

CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3665

AN ORDINANCE AMENDING TITLES 5 AND 17 OF THE COLUMBIA MUNICIPAL CODE TO PROVIDE FOR THE LICENSING AND REGULATION OF SHORT-TERM RENTAL OF PROPERTY

WHEREAS, the City of Columbia (“City”), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, Section 11-60-2 of the Illinois Municipal Code provides the Corporate Authorities of the City the power to define, prevent, and abate nuisances (61 ILCS 5/11-60-2); and

WHEREAS, unregulated residential dwelling units available for occupancy outside of traditional “long-term” tenancy periods (i.e. less than one year), commonly referred to as “AirBNBs,” “VRBOs,” etc., may have a detrimental impact on surrounding properties, and/or neighborhood stability thereby creating a nuisance; and

WHEREAS, the Corporate Authorities of the City have determined it is imperative all residents of the City are assured the continued peaceful enjoyment of their homes whether such residents are property owners or tenants; and

WHEREAS, in an effort to mitigate the detrimental impact short-term rentals may have on property situated within the City, the Corporate Authorities desire to promulgate certain controls on the operation, and location of said short-term rentals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Columbia, Illinois as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Resolution verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Chapter 5.08 of the Columbia Municipal Code is hereby repealed in its entirety, and shall be replaced with text in generally the same form as found in Exhibit “A,” attached hereto and incorporated by reference.

Section 3. Title 17 of the Columbia Municipal Code is hereby amended in generally the same form as found in Exhibit “B” attached hereto and incorporated by reference

Section 4. This Ordinance shall be in force and effect from and after the date of its passage and approval, as provided by law.

PASSED by the City Council and **APPROVED** by the Mayor of the City of Columbia, Illinois and deposited and filed in the office of the City Clerk on the 18th day of March, 2024, the vote being taken by ayes and noes and entered upon the legislative record as follows:

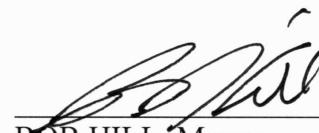
AYES: Alderman Niemietz, Huch, Holtkamp, Riddle, Garmer, Khoury, Lawlor, and Nobbe.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

APPROVED:



BOB HILL, Mayor

ATTEST:



ANDREW HITZEMANN, City Clerk

(SEAL)

EXHIBIT "A"

Chapter 5.08

SHORT-TERM RENTALS

Sections:

Section 5.01.010	Purpose and Applicability.
Section 5.01.020	Definitions.
Section 5.01.030	General Provisions.
Section 5.01.040	Type A Short-Term Rental (Owner-Occupied) Requirements.
Section 5.01.050	Type B Short-Term Rental (Non-Owner-Occupied) Requirements.
Section 5.01.060	Bed and Breakfast Requirements.
Section 5.01.070	Enforcement.

Section 5.01.010 Purpose and Applicability.

It is the intent and purpose of this section to establish regulations regarding short-term rentals (commonly known as "AirBNBs," "VRBOs," or any other platform or media of this nature) in order to safeguard the peace, safety, and general welfare of neighborhoods within the City of Columbia. This section intends to minimize negative secondary affects related to short-term rentals including excessive noise, disorderly conduct, and illegal parking. Such short-term rental shall comply with all requirements of the City and state building, fire, safety, and occupancy codes and limits as well as all regulations provided in this section and all other City codes.

Section 5.01.020 Definitions.

- A. Short-term rental (Type-A). An accommodation where, in exchange for compensation, an owner-occupied residential dwelling unit is provided for lodging for a period of time not to exceed 30 consecutive days.
- B. Short-term rental (Type-B). An accommodation where, in exchange for compensation, a non-owner-occupied residential dwelling unit is provided for lodging for a period of time not to exceed 30 consecutive days.
- C. Bed and breakfast. An accommodation where, in exchange for compensation, an owner-occupied residence which has five or fewer guest units in operation for more than ten nights in a 12-month period within a single-family dwelling, the owners of which serve breakfast to short-term rental guests.
- D. Short-term rental agent. Any person or organization designated by the owner or long-term tenant of a short-term rental on the short-term rental license application.
- E. Short-term rental guests. Guests, tourists, lessees, vacationers or any other person who, in exchange for compensation, occupy a dwelling unit for lodging for a period of time not to exceed 30 consecutive days.
- F. Short-term rental owner. The owner of record of the property.

