

AN ORDINANCE AMENDING MUNICIPAL CODE SECTIONS 405.105 & 405.180 ESTABLISHING REGULATIONS FOR SHORT-TERM RENTALS

WHEREAS, on December 8, 2025, the Planning & Zoning Commission of Kearney, Missouri, held a public hearing related to a proposed ordinance to amend the zoning regulations establishing regulations for short-term rentals as an accessory use;

WHEREAS, on December 3 & 10, 2025, public notices were posted in the Courier-Tribune, a newspaper of general circulation in Kearney, relative to both public hearings; and

WHEREAS, the Kearney Board of Aldermen deems it to be in the best interest of the City to amend the municipal code pertaining to short-term rentals.

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

Section 1. Section 405.105 Definitions is hereby amended to add the following definition:

SHORT-TERM RENTAL

A dwelling unit, or portion thereof, that is rented, leased, or otherwise made available for compensation for a period of less than thirty (30) consecutive days to the same occupant. Short-term rentals may include an entire dwelling or individual rooms within an owner-occupied or non-owner-occupied residence, but shall not include Lodging Services, otherwise regulated by City code

Section 2. Section 405.180.A – Permitted Accessory Uses and Structures is hereby amended to add the following subsection 19:

19. Short-Term Rentals, subject to the following provisions:
 - a. Occupancy. The maximum overnight occupancy shall not exceed two (2) people per bedroom, plus two (2) additional people, or as otherwise limited by Building or Fire Code.
 - b. Parking. Off-street parking shall be provided on-site to accommodate guest vehicles, in compliance with the parking regulations set forth in the City Code.
 - c. Noise and Conduct: All short-term rentals shall comply with the City’s noise, nuisance, and property maintenance regulations.
 - d. Signage. No short-term rental shall utilize exterior signage to advertise the short-term rental or allow any exterior evidence of the dwelling’s usage as a short-term rental.
 - e. Parties and Events Prohibited. Parties, special events, or large gatherings that exceed the stated occupancy limit are prohibited.
 - f. Local Contact and Proximity Requirement. The owner, property manager, or designated local contact person shall be available 24 hours per day to respond to complaints or emergencies related to the property. For non-owner-occupied short-term rentals, the property owner or property manager shall maintain a primary residence or physical address, excluding post office boxes, within fifty (50) miles of the rental property.
 - g. Business Licensing and Taxes. Operators of short-term rentals shall obtain a business license and comply with all applicable licensing, registration, and tax collection requirements imposed by the City and State of Missouri. The City maintains the right to audit the records of the operator or owner of a short-term rental to ensure compliance with this section.
 - h. Short-Term Rental Permit Required. Each short-term rental shall obtain a City-issued Short-Term Rental Permit prior to operation. A separate permit shall be required for each individual STR location. Permits shall be renewed annually and may be denied or revoked for non-compliance. Permit fees shall be in accordance with the City’s adopted Schedule of Fees.

- i. Permit Holder Eligibility. Only the property owner is eligible to apply for and hold a Short-Term Rental Permit. Tenants or long-term renters shall not operate a short-term rental within a dwelling they do not own. Permits are not transferable.

Section 3. This ordinance shall be in full force and effect on after passage by the Board of Aldermen and approval by the Mayor.

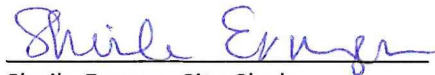
ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN, CITY OF KEARNEY, MISSOURI, THIS 15th DAY OF DECEMBER 2025.

APPROVED:



Randy Pogue, Mayor

ATTEST:



Sheila Erzen, City Clerk



Proposed Code Amendment Tracking showing additions in **Bold** and removals in ~~Strikethrough~~:

Title IV – Land Use
Chapter 405 Zoning Regulations
Article III Definitions

405.105 Definitions.

SHORT-TERM RENTAL

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Title IV – Land Use
Chapter 405 Zoning Regulations
Article V Accessory Uses and Structures

Section 405.180 – Permitted Accessory Uses and Structures.

A. Any structure or use that complies with the terms of Section 405.175 may be allowed as an accessory use or structure and may be included, but is not limited to, the following list:

19. Short-Term Rentals, subject to the following provisions:

- a. **Occupancy.** The maximum overnight occupancy shall not exceed two (2) people per bedroom, plus two (2) additional people, or as otherwise limited by Building or Fire Code.
- b. **Parking.** Off-street parking shall be provided on-site to accommodate guest vehicles, in compliance with the parking regulations set forth in the City Code.
- c. **Noise and Conduct.** All short-term rentals shall comply with the City's noise, nuisance, and property maintenance regulations.
- d. **Signage.** No short-term rental shall utilize exterior signage to advertise the short-term rental or allow any exterior evidence of the dwelling's usage as a short-term rental.
- e. **Parties and Events Prohibited.** Parties, special events, or large gatherings that exceed the stated occupancy limit are prohibited.
- f. **Local Contact and Proximity Requirement.** The owner, property manager, or designated local contact person shall be available 24 hours per day to respond to complaints or emergencies related to the property. For non-owner-occupied short-term rentals, the property owner or property manager shall maintain a primary residence or physical address, excluding post office boxes, within fifty (50) miles of the rental property.

- g. Business Licensing and Taxes.** Operators of short-term rentals shall obtain a business license and comply with all applicable licensing, registration, and tax collection requirements imposed by the City and State of Missouri. The City maintains the right to audit the records of the operator or owner of a short-term rental to ensure compliance with this section.
- h. Short-Term Rental Permit Required.** Each short-term rental shall obtain a City-issued Short-Term Rental Permit prior to operation. A separate permit shall be required for each individual STR location. Permits shall be renewed annually and may be denied or revoked for non-compliance. Permit fees shall be in accordance with the City's adopted Schedule of Fees.
- i. Permit Holder Eligibility.** Only the property owner is eligible to apply for and hold a Short-Term Rental Permit. Tenants or long-term renters shall not operate a short-term rental within a dwelling they do not own. Permits are not transferable.

Memo

To: Sheila Ernzen, Mayor & Board of Aldermen
From: David Pavlich, Community Development Director
Date: December 15, 2025
Re: Code Amendment – Section 405.105 and 405.180 Establishing Regulations for Short Term Rentals (Public Hearing)

An amendment to the Zoning Ordinance is proposed, establishing requirements for short-term rentals. This amendment is being brought forward in preparation for the 2026 World Cup, during which the Kansas City region is expected to welcome more than 650,000 visitors.

Short-term rentals exist throughout the metro area, and the proposed regulations are intended to provide clear, consistent standards for their operation in Kearney. The goal of this ordinance is to allow short-term rentals while ensuring they operate safely and compatibly within residential neighborhoods. The proposed ordinance will allow short-term rentals while establishing standards for occupancy and operations, local contact for emergencies, licensing, and permits.

The Planning & Zoning Commission held a public hearing and considered this item at their December 8, 2025, meeting. After discussion, the Commission recommended approval, with a change to combine subsections for “Local Contact” and “Owner Proximity Requirement”, as those two subsections are similar.

The attached ordinance has been updated with the following changes:

- Combine subsections F & H, as recommended by the Planning & Zoning Commission;
- Section F to specify that a P.O. box does not meet the requirement for local contact; and
- Section H to include that the short-term rental permit fee shall be in accordance with the adopted schedule of fees.

Approval is recommended.