whether principal use or accessory use, for any antenna, support structure, and roof and/or building mount facility used for communication purposes, and its accessory equipment. These uses are more specifically described and regulated by Section 17.32.020.

---

(Ord. No. 9212, § 3(Exh. A), 7-2-2019)

---

(Supp. No. 48, 9-22)

Created: 2022-09-16 15:23:59 [EST]



---

### **17.36.030 Defined terms.**

All terms used in these regulations shall have their commonly accepted meaning based upon the context of their use within this code. The following terms shall have the meaning given below, unless more specifically described, limited or qualified within the standards of this code.

"Alley" means a right-of-way or easement on a remote section of a lot, typically mid-block and to the rear of the lots, offering access to the lot, typically used to preserve pedestrian-oriented streetscapes or human-scale frontages or to locate service areas of the lot to the rear.

"Alteration" means any addition, removal, extension or change in the location of any exterior wall of a building, but which may exclude ordinary maintenance.

"Basement" means a portion of a building located partly underground, but having less than half its clear floor-to-ceiling height above the average grade of the adjoining ground.

"Block" means a tract of land bounded by streets or by a combination of one or more streets and public parks, cemeteries, railroad rights-of-way or shorelines of waterways or corporate boundary lines.

"Building" means anything constructed for shelter or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land.

"Building, accessory" means a subordinate building located on the same lot and incidental to the principal building or use of property.

"Building, principal" means any non-accessory building.

"Building, temporary" means any building not designed to be permanently located, placed or affixed in the place where it is.

"Church/place of worship" means building(s) primarily used for public religious worship and associated religious functions (education, fellowship, etc.), including synagogues and temples.

"Decibel" means a unit of measure of the intensity (loudness) of sound. As used in this title, decibel levels shall be measured on the "A scale" and referred to as "dB(A)."

"Development" means the division of a parcel into two or more parcels; the construction, reconstructing, conversion, structural alteration, relocation or enlargement of any structure; and mining, excavation, landfill or land disturbance; or any use or extension of the use of land.

"Drainage courses" means any natural or artificial water course, trench, ditch, swale or similar depression into which surface water flows.

"Driveway or internal drive aisle" means a means of vehicle access to or through an area that is owned and maintained by the owner of the property it services, but which in some circumstances may be required to be designed to accommodate multi-modal access or otherwise mimic the design qualities of public streetscapes or other public access ways.

"Dwelling" means a building or portion of a building intended for occupancy for residential purposes but not including hotels, motels, rooming houses, residential care facilities, tourist homes or trailers.

"Dwelling unit" means one or more rooms constituting all or part of a dwelling which are arranged, designed, used or intended for use exclusively as a single housekeeping unit for one family, and which include cooking, living, sanitation and sleeping facilities.

"Family" means one or more persons, each related to the other by blood, marriage or legal adoption, or group of not more than four persons not so related, and maintaining a common household and using one set of

---

kitchen facilities in a dwelling unit. A family may include not more than two roomers, boarders, or permanent guests not part of the common household, whether or not gratuitous.

"Finished grade" means the elevation of the ground after development.

"Floor area" means the total area of the building, expressed in square feet, measured from the exterior surface of outside walls, and including mezzanines, upper floors, whether finished or not, from which is subtracted the floor area of elevator shafts, mechanical rooms or similar non-leasable and utilitarian spaces essential to the function of the building.

"Infrastructure or public improvements" means public or common facilities and services needed to sustain uses of buildings and property.

"Lot" means a parcel of land with boundaries designated by plat, subdivision or otherwise permitted by law, to be separately owned, used, developed or built upon.

"Manufactured home" means a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" but may include "mobile homes" provided they meet all laws and standards applicable to manufactured homes.

"Manufactured home community, park or subdivision" means a tract of land having a system of utilities including water supply, sanitary sewers, power and communication services, which utilities are available to sites for locating manufactured homes on a temporary, interim or permanent basis.

"Non-owner-occupied" means a dwelling unit that is not occupied by the owner as their primary residence.

"Noxious matter" means material which is capable of causing injury or physical discomfort to living organisms by chemical reaction or is capable of causing detrimental effects upon the health or the psychological, social or economic well-being of humans.

"Owner" means any natural person who, alone or with others, has legal or equitable title to a dwelling unit. A person whose interest in a dwelling unit is solely that of a tenant, subtenant, lessee, or sublessee under an oral or written rental housing agreement shall not be considered an owner.

"Owner-occupied" means a dwelling unit that is occupied by the owner as their primary residence.

"Particulate matter" means material which is suspended in or discharged into the atmosphere in finely divided form as a liquid or solid at atmospheric temperature or pressure.

"Party wall" means a wall which is common to [but] divides contiguous buildings; such a wall contains no openings and extends from its footing below the finished ground [grade] to the height of the exterior surface of the roof.

"Performance standard" means a criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards or glare, heat, visual or operational impacts, or other effects generated by or inherent in uses of land and buildings.

