

## Chapter 420

### RESTRICTIONS ON SHORT-TERM RENTALS

**Section 420.010. Definitions.** As used in this section, the following terms shall have the meanings ascribed to them:

- a. "City" shall mean the City of Houston Lake and its elected and/or appointed officials.
- b. "Guest" shall mean any person or entity that pays for accommodation at a Short-Term Rental. Guests do not include tenants under a lease agreement.
- c. "Owner" shall mean any person or entity holding legal title to the property.
- d. "Operator" shall mean any person or entity responsible for managing, operating, or hosting a Short-Term Rental.
- e. "Registrant" shall mean the individual/s identified on the Short-Term Rental permit application.
- f. "Residential Dwelling Unit" shall mean property designed to be used as a residence, or any portion thereof.
- g. "Short-Term Rental" shall mean the rental of a Residential Dwelling Unit, or any portion thereof, for a period of less than thirty (30) consecutive days by a Guest, regardless of whether a permanent resident is present during said time.

**Section 420.020. Permit Required.** It shall be unlawful for an Owner to operate or allow a Short-Term Rental within the City without first receiving and maintaining a valid Short-Term Rental Permit. A separate permit shall be required for each Short-Term Rental Residential Dwelling Unit. Short-Term Rental Permits shall be valid for one (1) year and must be renewed annually.

**Section 420.030. Applications.** Applications for a Short-Term Rental Permit shall be filed on forms prescribed by the City, include a \$30.00 non-refundable application fee, and include the following information:

- a. The address and parcel number of the Residential Dwelling Unit;
- b. The full name, telephone number, mailing address, and email address of all Owners of the Residential Dwelling Unit and the Registrant.
- c. If the Residential Dwelling Unit is owned by an entity, the following information shall be provided:
  - i. The full name, address and telephone number of the individual authorized on behalf of the entity to enter into transactions on behalf of the entity.

**Section 420.040. Compliance.** Upon compliance with the provisions of this Section, and pursuant to the restrictions and limitations in this Section, and upon the payment of a \$200.00 non-refundable permit fee, the City shall issue a Short-Term Rental Permit containing a unique registration number assigned to the Residential Dwelling Unit. Short-Term Rental Permits shall be valid for one (1) year and must be renewed annually. A \$200.00 non-refundable permit fee shall be paid at each renewal.

**Section 420.050. Maximum Allowed Short-Term Rental Permits within the City of Houston Lake.**

- a. There shall be no more than five (5) total issued and valid Short-Term Rental Permits outstanding at any given time.
- b. Only one (1) permit will be issued for a Short-Term Rental Residential Dwelling Unit per Owner. For example, if an Owner owns two (2) Residential Dwelling Units, a Short-Term Rental Permit can only be issued for one (1) Residential Dwelling Unit, not both.

**Section 420.060. Change in Ownership.** If the Owner of the Residential Dwelling Unit changes, the Short-Term Rental Permit shall be deemed automatically revoked on the date of the transfer of ownership.

**Section 420.070. Short-Term Rental Operating Standards.** Short-Term Rentals shall abide by the following Operating Standards:

- a. No on-street parking shall be permitted.
- b. No parking in yards shall be permitted.
- c. Short-Term Rentals shall not be rented or offered for use as reception venues, party venues, meeting spaces, or similar events.
- d. The numbers of Guests per bedroom shall be limited to two (2), plus one (1) additional Guest per Residential Dwelling Unit, with a maximum of eight (8) Guests total per Residential Dwelling Unit.
- e. Guests, Owners, and Registrants shall comply with all City ordinances.

**Section 420.080. Suspension of Short-Term Rental Permit.** A Short-Term Rental Permit may be suspended if any of the violations noted in this paragraph are committed. Prior to suspension, a Notice of Violation shall be mailed by first class mail return receipt requested, and emailed, to both the Owner and Registrant and shall include the violation/s committed and the actions necessary to remedy the violation/s. Failure to correct the violations contained within the Notice of Violation within fifteen (15) days from the date of the Notice of Violation will result in suspension of the Short-Term Rental Permit. During the term of suspension of the Short-Term Rental Permit, the Residential Dwelling Unit shall not be used, nor operated, as a Short-Term Rental. Violations that shall cause suspension of the Short-Term Rental Permit if not corrected within fifteen (15) days of a Notice of Violation are:

- a. Failure to comply with the provisions of this Section.

- b. Non-payment of real property taxes as and when they are due.
- c. Providing false, inaccurate, or misleading information on any Short-Term Rental application or any renewal thereof.
- d. More than three (3) City ordinance charges as a result of violating City housing code ordinances, City nuisance ordinance, or City zoning code ordinances.
- e. Operation of a Short-Term Rental in a manner that endangers public health, public safety, or public welfare, including, but not limited to, nuisance behavior or criminal activity at the Residential Dwelling Unit.
- f. Failure of Guests, Owners, or Registrants to abide by the Operating Standards.

**Section 420.090. Revocation of Short-Term Rental Permit.** Upon Suspension of a Short-Term Rental Permit, prior to revoking a Short-Term Rental Permit, a Notice of Revocation shall be mailed by first class mail return receipt requested, and emailed, to both the Owner and Registrant, and shall include the violation/s committed and the actions necessary to remedy the violation/s. Failure to correct the violations contained within the Notice of Revocation within fifteen (15) days from the date of the Notice of Revocation will result in revocation of the Short-Term Rental Permit. Upon Revocation of a Short-Term Rental Permit, the Residential Dwelling Unit shall not be operated or used as a Short-Term Rental until a Short-Term Rental Permit is reinstated or a new permit is issued.

**Section 420.100. Violation.** Operating of a Short-Term Rental during a period of suspension of permit, revocation of permit, or without a permit, shall constitute a separate violation for each day of occupancy by a Guest, and shall be subject to the penalties as prescribed in paragraph 11 below.

**Section 420.110. Penalty.** Any person or entity that violates this Section shall be guilty of an ordinance violation subject to a fine ranging from \$200.50 to \$500.50. Each day a violation continues shall constitute a separate offense.

**Section 420.120. Records.**

- a. Short-Term Rental Permit holders shall maintain records for two (2) years, and provide to the City upon request and upon renewal of a permit the following:
  - i. The total number of nights the Short-Term Rental was rented to each Guest during the permit term;
  - ii. Each date the Short-Term Rental was rented to each Guest during the permit term;
  - iii. The rental fee paid by each Guest during the permit term;
  - iv. A copy of any complaints received from Guests, or others, regarding any violations of ordinances, Operating Standards, or other concerns received that are associated with the Short-Term Rental during the permit term.