G. Short-term rental license. The license issued by the City to a short-term rental owner, or short-term rental agent, who have submitted the required documentation and met the requirements set forth in this chapter for operation of a short-term rental unit.

Section 5.01.030 General Provisions.

- A. No person or entity shall rent, lease or otherwise exchange for compensation all or any portion of a dwelling unit as short-term rental without first obtaining a short-term rental license pursuant to the regulations contained herein.
- B. Every short-term rental (Type A, Type B, and Bed and Breakfast) shall be licensed and registered annually. Application for licensure shall be submitted to the appropriate City department, on a form prescribed by the City.
- C. No license issued pursuant to the provisions of this Chapter shall be transferred to any other person or entity by lease, agreement, contract or any other agreement.
- D. Every short-term rental (Type A, Type B, and Bed and Breakfasts) shall pass a City inspection annually prior to being advertised as available.
- E. No licensee shall transfer the right to operate under any license issued under this chapter to any other person or entity by lease, agreement, contract or any other agreement.
- F. All short-term rentals are limited to a maximum duration of less than 30 consecutive days.
- G. All short-term rental units shall be rented only on a daily basis.
- H. All short-term rental properties must provide off-street parking on the premises in the approved driveway or garage.
- I. Except as otherwise provided in this Chapter, no external signage shall be permitted; however, a legible copy of the short-term rental license shall be posted within any dwelling unit utilized as a short-term rental, and include the following information:
 - 1. The name, address, telephone number and email address of the short-term rental agent;
 - 2. The short-term rental unit license number;
 - 3. The maximum occupancy of the unit; and
 - 4. The maximum number of vehicles that may be parked at the unit.
- J. The owner shall post the current City of Columbia Short-Term Rental Registration number on or in any advertisement appearing in any written publication or any website promoting the availability or existence of a short-term rental unit.

- K. Short-term rental licensee shall be required to keep financial records for at least three years.
- L. Short-term rental units shall be subject to and shall comply with all requirements of the City and state building, fire, safety, and occupancy codes and limits.
- M. Any short-term rental shall be subject to the hotel and motel tax and associated requirements of the Columbia Municipal Code and State of Illinois Compiled Statutes.
- N. Provisions of this Chapter shall not apply to lease-backs for real estate transactions.

Section 5.01.040 Type A Short-Term Rental (Owner-Occupied) Requirements.

- A. The owner of the dwelling shall maintain the short-term rental as their permanent residence and shall reside on the premises at the time that short-term rental guests are present.
- B. No more than one unit in any dwelling may be rented at the same time as a short-term rental unit.
- C. Only one group of patrons in a 24-hour period shall be allowed in a "Type A" short-term rental unit.
- ~~D. Not more than 5 "Type A" short-term rental units shall be permitted within City limits.~~

Section 5.01.050 Type B Short-Term Rental (Non-Owner-Occupied) Requirements.

- A. The owner of the dwelling is not present on-site during the short-term rental.
- B. Only one group of patrons in a 24-hour period shall be allowed in a "Type B" short-term rental unit.
- ~~C. Not more than 5 "Type B" short-term rental units shall be permitted within City limits.~~

Section 5.01.060 Bed and Breakfast Requirements.

- A. The property shall be owner-occupied and the short-term rental owner shall be the operator of the establishment.
- B. The maximum length of stay for any short-term rental guest for any consecutive period of time shall be seven days.
- C. The maximum number of bedrooms for a bed and breakfast use shall not exceed five.
- D. No cooking facilities shall be permitted in any of the rented rooms.
- E. Meals may be served to overnight guests only.
- F. Signs shall meet the requirements of Chapter 15.44.