"Permit" means written governmental permission issued by an authorized official, empowering the holder to do some act not forbidden by law, but not allowed without such authorization.

"Rights-of-way" means a strip of land acquired by reservation, dedication, prescription, purchase or other legal means and intended to be occupied by a public facility for transportation, urban design, utility, recreation or other common or public use with the right to pass over the property for intended purposes.

"Ringelmann chart" means a chart which is described in the U.S. Bureau of Mines Information Circular 6888, and on which are illustrated graduated shades of gray for use in estimating the light-obscuring capacity of smoke.

---

"Smoke units, number of" means the number obtained by multiplying the smoke density in Ringelmann numbers by the time of emission in minutes. For the purposes of this calculation, a Ringelmann density reading is made at least once every minute during a period of observation; each reading is then multiplied by the time in minutes during which it is observed; the various products are then added together to give the total number of smoke [units] observed during the total period under observation.

"Sound level meter" means an instrument standardized by the American Standards Association for measurement of the intensity of sound.

"Structure" means anything erected, the use of which requires more or less permanent location on, above or below the ground, or attached to something having permanent location on the ground.

"Toxic material" means a substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property when emitted in any amount is injurious to living organisms of plants, animals, or human beings.

"Travel trailer or recreational vehicle" means a portable structure mounted on wheels or on a motorized chassis, including converted buses, and which is normally used as sleeping quarters and shelter while travelling, but not as a dwelling.

"Use" means the purpose or activity for which the land or building is designed, arranged or intended, or for which it is occupied or maintained.

"Yard" means an open space on a lot which is generally unoccupied and unobstructed from ground level to the sky, except as otherwise permitted in this title. A yard extends along a lot line and at right angles to the line to a depth or width specified in the building and development regulations.

(Ord. No. 9212, § 3(Exh. A), 7-2-2019)



---

#### 5.04.260 Fees based on gross annual receipts.

- A. Every person engaged in the following listed businesses shall pay the city a license fee consisting of a sum of twenty-five dollars (\$25.00) plus an additional amount of fifty cents (\$0.50) per each one thousand dollars (\$1,000.00) of gross annual receipts:

Abstracting agency;

Abstracting business;

Adding machine company;

Addressing business;

Adjuster or adjusting company;

Advertising agency;

Advertising business (outdoor);

Advertising company;

Agent or agency (not otherwise classified);

Ambulance company:

1. Liability Insurance. Before a business license can be issued, the applicant shall file with the city clerk an insurance policy to be approved by the city council providing insurance coverage for each and every ambulance owned, operated or leased by the applicant for injury to or death of persons, regardless of whether the ambulance was being driven by the owner, his or her agent or lessee, and against damage to the property of another, including personal property, in sums of not less than five hundred thousand dollars (\$500,000.00) for any one person, one million dollars (\$1,000,000.00) for any one accident and fifty thousand dollars (\$50,000.00) for property damage in any one accident;

Amusement park;

Architect, engineer or draftsman;

Artist;

Auction house;

Automobile accessory dealer;

Automobile dealer or agency (new or used cars or trucks);

Automobile rental or leasing company;

Automobile repair shop;

Automobile washing and oiling concern;

Baker, retail;

Baker, wholesale;

Bakery delivery wagon or truck;

Ball or bowling alley;

Bank or trust company;

Barbershop;

---

Bathhouse;  
Beauty parlor;  
Bicycle repair shop;  
Billboard business;  
Billposting business;  
Blacksmith shop;  
Blueprint maker;  
Boarding house;  
Bookbinder;  
Bottling works;  
Building or house cleaning company;  
Building or house mover or razer, or wrecking company:  
1. A permit shall be obtained from the city for each house or building moved, razed or wrecked;  
Business or correspondence school for profit;  
Butcher, retail;  
Butcher, wholesale;  
Cafe;  
Cash register agency;  
Caterer;  
Chair rental concern;  
Chattel loan agent or lender on personal security;  
Cigar and tobacco stand;  
Claim agent;  
Clothes cleaners;  
Clothes pressers and dyers;  
Clothes rental concern;  
Coal dealer (peddler);  
Coal dealer, retail;  
Coal dealer, wholesale;  
Cold storage house or locker plant;  
Collection agency;  
Commission agent, agency, merchant or broker;  
Confectioner;  
Crematory;



---

Dairy products dealer;

Dance hall or house;

Dancing school;

Detective agency;

Detective (private);

Dictating machine agency;

Disinfectant company;

1. All permittees under this classification shall, upon submission of application for a permit, list all insecticides, rodenticides, fumigants and toxic chemicals or vapors used in connection with the permittee's business operation;

Dramatic school;

Druggist, retail;

Druggist, wholesale;

Dye house;

Electric battery or charging station;

Employment or intelligence agent or office;

Engineer or draftsman;

Express company agency;

Feather renovator;

Film exchange;

Florist;

Flour mill;

Foreign coffee and tea dealer and agent;

Foundry;

