



RENTAL REGISTRATION PERMIT APPLICATION

Ordinance No. 11-2024

Email: permits@oakridgenorth.com

Registration Fee: \$65.00

Licensing Fee: \$250.00

Date Fee Paid: _____

Receipt No.: _____

Items that MUST be submitted with application

- Annual Registration Fee – \$65.00
- Annual Licensing Fee - \$250.00
- Documentation verifying Established Short-Term Rental was rented/offered appropriately on or before the effective date. Includes but not limited to dated advertisements, dated confirmation of registration with hosting platform/booking service, booking confirmation receipts from guests, or dated communication exchanged with guests, hosting platforms, or booking services

Owner Information:

Name: _____

Personal Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Cell: _____

Business Address: _____

Oak Ridge North, Texas 7738 ____

Property Manager Information:

Name: _____

Personal Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Cell: _____



Resident Manager Information:

Name: _____

Personal Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Cell: _____

***Designated employee and/or authorized representative to respond in case of emergency.**

Name/Title: _____

Physical Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Cell: _____

Mortgagees

Name/Title: _____

Physical Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Cell: _____

Not Applicable

Owner / Date

Permit Department / Date

Registration is valid for 12 months from filing date, unless ownership of the property changes. Registration is not assignable or transferable. If change of ownership of the property occurs during the period that a registration is valid, the landlord of the property shall have 30 days from the date of ownership occurred to file a new registration with the city, and pay a new registration fee. In addition to the registration fee, the rental property must be inspected at least annually or prior to another tenant moving in, whichever occurs first.

Annual registration fee: \$65.00

Annual Licensing fee: \$250.00

City of Oak Ridge North

27424 Robinson Road • Oak Ridge North, Texas 77385

(832)381-3301 • Fax (281) 367-7729

ORDINANCE NO. 11 - 2024

AN ORDINANCE OF THE CITY OF OAK RIDGE NORTH, TEXAS, AMENDING CHAPTER 14 OF THE CITY OF OAK RIDGE NORTH, TEXAS, CODE OF ORDINANCES; TO PROVIDE FOR LICENSING AND REGULATIONS FOR SHORT-TERM RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Oak Ridge North, Texas ("City") is continuously reviewing the requirements of the various chapters contained within its Code of Ordinances; and

WHEREAS, the City Council desires to amend Chapter 14, to provide for regulations pertaining to short term rentals; and

WHEREAS, short-term rentals are not now and have never been listed as a permitted use within any zoning district within the City; and

WHEREAS, the City Council finds that the rules and regulations governing land use, structures, businesses, and related activities within the territorial limits of the City promote the safe, orderly, and healthful development of the City; and

WHEREAS, out-of-town guests staying at short-term rentals are often unfamiliar with City ordinance regulations governing noise, traffic, parking, trash collection, and occupancy restrictions and that such lack of familiarity with the City's ordinances can contribute to short-term rental guests violating City ordinances; and

WHEREAS, the City Council finds that short-term rentals in the City pose a risk of increased public nuisances and disruption of neighborhoods, have a detrimental impact on the local housing market by diminishing market supply and inflating the overall costs of housing, are not compatible with residential uses, and are not consistent with – and destructive to – the character of residential neighborhoods; and

WHEREAS, the City Council has determined that it is a necessity to regulate both long-term and short-term rental units to protect the health, life, safety, property, and welfare of the public and preserve order and security of the City and its inhabitants; and

WHEREAS, the City Council finds that enacting a licensing program for long-term rental units and existing short-term rental units and prohibiting future short-term rental units will serve to balance the rights of all stakeholders through a fair and balanced regulatory framework that permits established short-term rentals in limited locations and circumstances but ensures that the short-term rentals do not become a nuisance to the residential neighborhoods; and

WHEREAS, the City Council finds that regulations requiring the registration and licensing of established short-term rentals already existing in the City will allow the City to properly identify the location of established short-term rentals and to provide contract information for owners and agents of short-term rentals to aid in responding to complaints and emergencies; and

WHEREAS, the City Council finds that such amendments will promote the life, health, safety, property and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE NORTH, TEXAS:

Section 1. Findings.

The City Council of the City of Oak Ridge North hereby adopts the recitals of this Ordinance as if fully set forth herein.

