

SHORT TERM RENTAL

Purpose and applicability.

- (a) The purpose of this ordinance is to establish regulations for the registration and use of short-term rentals in the Village of San Leanna.
- (b) A short-term rental is defined as the rental of a residential property for a period of less than 30 days.
- (c) The provisions of this article pertaining to short term rentals shall be reviewed by the city council within one year of the adoption of Ordinance No 23-00X. Those provisions are subject to amendment or repeal upon such review or at any other time. The adoption of the short-term rental provisions of this article shall not be construed to create any enforceable right to the continuation of short-term rentals or any right to compensation for loss, damages, costs, or expenses alleged to have been incurred in reliance upon its adoption or suffered as a result its repeal.

Registration and standards.

- (a) *Registration required.* An approved registration is required before operation of short-term rental. Application for short term rental registration shall be made upon a form prescribed by the Village of San Leanna for such purpose. The following is required of all applications and missing items or information constitute an invalid application. Additional information may be required based on individual circumstances.

PERMIT – SHORT TERM RENTAL AS PRIMARY OR SECONDARY USE

1. Registrant's name, home address, telephone number, and electronic mail address.
2. Record from Travis County outlining septic size and capacity for administrative maximum occupancy determination. – *To be discussed by council*
3. Proof of possession of the premises being registered, either by warranty deed, Travis County Appraisal District, or valid lease.
4. If the applicant does not own the property where the rental unit is located, the applicant must provide written documentation, signed by the property owner before a notary public, authorizing the registrant to operate a short-term rental on the premises.
5. Signature or electronic signature by the registrant requiring the applicant to self- certify that the information on the application is accurate and truthful under penalty of perjury under the laws of the State of Texas.
6. Payment of all fees established by this ordinance or the Board of Aldermen and, for registration renewals, proof of collection and payment of Hotel Occupancy Tax due during the preceding registration periods if applicable.
7. Incomplete applications will not be processed and, as a result, any premises associated with an incomplete application will not be registered in compliance with or as required by this ordinance.

- (b) *Standards specific to short term rentals.*

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- 1) Short term rental is not permitted for any property that has not been registered under this ordinance or where the registrant's permission to operate a short-term rental has been suspended or revoked under this ordinance.
 - 2) An approved short term rental registration shall not be assigned or transferred to any person or entity. Any attempt to transfer a registration shall render the registration subject to suspension or revocation as provided in this ordinance.
 - 3) No change in the external appearance of the existing buildings and structures on the property that would denote use as short term rental will be permitted.
 - 4) There shall be no advertising devices on the property which are visible from outside the dwelling or accessory building.
 - 5) Wholesale or retail sale of goods shall not occur on the premises.
 - 6) Each short-term rental registrant shall provide in the premises at least at least one working smoke detector and alarm and one working carbon monoxide detector and alarm per bedroom, as well as one working fire extinguisher for the premises. The premises shall, otherwise be in compliance with applicable building and fire codes adopted under the Village of San Leanna's Zoning Ordinance.
 - 7) Short term rental use must comply with all other Village of San Leanna ordinances.
 - 8) It shall be the sole responsibility of the registrant, owner, and/or landlord to review the registration for each short-term rental unit in accordance with the terms outlined within this ordinance.

(c) *Standards for required brochure.*

- (1) Each registrant operating a short-term rental shall provide to guests a brochure that includes:
 - a. The registrant's contact information;
 - b. The property owner's contact information if the registrant is not the property owner;
 - c. A local responsible party's contact information who can respond to the renter within one (1) hour if neither the registrant nor the property owner are in the city limits when guests are renting the premises;
 - d. Maximum occupancy limit, per septic capacity;
 - e. Pertinent neighborhood information including, but not limited to, parking restrictions, restrictions on noise and amplified sound, trash collection schedule, and relevant water restrictions; and
 - f. Information to assist guests in the case of emergencies posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire and emergency medical services providers, and instructions for obtaining severe weather and natural or manmade disaster alerts and updates.

Registration term and renewal.

- (a) All registrations approved under this ordinance shall be valid for a period of one year from the date of their issuance.
- (b) Permits do not transfer or convey with change in ownership or occupancy. The new landlord, owner, or registrant of the premises or rental unit must begin a new application process.
- (c) Notification of issuance of a Short-Term Rental permit shall be mailed by the Village to all property owners within 500 feet of the permittee.

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- (d) If the registrant has received notice of violation of any law or regulation including enforcement action under a current registration, an application for renewal shall include a copy of the notice.
 - (e) Upon receipt of an application for renewal of the registration, the director may deny the renewal if there is reasonable cause to believe that:
 - (1) The registrant has violated any ordinance of the city, or any state, or federal law on the premises or has permitted such a violation on the premises by any other person; or
 - (2) There are grounds for suspension, revocation, or other registration sanction as provided in this ordinance.

Violations. – To be reviewed by counsel

- (a) A violation of this ordinance is a class XXX offense. Any persons, firm, corporation, or any others acting on behalf of said person, persons, firm or corporation violating or failing to comply with any of the provisions of this ordinance is subject to payment of a fine not to exceed \$XXX plus court costs. Each act of violation and each day upon which such violation occurs constitutes a separate offense. *Section to be drafted by legal counsel*
- (b) It is unlawful, and shall be considered a violation of this ordinance, to:
 - (1) Rent, lease, or otherwise permit or allow any rental unit or premises to operate, or be operated as a short-term rental without first registering the property in which the rental is to occur and unless all requirements of this code and State laws and codes are met;
 - (2) Operate a short-term rental without paying the required hotel occupancy taxes;
 - (3) Operate or allow to be operated a short-term rental without first registering the property in which the rental is to occur with the city in accordance with this article;
 - (4) Operate a short-term rental that does not comply with all applicable city and state laws and codes;
 - (5) Fail to renew required registration (may result in double fees);
 - (6) Fail to register existing short-term rental within 60 days of the execution of this ordinance.