



**City of Rowlett**  
**Official Copy**

4000 Main Street  
Rowlett, TX 75088  
www.rowlett.com

**Ordinance: ORD-035-18**

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**AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, ROWLETT, TEXAS, TO AMEND DIVISION 1 ("SINGLE-FAMILY AND DUPLEX DWELLINGS") OF ARTICLE XI ("RENTAL HOUSING") OF CHAPTER 10 ("BUSINESSES") BY AMENDING SECTIONS 10-400 AND 10-407, RENUMBERING SECTIONS 10-408 AND 10-409 TO SECTIONS 10-409 AND 10-410, AND ADDING A NEW SECTION 10-408; PROVIDING A DEFINITION OF AND REGULATIONS FOR SHORT-TERM RENTAL PROPERTY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rowlett, Texas, finds and determines that the City has roughly 30 miles of lakefront property abutting Lake Ray Hubbard, most of which is used as single-family residences, and the appeal of lakefront property has resulted in a proliferation of short-term rentals of non-owner-occupied residences; and

**WHEREAS**, numerous complaints have been made to the City whereby single-family homes used as vacation rentals have also been used as party and wedding event facilities within residential neighborhoods, causing significant issues with excessive noise, parking and trash and littering; and

**WHEREAS**, a need exists to preserve and protect the safety and health of visitors to the City who lease and rent residences on a short-term basis as vacation sites; and

**WHEREAS**, the City Council finds and determines that reasonable regulations should be adopted to reduce the threat of potentially hazardous facilities and to abate public nuisances often caused by the commercial use of residential property, and that the regulations adopted by this Ordinance are in the best interest of the citizens of the City and are necessary to preserve and protect the public health, safety and welfare.

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

**SECTION 1:** That Division 1, "Single-Family and Duplex Dwellings," of Article XI, "Rental Housing," of Chapter 10, "Businesses," of the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended by amending Section 10-400 to revise the definition of "Rental Property" and to add a new definition of "Short-Term Rental Property" after the definition of "Rental Property" and before the definition of "Tenant," such that the definitions of "Rental Property" and "Short-Term Rental Property" shall read in their entirety as follows:

**"CHAPTER 10**

...

**BUSINESSES**

**ARTICLE XI  
RENTAL HOUSING**

**DIVISION 1. SINGLE-FAMILY AND DUPLEX DWELLINGS**

**Sec. 10-400. Definitions.**

For the purposes of this division, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the context clearly indicates otherwise:

...

*Rental Property or Rental Properties* means a single-family or duplex dwelling unit, not occupied by the owner, which is leased or rented or intended to be leased or rented to another person, for or without consideration, and includes short-term rental property.

*Short-Term Rental Property* means:

- 1) a single-family or duplex dwelling unit, a portion of a single-family or duplex dwelling, or an accessory structure that is leased or rented for a period of less than 30 days.
- 2) a residence operated as a bed and breakfast, occupied by the owner;
- 3) a tourist home, tourist house or tourist court;
- 4) a lodging house, rooming house, or inn;
- 5) a hotel, motel, or other temporary residential facility of less than 200 rooms.

*Short-Term Rental Property* does not include group homes, assisted care facilities, nursing homes, hospitals, clinics or other facilities providing medical, rehabilitation or health care.

..."

**SECTION 2:** That Division 1, "Single-Family and Duplex Dwellings," of Article XI, "Rental Housing," of Chapter 10, "Businesses," of the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended by amending subpart 2 of subsection (a), such that subpart 2 of subsection (a) of section 10-407 shall read in its entirety as follows:

**"CHAPTER 10  
BUSINESSES**

...

**ARTICLE XI  
RENTAL HOUSING**

**DIVISION 1. SINGLE-FAMILY AND DUPLEX DWELLINGS**

...

**Sec. 10-407. Inspections; certificate of occupancy.**

a) Inspection. . . .

...

- 2) each time there is a change in tenancy if the property is not short-term rental property. The applicant or landlord shall request that the inspection be conducted by the City.

..."

**SECTION 3:** That Division 1, "Single-Family and Duplex Dwellings," of Article XI, "Rental Housing," of Chapter 10, "Businesses," of the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended to renumber the existing Section 10-408 and Section 10-409 to Section 10-409 and Section 10-410, respectively, and to add a new Section 10-408, reserving Sections 10-411 through 10-419, such that Section 10-408 shall read in its entirety as follows:

**"CHAPTER 10  
BUSINESSES**

...

**ARTICLE XI  
RENTAL HOUSING**

## **DIVISION 1. SINGLE-FAMILY AND DUPLEX DWELLINGS**

### **Sec. 10-408. Short-term rental property.**

a) No more than two adult guests per bedroom, plus no more than four additional adults shall be allowed in any short-term rental property, and the maximum occupancy is limited to no more than twelve (12) persons. Children under the age of twelve (12) years shall not be considered as an adult.

b) Short-term rental property shall be operated in accordance with the Neighborhood Compatibility provisions of Home Occupations as described in Section 77-303(D)(1)(c) of the Rowlett Development Code, chapter 77-100 of this code.

c) A tenant information sheet shall be conspicuously posted in all short-term rental properties, setting forth basic standards of conduct, including but not limited to:

- 1) the name and telephone number of a designated contact person;
- 2) the maximum occupancy limit;
- 3) noise restrictions and notice that failure to conform to the city's noise, parking and littering regulations may result in police intervention and criminal prosecution;
- 4) trash and solid waste collection information, including collection dates and trash container placement regulations; and
- 5) other useful information about the surrounding community.

d) Short-term rental property must be inspected for compliance with this article upon initial first-time registration and, with the owner's or landlord's consent, may be inspected annually.

e) No person, whether owner or landlord, may offer or allow the use of short-term rental property primarily for a nonresidential use or for the sole or primary purpose as an event center or party or wedding facility.

f) A short-term rental property is a "hotel" as defined in article IV of chapter 58 of this code. No person may operate a short-term rental property without remitting the required

hotel occupancy taxes. The failure to account for or remit hotel occupancy taxes may, in addition to any other remedy or sanction, result in a suspension or revocation of registration.”

**SECTION 4:** That all ordinances of the City of Rowlett 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.

**SECTION 5:** That if any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the ordinances of the City of Rowlett.

**SECTION 6:** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

**SECTION 7:** That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

At a meeting of the City Council on October 16, 2018 this Ordinance be adopted. The motion carried by the following vote:

**Ayes: 6** Mayor Dana-Bashian, Mayor Pro Tem Brown, Councilmember Margolis, Councilmember Sherrill, Councilmember Bobbitt and Councilmember Bell.

**Absent 1:** Deputy Mayor Pro Tem Grubisich

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Approved by Jimmy Dana Basham  
Mayor

Date October 16, 2018

Approved to form by [Signature]

Date October 16, 2018

Certified by Saura Hallmark  
City Secretary

Date October 16, 2018