Section 2. Registration and Inspection of Residential Rental Units Amendment - Title.

The title of Article XI of the Code of Ordinances of the City of Oak Ridge North, "Registration and Inspection of Residential Rental Units" is hereby amended as follows: "Registration, Licensure, Inspection, and Prohibition of Certain Residential Rental Units."

Section 3. Registration and Inspection of Residential Rental Units Amendment - Section 14-136 Definitions.

Chapter 14 of the Code of Ordinances of the City of Oak Ridge North is hereby amended by amending Sec. 14-136 entitled "Definitions" to read as follows:

"Sec. 14-136. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advertise means the act of drawing the public's attention to a rental unit in order to promote the availability of said rental unit for use as a rental unit. Said advertising may be found in any medium, including but not limited to, newspaper, magazine, brochure, website, or mobile application.

Critical violation means a violation of this code, state law or federal law that is capable of causing or contributing to injury or illness of occupants.

Established Short Term Rental means a short-term rental unit that was in operation prior to the effective date of this ordinance.

Leaseback means an arrangement where the seller of a dwelling unit leases the dwelling back from the purchaser for an agreed period of time. In a leaseback arrangement, the specifics of the arrangements are typically made prior or immediately after the sale of the home.

License means a residential short-term rental license issued under this subchapter.

Life safety violation means a violation of this code, state or federal law that results in an imminent threat of death or injury to persons on the premises of a rental unit.

Long-term means for a period of thirty consecutive days or more.

Owner means any person holding title according to the deed records in the county clerk's office of the county in which the property is situated, or the duly authorized agent of the person holding title.

Person means any individual, partnership, firm, company, corporation, association, joint stock company, trust, estate, or any other legal entity; or their legal representatives, agents, or assigns.

Rental Unit means one or more habitable rooms, including all or part of an efficiency unit, single family rental unit, a duplex rental unit, a townhome rental unit, a condominium rental unit, a manufactured home rental unit, or an individual multifamily rental unit, which is intended to be occupied by one or more persons for living, sleeping, cooking, eating and sanitation purposes, and which is rented or offered for rent.

Short-Term means for a period of less than thirty consecutive days.

Short-Term Rental means the rental or offer for rental of a rental unit or any portion thereof, for a period of less than thirty consecutive days. This term does not include a leaseback."

Section 4. Registration and Inspection of Residential Rental Units Amendment - Section 14-138.

Section 14-138 of Chapter 14 of the Code of Ordinances of the City of Oak Ridge North entitled "Registration and Inspection of Residential Rental Units" is hereby amended by amending Section 14-138 entitled "Registration required" as follows:

"Sec. 14-138 Registration required.

(a) An owner who rents, leases to, or allows another person to occupy a long-term rental unit or established short-term rental unit is required to register by this article, shall file with the city a written registration application on the form provided for that purpose and signed by the owner of the rental unit to be registered.

(b) The registration shall be on a form prescribed by the building official, and shall at a minimum contain the following information:

(1) The trade name, physical address, and business address of the owner;

(2) The names, addresses, and telephone numbers of the owner, property manager, and resident manager; and the type of business entity that owns the property;

(3) The name and physical address of designated employees or authorized representatives who shall be assigned to respond to emergency conditions at the rental unit, and a telephone number where said employees can be contacted during any 24-hour period. Emergency conditions shall include fire, natural disaster, flood, burst pipes, collapse hazard, and violent crime. A post office box shall not suffice for the address requirements of this section;

(4) The names, addresses, and telephone numbers of any mortgagees of the rental unit;

(5) If the property is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name and address of any of the following:

- a. For a corporation, a corporate officer;
- b. For a partnership, a general partner;
- c. For a limited liability company, the managing or administrative member;
- d. For a limited partnership, a general partner;
- e. For a limited liability partnership, a general partner;
- f. For a limited liability limited partnership, a general partner;
- g. For a trust, a trustee;
- h. For a real estate investment trust, a general partner or an officer;
- i. For any other legal entity not named above, a duly authorized agent.

