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ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, DIVISION 2, SECTION 107-80 SHORT-TERM RENTALS TO PROVIDE FOR REGULATION OF SHORT-TERM RENTAL OF RESIDENTIAL AMENITIES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the City Council of the City of Rollingwood (“City Council”) wishes to amend the regulation of short-term rentals to include amenities; and

WHEREAS, the City Council has determined that the public interest would be served by regulation the rental of amenities; and

WHEREAS, the City Council finds that the amendments provided for herein are reasonable, necessary, and proper for the good of the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Code Amendments.

The City’s Code of Ordinances, Section 107-80- Short-term rentals, be amended as follows with underlines being additions and ~~strike throughs~~ being deletions:

Sec. 107-80. Short-term rentals.

(a) *Definitions.* For purposes of this article, the terms used will have the meanings set forth below. Words that are not defined will have their ordinarily accepted meanings.

(1) Amenity. An indoor area used for recreational purposes or an outdoor area located anywhere on a lot, or the roof of a structure, or any other building including but not limited to pools, sport courts, patio areas, outdoor kitchens, grills, landscaped areas, and areas of decking, decorative paving or other similar surface

(4) Rental. The renting, bartering, trading, letting, or otherwise allowing the use of a residential structure or amenity or a room or rooms within a residential structure for compensation.

(2) Short-term rental. The rental of any property for a period of less than 30 days.

(b) *Prohibited.* All short-term rentals are hereby prohibited and are unlawful within the city.

36 (c) *Penalty.* A violation of this article is a misdemeanor punishable by a criminal penalty
37 of up to \$2,000.00 per day.

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39 **SECTION 3.** All provisions of the ordinances of the City of Rollingwood in conflict with
40 the provisions of this ordinance are hereby repealed to the extent of such conflict, and all
41 other provisions of the ordinances of the City of Rollingwood not in conflict with the
42 provisions of this ordinance shall remain in full force and effect.

43 **SECTION 4.** Should any sentence, paragraph, sub-Article, clause, phrase or section of this
44 ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not
45 affect the validity of this ordinance as a whole, or any part or provision thereof other than
46 the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity
47 of the Code of Ordinances as a whole.

48 **SECTION 5.** This ordinance shall take effect immediately from and after its passage and
49 the publication of the caption, as the law and charter in such cases provide.

50 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of
51 Rollingwood, Texas, on the _____ day of _____, 2024

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Gavin Massingill, Mayor

58 ATTEST:

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61 Desiree Adair, City Secretary

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