

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. [To Be Assigned]

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, ADDING ARTICLE 4.1400 TO CHAPTER 4 OF THE CODE OF ORDINANCES TO PROVIDE FOR THE REGULATION OF SHORT-TERM RENTALS; PROVIDING DEFINITIONS; PROVIDING FOR LICENSE REQUIREMENTS, APPLICATION PROCEDURES, FEES, INSPECTIONS AND SELF-CERTIFICATION, OPERATOR RESPONSIBILITIES, REVOCATION PROCEDURES, PENALTIES, GRANDFATHERING PROVISIONS FOR EXISTING STRS, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

ARTICLE 4.1400 – SHORT-TERM RENTALS

Sec. 4.1401 Definitions

- **Short-Term Rental (principal use).** A dwelling unit which is not the primary residence of a household, in which temporary lodging in all or part of the dwelling unit is offered for compensation.
- **Short-Term Rental (accessory use).** A dwelling unit which is the primary residence of a household, in which temporary lodging in all or part of the dwelling unit is offered for compensation.
- **Dwelling unit.** Any building or portion thereof designed or used as living quarters for one (1) or more households, including sleeping facilities, and which may include food preparation facilities.
- **Household.** A domestic unit that resides in and shares in common a single dwelling unit, consisting of related or unrelated individuals, plus any minor children, or persons residing in a household care facility.
- **Emergency contact person.** A person designated on the license application, authorized by the owner, who may be contacted by the City regarding emergencies or violations.

- **Operator.** A person or entity that offers a dwelling unit or portion thereof for rent as a short-term rental. An Operator may be the owner of, or a person authorized by the owner of, the dwelling unit.
- **Temporary lodging.** Rental of a dwelling unit for a period of less than thirty (30) consecutive days, where rent is charged by the day or by the week.

Sec. 4.1402 License Required

(a) No dwelling unit or portion thereof shall be rented, advertised, or offered for rent as a short-term rental unless the City has issued a short-term rental license to the Operator.

(b) A short-term rental license shall expire on December 31 of each year. Licenses shall be renewed annually by submitting an updated application and paying the required fee by January 1.

(c) A license is granted to a specific owner for a specific dwelling unit and may not be sold or transferred. A new license is required when:

1. The dwelling unit is sold or conveyed; or
2. There is a change of controlling ownership in a corporation, LLC, or other entity that owns the dwelling unit.

Sec. 4.1403 Application

The license application shall be submitted annually on a City-approved form and shall include, at a minimum:

1. Dwelling unit information: address, legal description, number of bedrooms, and maximum occupancy.
2. Operator information: name, address, phone number, and email.
3. Owner information, if different, and written consent of the owner if the Operator is not the owner.
4. Emergency contact person information.
5. Website addresses for all platforms where the STR is advertised.
6. Acknowledgment, signed by the Operator and Owner, confirming:
 - The property is subject to all City ordinances and regulations;

- The Operator is responsible for collecting and remitting Hotel Occupancy Taxes pursuant to Article 4.1300 of the Code of Ordinances;
- The Operator understands the duties, regulations, and responsibilities of operating an STR.

Sec. 4.1404 Fees

- (a) Initial registration fee: \$525.00.
- (b) Annual renewal fee: \$250.00.
- (c) Late fee: \$100.00 or 25% of the annual fee, whichever is greater, for renewals not received by January 1.

Sec. 4.1405 Inspection and Self-Certification

(a) An inspection by Code Enforcement or self certification shall be required for all new STR licenses prior to issuance.

(b) Renewal applications may be submitted with a self-certification checklist, provided the Operator is current on Hotel Occupancy Taxes and has no outstanding violations.

(c) The checklist shall confirm compliance with:

1. Smoke detectors in each bedroom;
2. Fire extinguisher(s);
3. Adequate exits and egress;
4. Maximum occupancy limits;
5. Parking plan;
6. Posting of City-issued license number;
7. Compliance with Chapter 6, Article 6.300 (Noise Regulations).

(d) **Existing STR Provision:** Any dwelling unit operating as a short-term rental on the effective date of this ordinance shall not be required to undergo an initial inspection or pay the initial registration fee. Such operators must submit a new STR application, sign all required certifications and acknowledgments, and pay the annual renewal fee to remain in compliance.

Sec. 4.1406 Operator Responsibilities

- (a) The Operator shall include the license number on all advertising and listings.
- (b) The license shall be displayed inside the dwelling in a visible location near the main entry.
- (c) The designated emergency contact person shall be available 24 hours per day, seven days per week, and shall respond within one (1) hour of notification by the City.
- (d) Maximum motor vehicles shall be limited to the number of available parking spaces. On-street parking is prohibited.
- (e) The Operator shall ensure compliance with:
 - All applicable building and fire codes;
 - All applicable City ordinances, including Chapter 6, Article 6.300 (Noise Regulations);
 - All applicable state and federal laws.
- (f) The Operator shall sign an acknowledgment confirming:
 - Understanding of STR regulations;
 - Responsibility for collection and remittance of Hotel Occupancy Taxes (Article 4.1300);
 - Responsibility for compliance with nuisance, parking, and noise ordinances.

Sec. 4.1407 Revocation

- (a) A license may be revoked by the City Manager upon three (3) or more violations within twelve (12) months.
- (b) A license may be immediately revoked for violations of state or federal law.
- (c) Written notice of revocation shall be mailed to the owner at the address on file.
- (d) An appeal may be filed within ten (10) days. Appeals shall be heard by the Board of Adjustment, consistent with Article 9.1900 of the Code of Ordinances.

Sec. 4.1408 Penalty

- (a) Any person operating a short-term rental without a valid license issued under this Article shall be in violation, and each day of operation shall constitute a separate offense.

(b) Fines shall be assessed under Sec. 1.109 (General Penalty) of the Code of Ordinances, with each offense punishable by a fine of up to \$500 per day, or up to \$2,000 per day if the violation involves public health or safety.

(c) Failure to collect or remit Hotel Occupancy Taxes required under Article 4.1300 shall constitute a violation of this Article. The Operator shall remain liable for all unpaid taxes, regardless of whether such taxes were actually collected from occupants, together with penalties, interest, and collection costs as provided by law.

(d) In addition to fines, the City Manager may suspend or revoke a license for failure to comply with this Article, failure to remit Hotel Occupancy Taxes, or repeated violations of City ordinances.

Sec. 4.1409 Effective Date

This ordinance shall take effect immediately upon adoption by the City Council.