(6) If the property is owned by a person, other than an individual, who lives outside the state, the owner shall designate a registered agent in the state, who will accept legal service on behalf of the owner. If the property is owned by a person who is an individual and who lives outside the state, the individual shall either designate a registered agent, in the state who will accept legal service on behalf of the owner or provide a physical address where the owner may receive legal service. A designation of a registered agent under this section shall include the name and address of the agent; and

(7) If any change in the information required by this section occurs the owner shall notify the building official within 30 days of the change in a manner prescribed by the building official."

Section 5. Registration and Inspection of Residential Rental Units Amendment -
Section 14-139 Fees.

Chapter 14 of the Code of Ordinances of the City of Oak Ridge North, entitled "Registration and Inspection of Residential Rental Units" is hereby amended by amending Sec. 14-139 entitled "Fees" to read as follows:

Sec. 14-139. – Fees.

(a) A permit and inspection fee for the first long-term or established short-term rental unit and for each additional rental unit, if any, required to register shall be established by council in the City's schedule of fees and shall be:

1. Submitted with the registration or licensing application form required by this article; and
2. Submitted with a new registration or licensing application upon a change of ownership of any rental unit.

(b) A registration or license is valid for one year from the date the completed registration form is filed in the office of the building official or for licenses from the date of approval, and payment of the registration or licensing fee for that year has been made, unless the ownership of the property changes.

(c) A registration or license is not assignable or transferable. If a change of ownership of the property occurs during the period that a registration or license is otherwise valid, the landlord of the property shall have 30 days from the date the change of ownership occurred to file a new registration or license application with the building official, and pay a new registration or license application fee.

(d) If a rental unit fails a follow-up inspection, the city shall assess the owner a reinspection fee as established by resolution of city council. Written notice of the reinspection fee shall be sent by the building official via U.S. mail to the owner

(e) The owner of a rental unit must file with the building official a written request for an administrative hearing pertaining to the assessment of a fee not later than the 30th day after the fee is assessed under subsection (d). The fee shall be considered assessed on the date the notice is mailed by the city to the owner.

(f) An administrative hearing shall be conducted by the building official on the assessment of a fee under subsection (d) not later than the 20th day after the date the hearing request is filed.

Section 6. Registration and Inspection of Residential Rental Units Amendment - Section 14-143.

A new Sec. 14-143 entitled "Short-term Rentals" is hereby added to Chapter 14 entitled "Registration and Inspection of Residential Rental Units" of the Code of Ordinances of the City of Oak Ridge North to read as follows:

" Sec. 14-143. Short Term Rentals.

- (a) It shall be unlawful to operate or advertise for a short-term rental unit in the City, unless it is an Established Short-Term Rental Unit as defined by this Chapter.
- (b) It shall be unlawful for any person to rent, lease to, or allow another person to occupy an Establish Short-Term Rental Unit, or to advertise an Established Short-Term Rental Unit, without a license issued under this Section.

(c) It is an affirmative defense to prosecution under this subchapter that the short-term rental unit was rented as a leaseback for a period of less than six months to a person who was the immediate past owner of the rental unit or to a person who will be the immediate next owner of the dwelling unit.

(d) Licensing requirements for Established Short-Term Rental Units.

1. License applications shall:

i. Be made on a form prescribed by the building official;

ii. Be accompanied by the application fee;

iii. Include documentation verifying that the Established Short-Term Rental was rented or offered for rent as a short-term rental on or before the Effective Date provided in this Chapter. Such documentation includes, but is not necessarily limited to, dated advertisements of the Established Short-Term Rental Unit, dated confirmation of registration with a hosting platform or booking service such as Airbnb or VRBO, booking confirmation receipts from guests of the Established Short-Term Rental Unit, or dated communication exchanged with guests, hosting platforms, or booking services.

iv. Include the minimum information set forth in Section 14-138(b)(1)-(5); and

v. Meet the requirements under Section 14-138(b)(6)-(7).

2. Established Short-Term Rental Licenses are not assignable or transferable and are valid for one year from the date the license is approved.

3. Within 30 days from the date the city receives a completed license application the city shall either issue a license or notify the applicant that the license application has been denied.

(e) Denial of Established Short-Term Rental License.

