

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 22 - BUSINESSES OF THE CODE OF ORDINANCES, ARTICLE VIII, SHORT TERM RENTALS; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED AND NO/100 DOLLARS (\$500.00); PROVIDING FOR A SUNSET REVIEW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, permanent residents desire the option to occasionally utilize their properties for home share rentals, and

WHEREAS, the operation of Short Term Rentals should not be permitted to negatively affect property values, and

WHEREAS, the City Council has determined that regulations are still needed to protect the public health, safety, morals and general welfare.

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

Section 1. The definition of Primary Residence in Section 22-251. – Definitions. is hereby amended to read as follows:

Sec. 22-251. – Definitions.

Primary Residence means the usual dwelling place of the applicant's residential dwelling and is documented as such by at least two of the following: motor vehicle registration, driver's license, Texas State Identification card, voter registration, or property tax documents. For purposes of this chapter, a person may have only one primary residence.

Section 2. Section 22-257. – Registration term, fees, and renewal. is hereby amended to read as follows:

Section 22-257. – Registration term, fees, and renewal.

- (a) All registrations approved under this Chapter shall be valid for a period of one year for the date of its issuance.
- (b) The fee for registration of a Short Term Rental shall be \$115 with a late fee of twice the established fee.
- (c) Upon receipt of an application for renewal of the registration, the Director of Development Services or their designee may deny the renewal if there is reasonable cause to believe that:

- (1) The registrant has plead no contest to or been convicted of a violation of any ordinance of the City, or any state, or federal law related to operation of a short term rental on the premises or has permitted such a violation on the premises by any other person. Such violation may include, but is not limited to, parking, noise, littering, destruction of property or disorderly conduct; or
- (2) There are grounds for suspension, revocation or other registration sanction as provided in this article.

Section 3. Section 22-259. – Sunset Review. is hereby amended to read as follows:

Section 22-259. – Sunset Review.

The provisions of this Chapter pertaining to Short Term Rentals shall expire on April 30, 2021 unless extended by Ordinance of the City Council.

Section 4. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 10th day of March, 2020.

Joe Chow, Mayor

ATTEST:

Irma Parker, City Secretary

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____