G. All bed and breakfast establishments shall meet all applicable municipal, county, and state health requirements for lodging and food preparation facilities.

Section 5.01.070 Enforcement.

- A. A short-term rental unit license application shall be denied if the short-term rental owner has a short-term rental unit license revoked within the past 12 months for the same or other short-term rental unit. If the short-term rental license is revoked twice, no short-term rental license shall subsequently be issued for such owner or such short-term rental unit property.
- B. In "Type-B" short-term rentals where the short-term rental owner or short-term rental agent is not present, upon any notification that any transient, occupant or guest of the short-term rental unit property has created unreasonable noise or disturbances, engaged in disorderly conduct or committed violation of any applicable law, rule or regulations pertaining to the use and occupancy of the short-term rental unit property, the owner or agent shall respond in a timely and appropriate manner to immediately halt or prevent reoccurrence of such conduct.
 1. Failure of the owner to respond to such calls or complaints regarding the condition, operation or conduct of the occupants and/or guests of a short-term rental unit in a timely and appropriate manner shall be grounds for revocation of the short-term rental license and shall subject the owner to all administrative, legal and equitable remedies available to the City.
 - a. A person aggrieved by the City's decision to revoke, suspend or deny a short-term rental license may appeal the decision in writing to the City Council.
 - b. The appeal must be filed within 30 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal.
 - c. The City Council shall consider and respond to the appeal in writing within 30 days after receipt.
 1. The City Council shall render a determination, which will constitute a final ruling. The decision of the City Council may be appealed via Certiorari to the Court of Monroe/St. Clair County of Illinois. The City Council is authorized to adopt administrative rules which shall govern the implementation of this section including the procedures and processes which shall govern any such appeals. Such procedures and processes must conform to the constitutional principles of due process and shall provide notice and an opportunity to be heard.

EXHIBIT "B"

AMENDMENTS TO TITLE 17 ZONING
SHORT-TERM RENTALS

Section 17.28.010 Permitted uses and uses permitted by special use permit only.

Note – Chapter 17.28 pertains to C-2 General Business District

AMEND:

A. Permitted uses.

11. ~~Bed and breakfast;~~

B. Uses permitted only by a special use permit.

3. ~~Bed and breakfast establishments~~ short-term rentals;

Section 17.40.010 Special use exceptions, requirements and procedures.

Note – Chapter 17.40 pertains to all Special Uses

DELETE:

FIGURE 1 SPECIAL USE EXCEPTIONS AND REQUIREMENTS		
	District(s) in Which Use May Be Permitted	Requirement Designation
Bed and breakfast establishments	R-1, R-2, R-3, R-4, R-5, R-6, R-7, A-1, C-2	p, j(6), u(1), w

ADD:

Short-term rentals	C-2	
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p. Development Plan to be submitted with application.

j(6). Screen Planting Where Abutting Residential Use--(Tight Screen, Effective at All Times).

u. Other Authority Approval Required.

1. State Board of Health

w. Disposal of Liquid and Other Wastes Shall Meet the Approval of the Pertinent Health Authorities.

Section 17.54.030 Business park-2 (BP-2) zoning district - Permitted uses and uses allowed only by special use permit.

The uses in the BP-2 zoning district are intended to be second-tier business park developments such as office/warehouse facilities, distribution centers and light industrial uses which do not create undesirable impacts.

A-1. Permitted uses.

AMEND:

23. Hotels, and motels, ~~and bed and breakfast~~ (no casinos allowed);

Section 17.56.020 Commercial park (CP) zoning district created - Permitted uses and uses allowed only by special use permit.

A-1 Permitted uses.

There is created the commercial park (CP) zoning district. The provisions governing the regulations, use and development of land located in a CP district shall be as follows:

AMEND:

34. Hotels, and motels, ~~and bed and breakfast~~ (no casinos allowed);