Grocery, retail;

Grocery, wholesale;

Hairdresser;

Hand distributors;

Hat cleaner;

Hat merchant;

Hay scales;

Health school or club;

Horse show;

Hospitals (private);

Hotels;

---

Lodging – bed and breakfast;

Lodging – short term rental;

Hot house;

Ice dealer;

Ice plant;

Ice plant agency;

Ice cream parlor;

Insurance broker:

1. Every person selling insurance who is not a member of, or associate of, or offered with a duly licensed insurance office or agency, and placing substantially all his or her business therewith;

Insurance company or agency;

Investment company;

Jobbers agent, agency or broker;

Job wagon or truck;

Laboratory;

Land title, guarantor of;

Laundry;

Laundry, branch or agency;

Lumber agent, agency or broker;

Lumber dealer;

Lunch stand or counter;

Machine shop;

Mail order merchant or house;

Manufacturer agent, agency or broker;

Masseur;

Mercantile agent or agency:

- l. The term "mercantile agency" or "mercantile agent," as same is used herein, shall be construed as including persons maintaining an office or place of business in the city for the purpose of procuring, obtaining, assembling, compiling, forwarding or furnishing reports and information, either oral or written, concerning the credit, financial standing, business ability, honesty or integrity of persons;

Merchandise agent, agency or broker:

1. Every person who, for commission, brokerage or other compensation, shall negotiate between the owner and purchaser or their respective agents, for the purchase or sale of goods, wares or merchandise, or other articles of commerce, is declared to be a merchandise broker whether such negotiations are on his or her own account or that of an employer or other person and compensated by commissions;

Merchant delivery company;

---

Merchant, retail;  
Merchant, wholesale;  
Merchant's agent, agency or broker;  
Messenger or delivery service;  
Miniature golf course;  
Monument dealer or agency;  
Motels;  
Moving picture show;  
Newspaper, advertising;  
Nursery;  
Nursery, agent or solicitor;  
Oil station, retail;  
Oil station, wholesale;  
Orchestra;  
Patent right dealer;  
Pawnbroker;  
Photographer, business or studio;  
Piano and organ dealer or agent;  
Popcorn stand or peanut stand;  
Poultry dealer;  
Printing business;  
Produce agent, agency or broker;  
Produce dealer;  
Publishing dealer;  
Radio or television station, commercial;  
Ready-to-wear clothing agency;  
Real estate loan or rental company, concern, agent, agency or broker;  
Renovating or repair business;  
Restaurant;  
Safe deposit company;  
Sales agent or agency;  
Sand plant;  
Secondhand business;  
Sewing machine (agent);

---

Shoe repair shop;  
Shoe shining parlor;  
Sign hanger;  
Sign maker;  
Skating rink, ice or roller;  
Soft drink stand or vendor;  
Tailormade clothing agency;  
Tailors;  
Taverns;  
Taxicab company;  
Telegraph companies;  
Theatres (theaters);  
Towel supply agency;  
Trade school;  
Trailers, business;  
Tree surgeons and trimmers;  
Trucker and transfer company;  
Typewriter agency;  
Undertaker;  
Upholsterer;  
Vacuum cleaner agency or rental business;  
Venereal hospital;  
Vermin exterminator:

1. All permittees under this classification shall, upon submission of application for a permit, list all insecticides, rodenticides, fumigants and toxic chemicals or vapors used in connection with the permittee's business operation;

Wastepaper company;

Welding business;

Well driller;

Wholesale house or merchant;

Wood dealer.

B. Every applicant or person conducting any business activity, before any issuance of any permit under the classifications of "tree surgeons and trimmers," "vermin exterminator" or "building or house mover or razer or wrecking company," "open welding," "roofing contractor," "sandblasting," "asphalt contractor," "mobile washing facilities using chemicals and solvents" or "spray washing conducted outside" or any applicant, person or business engaged in any of such activities, whether specifically so classified or not, shall file with

---

the city clerk a certificate of liability insurance issued by a company authorized to do an insurance business in the state, acceptable to and approved by the city clerk and approved as to form by the city council, indemnifying the applicant in the sum of at least one hundred thousand dollars (\$100,000.00) for injury to or death of one person by reason of the carelessness or negligence of the permittee or any of its agents, servants or employees, and three hundred thousand dollars (\$300,000.00) for injury to or death of more than one person resulting from a single accident by reason of the carelessness or negligence of the permittee or any of its agents, servants or employees, and one hundred thousand dollars (\$100,000.00) for damage to property of others resulting from any single accident by reason of carelessness or negligence of the permittee or any of its agents, servants or employees. Such policy shall contain a clause obligating the insurance company to give twenty (20) days' notice to the city council before cancellation of the policy, the permit to expire upon the lapse of such policy or such twenty (20) days. In case of notice of cancellation by the insurance company, the holder of a permit shall furnish another policy acceptable to the city council.

(Prior code § 13-52; Ord. No. 9087, § 1, 5-15-2018)