1. The city may deny an Established Short-Term Rental license if:

i. The license application is incomplete;

ii. Any information supplied in the permit application is materially false or incorrect; or

- iii. Life safety or critical violations exist.
- 2. If the city denies an Established Short-Term Rental license application, the city will give written notice of the denial to the applicant as soon as reasonably possible, but not more than ten business days after the decision is made to deny the license. The written notice will include:
 - i. A clear statement of the reason for the city's denial; and
 - ii. A statement that the applicant may appeal the denial of the license to the city's building standards commission by filing a written notice of appeal with the city within 15 business days of the effective date of the denial.

(f) Revocation of Established Short-Term Rental license.

- 1. The city may revoke a license:
 - i. For life safety or critical violations;
 - ii. If any information supplied in the permit application was materially false or incorrect;
 - iii. The license was obtained or issued as a result of error;
 - iv. If two or more citations related to parking violations, noise violations, or nuisance violations are issued upon the licensed property within a rolling 12-month period; or
 - v. Failure to timely pay hotel occupancy taxes in accordance with Chapter 74 of this Code.
- 2. To revoke a license, the city will send written notice of the city's intent to revoke the license not less than 30 business days prior to the date of revocation. The notice will include:
 - i. A clear statement of the reason the city intends to revoke the license;
 - ii. The date the revocation will become effective, which will be not less than 30 business days from the date written; and
 - iii. A statement that the license holder may file a written appeal of the proposed revocation to the city's building standards commission within 15 business days of the date of the notice.

(g) Appeals.

1. The city council will hold a hearing on an appeal as soon as is reasonably possible, but not more than 15 business days after the date the appeal is properly filed. The city, the person appealing, and any other interested party may present evidence and argument to the city council. An audio recording of the hearing will be made.
2. After completion of the hearing, the city will render a written decision on the appeal that includes a summary of the evidence that supports the decision. The commission may issue appropriate orders to implement any decision made. A copy of the written decision will be provided to the person filing the appeal.
3. The appeal provisions in this section govern over any other conflicting provision in this code.

(h) Inspections.

1. Upon application or renewal of an Established Short-Term Rental license, the City will inspect the exterior of the Established Short-Term Rental Unit to determine and ensure that the dwelling unit is not a public nuisance or substandard and that the unit meets all zoning, health and safety requirements of the code.
2. The City may inspect the interior of an Established Short-Term Rental Unit to ensure that it does not have any critical or life safety violations if:
 - i. There is a change in occupancy with units offered for rent other than short-term rentals;
 - ii. A license application or renewal is made;
 - iii. An inspector notes an exterior code violation that indicates a potential critical or life safety violation; or
 - iv. An inspection is requested by the tenant. The City will contact the license holder and allow him or her to be present during the inspection.
3. An inspector may enter into a short-term rental unit for an interior inspection at a reasonable time when the officer:

- i. Obtains the consent of an adult lawfully occupying the short-term rental unit;
 - ii. Obtains the consent of the license holder for an unoccupied dwelling unit; or
 - iii. Obtains a warrant from a court to inspect the short-term rental unit.
4. Established Short-term rental units must also comply with the inspection and reporting requirements provided in Section 14-140.

(i) Repairs.

1. Violations noted during an inspection must be completed as follows:
 - i. License holders must take steps to safely isolate tenants from the dangers of life safety violations immediately and must make repairs within a reasonable period of time.
 - ii. Life safety violations must remain isolated from tenants until all repairs are complete.
 - iii. License holders must take steps to safely isolate tenants from the dangers of critical violations within 72 hours of notice and must make repairs within a reasonable period of time.

Section 7. Ordinance Cumulative.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Oak Ridge North, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 8. Severability.

If any section, sentence, clause or phrase of this ordinance should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. Penalty.

Pursuant to Sec. 14-141 of the City's Code of Ordinances, a violation of this article is a misdemeanor punishable by a fine not to exceed \$2,000.00. Each separate occurrence of a violation or each day that a violation continues shall constitute a separate offense.

Section 10. Effective Date.

This ordinance shall be effective upon approval and publication as required by law.

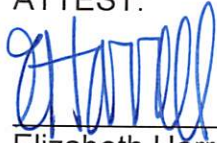
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PASSED, APPROVED, and ADOPTED this, the 24th day of June 2024.



Paul Bond, Mayor

ATTEST:



Elizabeth Harrell, City Secretary

