

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the left and right sides of the page, framing the central text. The shapes include triangles and polygons of varying sizes and orientations, creating a modern, layered effect.

Lodging Ordinance Survey

Overview

- ▶ City Manager's listening tour identified a lodging ordinance as a potential gap in our local codes
- ▶ Staff conducted a survey of local lodging ordinances throughout the State of Missouri
- ▶ This presentation will:
 - ▶ Summarize how the State Lodging Rule and how local ordinances currently apply to Joplin lodging establishments
 - ▶ Highlight some local lodging ordinances throughout the State

State Lodging Rule

- ▶ Missouri Department of Health and Senior Services (DHSS) is the licensing authority for lodging establishments throughout the State of Missouri
- ▶ LPHAs conduct annual inspections on behalf of the State, but the State is the ultimate enforcement authority
- ▶ 19 CSR 20-3.050 is the Rule that sets forth sanitation and safety standards for lodging establishments (food safety, life safety, fire safety, electrical wiring, fuel-burning appliances, plumbing, and swimming pools/spas)
- ▶ Link to the Rule: <https://health.mo.gov/safety/lodging/pdf/lodgingmanual.pdf>
- ▶ Local ordinances can supersede State Lodging Rule
 - ▶ Must be at least as stringent as State Lodging Rule requirements
 - ▶ Current local ordinances that supersede Rule:
 - ▶ Joplin Pool Code
 - ▶ Joplin Food Code
 - ▶ Building/Fire codes

State Lodging Establishments

- ▶ Definition of a lodging establishment:

“Any building, group of buildings, structure, facility, place, or places of business where **five or more guest rooms** are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests”

- ▶ Does not include most bed and breakfast and Airbnb operations through guest room provision
- ▶ The State has not chosen to apply this definition to homeless shelters

Joplin Lodging Establishments

- ▶ Currently 24 establishments in Joplin inspected under the State Lodging Rule
 - ▶ Largest: 138 rooms
 - ▶ Smallest: 20 rooms
- ▶ Joplin Health Department staff, in conjunction with Joplin Fire Department, conducts annual lodging inspections on behalf of DHSS, the permitting authority
 - ▶ Identify and document violations of the State Lodging Rule
 - ▶ Conduct one follow-up inspection to ensure violations are corrected
 - ▶ Majority of properties have minor violations and pass the reinspection
 - ▶ A couple of properties have repeat issues that are not corrected during reinspection
 - ▶ Uncorrected violations are addressed by staff with the Bureau of Environmental Health Services of DHSS

Comparison Jurisdictions

No Local Ordinance:

- ▶ Liberty, MO
- ▶ Neosho, MO
- ▶ Springfield, MO
- ▶ St. Joseph, MO
- ▶ Webb City, MO
- ▶ Jefferson City, MO
- ▶ Carthage, MO

Local Ordinance:

- ▶ Lebanon, MO
- ▶ Branson, MO
- ▶ Kansas City, MO
- ▶ Randolph County, MO
- ▶ St. Charles County, MO
- ▶ Stone County, MO
- ▶ Taney County, MO

Randolph, St. Charles, & Stone Counties

- ▶ Defines the County Health Department as the regulatory authority
 - ▶ Issues permits to lodging establishments
 - ▶ Charges fees
 - ▶ Suspends/revokes permits
- ▶ Key characteristics:
 - ▶ States that lodging establishments must comply with State and local ordinances
 - ▶ Does not provide additional criteria beyond State Rule
 - ▶ Sets forth inspection frequency of once per year

City of Branson & Taney County

- ▶ Defines the County Health Department as the regulatory authority
 - ▶ Issues permits to lodging establishments
 - ▶ Charges fees
 - ▶ Suspends/revokes permits
- ▶ Key characteristics:
 - ▶ Provides more specific requirements for sanitation, housekeeping, & pest control
 - ▶ States that whichever standards are stricter (State or local) will be applied, so areas of the State Rule that are not addressed still fall under the Rule
 - ▶ Sets forth inspection frequency of once per year

Kansas City

- ▶ Defines the City Health Department as the regulatory authority
 - ▶ Issues permits
 - ▶ Charges fees
 - ▶ Suspends/revokes permits
- ▶ Key characteristics:
 - ▶ Comprehensive replacement of State Lodging Rule
 - ▶ Includes the following sections of requirements: definitions, water supply, building, fire protection, general safety, plumbing and mechanical, life safety, electrical, HVAC, sanitation & housekeeping, insect and rodent control
 - ▶ References City's pool and food regulations
 - ▶ Sets forth inspection frequency of once per year, with a potential for more if deemed necessary
 - ▶ Most comprehensive set of enforcement measures

City of Lebanon

- ▶ Sets forth the following requirements for the issuance of Yearly Certificate of Occupancy:
 - ▶ Must pass property maintenance, fire, and health inspections
 - ▶ Must have a current lodging license from the State
 - ▶ May not owe lodging, city, or county taxes
 - ▶ Establishes means of enforcement for noncompliance
- ▶ Further defines subcategories of lodging establishments (transient motel/hotel, extended stay hotel, residential motel/hotel) and classifies them under the International Building Code as R-1 or R-2
- ▶ Sets forth sanitation and safety standards that are like those in the State Rule

Other Lodging Ordinances

- ▶ St. Louis:
 - ▶ Ordinance for lodging establishments that create conditions “detrimental to neighborhood” to address nuisances (loitering, drinking, littering, etc)
- ▶ Blue Springs:
 - ▶ Emphasis is to address lodging establishments that have a high prevalence of crime & is overseen by PD
 - ▶ Ordinance is sets forth 3 tiers of requirements for lodging establishments that are determined by the ratio of police calls for service per room each year for lodging establishments
 - ▶ Highest tier includes restricting visitors after 11:00 PM, issuing parking passes, maintaining key log, ensuring all guests sign in and are photographed, etc.)

Items for Consideration

Potential Benefits:

- ▶ Designate the City as the regulatory authority
- ▶ Opportunity to recoup revenue for staff time through permit fees
- ▶ Ordinance can be tailored to meet the needs of the Joplin market

Potential Challenges:

- ▶ The State will continue to issue permits and charge fees
- ▶ Potentially more staff time committed to inspections and enforcement
- ▶ Potential resistance from industry
- ▶ Ordinances would only apply to active business, not closed/vacant properties

Any Questions or Guidance?