

CITY OF SOUTHLAKE, TEXAS

ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF SOUTHLAKE, TEXAS, AMENDING CHAPTER 11 OF THE SOUTHLAKE CODE OF ORDINANCES "OFFENSES AND MISCELLANEOUS PROVISIONS" TO CREATE A NEW ARTICLE VI "SHORT TERM RENTALS"; PROVIDING A PENALTY OF UP TO \$2,000 PER DAY FOR A VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; REPEALING CONFLICTING LAWS; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the short term rental of a property in the City of Southlake, with its attendant traffic, parking, noise, litter, and the influx of non-residents into residential areas is incompatible with the intent of residential districts in the City and the desires and expectations of the City's residents and is contrary to the long-standing character of the community; and

WHEREAS, the short term rental of houses in residential areas of the City poses a risk of increased public nuisances, disruption of neighborhoods, and additional enforcement related issues; and

WHEREAS, the City of Southlake is empowered to enact regulations that promote the public health, safety and welfare of its citizens.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTHLAKE;

SECTION 1. The Southlake Code of Ordinances is hereby amended by adding language to the existing text that is set forth in this ordinance.

SECTION 2. Chapter 11 of the Southlake Code of Ordinances entitled "Offenses and Miscellaneous Provisions" is amended by creating and inserting a new Article VI as follows:

Article VI: Short Term Rental

Sec. 11-93 Definitions

Short term rental – the rental of any residence or residential structure or any portion of a residence or residential structure for a period of less than 30 days.

Rental - The 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.

Leaseback – is an arrangement where the seller of a home leases the home back from the purchaser. In a leaseback arrangement, the specifics of the arrangements are typically made prior or immediately after the sale of the home.

Sec. 11-94 - Short Term Rentals Prohibited

- (a) All short term rentals are hereby prohibited and unlawful within the City of Southlake

Sec. 11-95 – Enforcement/Penalty

- (a) A person commits an offense under this chapter if that person owns or operates a short term rental in the City
- (b) Violation of the conditions of this article shall be punishable by a maximum fine of \$2,000 per violation, per day.
- (c) Each day of violation of said regulations of this article constitutes a separate offense and is separately punishable, but may be joined in a single prosecution.

Section 3. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

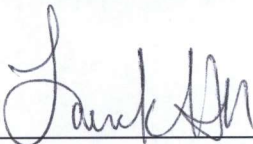
Section 4. Publication. The city secretary is directed to publish this entire ordinance, not including Exhibit A, at least one time within 10 days after its final passage, in the official newspaper of the city in accordance with Section 3.13(b) of the Southlake Home Rule Charter and Section 53.002 of the Local Government Code.

Section 5. Cumulative Clause. This ordinance and the Southlake City Code shall be cumulative of all provisions of ordinances of the City of Southlake except where the provisions of this ordinance or the Southlake City Code are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.


Section 6. Severability Clause. It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7. Effective date. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

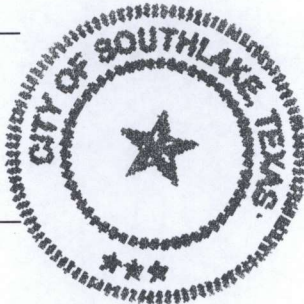
PASSED AND APPROVED on the 1st reading the 16th day of January, 2018.



MAYOR
ATTEST:



CITY SECRETARY



PASSED AND APPROVED on the 2nd reading the 6th day of February, 2018.



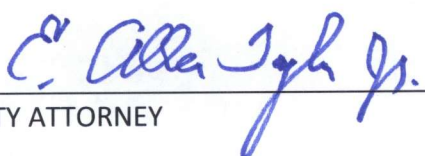
MAYOR
ATTEST:



CITY SECRETARY



APPROVED AS TO FORM AND LEGALITY:



CITY ATTORNEY

DATE: 2/6/2018

ADOPTED: 2/9/2018

EFFECTIVE: 2/9/2018