

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO SHORT TERM LOAN SERVICES.

WHEREAS, the Unified Development Ordinance was approved by the City Council on June 15, 2009, by Ordinance No. 17339 and became effective on July 1, 2009; and,

WHEREAS, after its adoption, policy issues to be addressed were discovered, and it was decided to revise these items; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on December 12, 2023, and rendered a report to the City Council recommending the text amendment to the UDO be approved by a vote of 0-7; and,

WHEREAS, City Council has authority under RSMo. Ch. 89.020 to enact and amend zoning ordinances to promote health, safety, morals, and the general welfare of the community; and,

WHEREAS, City Council has previously concluded, and the voters of the City affirmed, that Short-Term Loan Establishments cause financial hardship as a result of targeting low-income citizens and offering predatory small loan products; and,

WHEREAS, City Council maintains its finding that the regulation of Short-Term Loan Establishments is necessary for the promotion and protection of the public health, safety, and welfare of its citizens, and the public good of maintaining a viable tax base to fund essential services; and,

WHEREAS, City Council desires to update the definition of Short-Term Loan Services to be clearer for the convenience and efficiency of City operations and to provide clarity to business owners; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on February 7, 2024, and rendered a decision to approve the changes to the Unified Development Ordinance; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the request is consistent with the review criteria in Section 14-701-01-F.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 14-200-05-J of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-200-05-J. **Financial Services.** Financial or securities brokerage services. Typical uses include banks, savings and loans, credit unions, consumer investment businesses, pawn shops and short-term loan services.

1. **Short-Term Loan Services.** Businesses that loan money on a short-term basis to the general public as an element of their operation, including businesses offering title loans, payday loans, signature loans and small loans under Chapter 367 or RSMo 408.500, and other similar businesses, but not including banks, savings and loan associations or credit unions that are licensed **and regulated** by appropriate state and federal agencies, or retail credit financing institutions that are licensed under RSMo Chs. 364 or 365, or pawnbrokers governed by RSMo Ch. 367, or retail merchants governed by RSMo Ch. 400.2 **or consumer installment loan providers licensed under RSMo. Ch. 408.510.**
2. **Pawn Shops.** Businesses that lend money on the security of pledged goods or that is engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time. Pawnshops and pawnbrokers are further governed by RSMo Ch. 367.

SECTION 2. That all other parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.

SECTION 3. That correction of any scrivener's errors identified within these articles are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Words struck through are being removed by this ordinance and words underscored and bolded are being added by this ordinance.