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ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, DIVISION 2, SECTION 107-69 (PROHIBITED USES) TO PROVIDE FOR PROHIBITION OF 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 City’s zoning regulations to prohibit the rental of residential and commercial amenities; and

WHEREAS, the City Council has determined that the public interest would be served by prohibiting the rental of residential and commercial 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 Amendment.

Section 107-3 of Definitions is amended to add the following definition:

Amenity. An indoor area 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, used for recreational purposes.

Section 107-69 (Prohibited uses), is amended to add a new Section 107-69(a)(7) as follows:

107-69(a)(7) The rental of any residential Amenity including but not limited to any feature of a residential Dwelling, or place, except where the Amenity is included as part of the rental of a Dwelling for longer than 30 days.

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provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance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

SECTION 4. Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not

37 affect the validity of this ordinance as a whole, or any part or provision thereof other than
38 the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity
39 of the Code of Ordinances as a whole.

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

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

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Gavin Massingill, Mayor

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50 ATTEST:

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Ashley Wayman, City Administrator

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