

CHAPTER 4 BUSINESS REGULATIONS

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Article 4.10 Short Term Rentals

4.10.01 PURPOSE AND FINDINGS

The City Council of Glen Rose finds that regulation of short-term rental (STR) properties is necessary to protect the character of residential neighborhoods, maintain long-term housing availability for residents, and balance economic activity with community integrity.

The City further finds that a reasonable limitation on the proportion of single-family dwellings used for STR purposes serves to preserve neighborhood stability, reduce nuisances, and prevent excessive conversion of residential housing stock to transient use.

4.10.02. DEFINITIONS

For purposes of this ordinance:

- Administrator means the person designated by the City Administrator to enforce and administer this Ordinance.
- Advertise means the act of drawing the public's attention to a short-term rental in order to promote the availability of the residence for use as a short-term rental. Advertisements include, but are not limited to, signage, social media, newspaper, magazine, brochure, website, and other mobile applications.
- Bedroom means the living area(s) of the dwelling unit that is designed and furnished for sleeping and which has proper egress as required by the International Residential Code.
- Booking Service means any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between an Owner and a prospective Occupant and for which the person or entity collects or

receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.

- Hosting Platform means a person or entity that participates in the short-term rental business by providing, and collecting or receiving a fee for, Booking Services through which an Owner may offer premises for an occupant on a short-term basis. Hosting Platforms usually, though not necessarily, provide Booking Services through an online platform that allows an Owner to advertise the premises through a website provided by the Hosting Platform, and the Hosting Platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be-occupant pays rent directly to the Owner or to the Hosting Platform.
- Occupant means any individual person living, sleeping, or possessing a building, or portion thereof. A person is not required to be pay rent, provide in-kind services, or be named in any lease, contract, or other legal document to be considered an Occupant.
- Owner means any person, agent, operator, firm, trust, corporation, partnership, or any other legal entity who has a legal or equitable interest in the property; or who is recorded in the official records of the county as holding title to the property; or who otherwise has control of the property, including the guardian of the estate of any such person or the executor of the estate of such person if ordered to take possession of real property by a court.
- Permitted STR: A short-term rental holding a valid, active Specific Use Permit (SUP) issued by the City of Glen Rose
- Premises means property, a lot, plot, or parcel of land, including any structures or portions of structures thereon.
- Rental means renting bartering, trading, letting, or otherwise allowing the use of a residence or residential structure or room or rooms within a residence or residential structure. This shall not restrict, limit or interfere with any homeowner from participating in a leaseback upon the sale of a residence or residential structure.
- Short-Term Rental (STR) means a residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) consecutive days. The definition of short-term rental does not include a Bed and Breakfast or a hotel with more than 10 rooms, cabins, bungalows, or other rentable units.
- Single-Family Dwelling: A residential structure designed for occupancy by one family or household.
- STR Cap: The maximum allowable number of STR permits within city limits
- Specific Use Permit (SUP) means a document required by the city to allow for a form of
- Unit means a separate accommodation, room, bungalow, casita, trailer, or cabin located on or within a single premises.

4.10.03 Regulations

1) Unpermitted Rentals are Prohibited

- a) It shall be unlawful for any owner or person to rent, lease, advertise, or otherwise permit or allow any premises to be operated or used as an unpermitted Short-Term Rental.
- b) Notwithstanding any other provision of this Ordinance, nothing shall relieve any owner, person, occupant, or Housing Platform of the obligations imposed by the applicable provisions of state law and the City of Glen Rose Ordinances, including but not limited to, those obligations imposed by the Tax Code. Further, nothing in this Ordinance shall be construed to limit any remedies available under the applicable provisions of state law and City of Glen Rose Ordinances

2) Short-Term Rental Permit Required

- a) An owner who desires to use its premises as a short-term rental must have a valid, active short-term rental SUP from the City prior to using, allowing the use of, or advertising the use of said premises as a short-term rental.
- b) Each rentable unit must be permitted. Upon application to the City, a short-term rental permit shall be reviewed by the Planning & Zoning Commission and approved by the City Council, if the application satisfies all the conditions of this Ordinance and the zoning ordinance.
- c) The City may place reasonable conditions on short-term rentals to ensure compliance with the provisions of this Ordinance.

3) Permit Limitations

- a) Short-term rental specific use permits are not transferable.

4) Requirements of New Applications

- a) Except as provided in this Section, every complete application for a short-term rental permit shall include the following information with such detail and in the form approved by the City
 - i) The name, address, contact information, and authenticated signature of the owner of the premises.
 - ii) The name, address, and contact information of the operator, or agent if any, or if different than the owner and designated local responsible party (see also Sec. E below);
 - iii) The City registration number for Hotel Occupancy Tax
 - iv) If using a Hosting Platform, once the Short Term Rental account is established, the City must be provided with the ID number of your account for your property for reconciling purposes.
 - v) Proof of Liability Insurance;
 - vi) A copy of the proposed host rules for the short-term rental

5) Hotel Occupancy Tax

- a) City Hotel Occupancy Tax must be paid at least quarterly for the specific use permit to remain valid. Failure to pay Hotel Occupancy Taxes (7%) in a timely manner will result in a revocation of the SUP by the City.
- b) At minimum a quarterly report of occupied nights and total revenue earned must be provided by the Owner to the City for reconciliation of Hotel Occupancy Tax collected.

4.10.04 City Wide Cap on Short Term Rentals

1. The total number of permitted STRs operating within single-family dwellings shall not exceed four percent (4%) of the total number of single-family dwellings located within the Glen Rose city limits, as determined annually by city staff using current residential property records.
2. New STR permits shall not be approved if issuance would cause the number of active permits to exceed this 4% cap.
3. Once the number of active STRs falls below the 4% threshold, new permits may be considered on a first-come, first-served basis according to application date and compliance with City ordinances.

4.10.05 GEOGRAPHIC LIMITATIONS

1. Short-term rentals shall not be permitted within the following residential areas of Glen Rose:
 - West of Nancy Dr from Ross St to Big Bend Trail
 - East of Gaither St from Barnard St to Big Bend Trail
 - West of Elm St/Austin Rd South of Barnard St in City Limit
 - East of Elm St/Austin Rd South of Barnard St to City Limit
 - North of Barnard St from Shepard St to City Limit
 - North of Big Bend Trail from Western City Limit to Texas Drive.
2. Properties located within these areas are deemed ineligible for STR permitting regardless of whether the citywide STR percentage cap has been reached.
3. The City shall maintain and publish an up-to-date map identifying the boundaries of these restricted areas for public reference.

4.10.06 GRANDFATHERING AND COMPLIANCE

1. All existing permitted STRs as of the effective date of this ordinance may continue to operate under their valid permits until such time as the property is sold, transferred, or the permit is revoked for non-compliance.
2. All STR operators must comply with applicable building, safety, noise, health, and occupancy regulations.

4.10.07 ENFORCEMENT AND PENALTIES

1. Operation of an unpermitted STR shall constitute a violation of city code and may result in fines up to \$500 per day per violation.

2. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined up to \$500 per day per violation.
3. The City may revoke or suspend permits for non-compliance after notice and hearing.
4. The owner of a property used as a short-term rental without the appropriate permit and that was not registered with the City of Glen Rose for hotel occupancy tax prior to _____ and who is unable to obtain a permit for said use or fails or refuses to obtain a permit for the use following the effective date of this ordinance, shall discontinue the short-term rental use no later than _____

4.10.08 SEVERABILITY

If any section or provision of this ordinance is found invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

4.10.09 EFFECTIVE DATE

This ordinance shall take effect immediately upon passage, approval, and publication as required by law.