

ARTICLE XII. RENTAL HOUSING¹

DIVISION 3. SHORT-TERM RENTALS

Sec. 18-975. Purpose.

The purpose of this division is to minimize the impact of short-term rentals to preserve the character, integrity, and stability of residential neighborhoods in which short-term rentals are located and to provide a permit, inspections, regulations, and enforcement and to ensure hotel occupancy taxes are remitted to the city quarterly.

Sec. 18-976. Annual short-term rental permit requirements.

- (a) No person may operate a short-term rental property, and shall not offer for rent, lease or occupancy, a short-term rental unit without first having applied for and been approved for an annual permit from the city. An annual permit shall expire on January 31 each year. Approved applications which are received between December 15 and January 31 may be extended to ensure the registration is valid for at least one full year.
- (b) An application for a permit shall be submitted on a form provided by the city. Each permit application shall be accompanied by a non-refundable fee in accordance with the city's master fee schedule, as amended.
- (c) A property owner shall provide a floor plan and parking plan in conjunction with the permit application.
- (d) A permit application is considered complete when a completed form and all documentation required has been submitted and all registration fees have been paid.
- (e) An applicant shall apply for renewal within 30 days prior to the expiration of the annual permit.
- (f) A permit to operate a short-term rental is not transferable to another owner, operator, or location.

Sec. 18-977. Inspection.

To ensure compliance with the requirements of this division, a short-term rental will be inspected as follows:

- (a) An initial inspection shall be conducted prior to occupancy and after submission of an approved application for permit. Inspections may also be performed up to once per quarter and any time a complaint is received alleging a violation of any city health and safety code.
- (b) Any life safety or critical deficiencies which threaten or endanger guests, noted by inspection shall be corrected prior to occupancy.
- (c) A non-refundable reinspection fee may be charged in accordance with the city's master fee schedule, as amended.

Sec. 18-978. General standards.

All short-term rentals permitted pursuant to this division are subject to the following requirements:

- (a) Parking will be limited to four vehicles within the garage and driveway, save and except for owner-occupied properties, where the property owner may park their personal vehicles on the street if not otherwise prohibited by city regulations. All parking shall be on improved surfaces.
- (b) The owner shall provide full contact information for the local point of contact and shall provide timely updates of any changes to the name, address and 24-hour telephone number of the local point of contact. The local point of contact shall respond to complaints concerning the short-term rental unit within 60 minutes or less. In the event the city receives or responds to a complaint, the local point of contact shall contact the guests within 60 minutes of any contact from the city to address the complaint. Should a second complaint be filed, or a citation is issued to any of the guests, the owner and responsible party must take appropriate steps to ensure future complaints do not occur.
- (c) Violations of the city's noise restrictions shall not occur.
- (d) Short-term rental records showing bookings and fees shall be maintained by the owner, managing agency, or managing agent, for at least three years and made available to the city upon request.
- (e) Each short-term rental owner shall provide in the short-term rental unit working smoke detectors, working type A fire extinguishers and carbon monoxide detectors as required by building and fire codes adopted by the city. The premises shall otherwise comply with applicable city requirements, including but not limited to all building and fire codes. Owner is responsible for obtaining annual independent inspections of all fire extinguishers.
- (f) Other standards.
 - (1) No person operating a short-term rental shall advertise a short-term rental without an active approved permit in accordance with this division. The assigned permit number shall be included in all advertisement and listings for the short-term rental.
 - (2) No person shall operate a short-term rental in a manner that does not comply with all applicable city and state codes and laws.
 - (3) No person operating or occupying a short-term rental shall exceed the maximum occupancy rate.
 - (4) No person shall operate a short-term rental without submitting the required hotel occupancy tax reports and paying the required hotel/motel occupancy taxes.
 - (5) No person shall operate a short-term rental with an active alarm system that has not been registered with the North Richland Hills Police Department.
 - (6) No person shall post external signage on the property advertising the short-term rental.
 - (7) No person shall permit the use of a short-term rental unit to promote activities that are illegal or for any commercial use other than an authorized home occupation under Sec. 118-727.
 - (8) No person shall permit the use of tents, temporary structures, accessory buildings not intended for use or occupancy by guests, recreational/camper vehicles or other vehicles and outdoor areas that are not residential dwellings as short-term rentals.
 - (9) Occurrence of a third violation during any 12-month period may result in the revocation of the permit. Appeals shall be conducted in accordance with Section 18-987.

Sec. 18-979. Guest safety notification and minimum requirements.

- (a) Each owner of a short-term rental unit shall provide written guest safety information which shall be displayed at all times inside the unit near the main entrance used by guests, and shall include the following minimum information:
 - (1) The property address.

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- (2) The owner's, operators, or local point of contact's name and 24-hour local contact telephone number.
 - (3) Pertinent neighborhood information including, but not limited to, maximum occupancy, parking locations, and trash collection location and schedule.
 - (4) Quiet hours are between 10:00 p.m. and 7:00 a.m., Monday through Saturday and 10:00 p.m. and 9:00 a.m. on Sunday, as per city noise restrictions.
 - (5) Information to assist guests in the case of an emergency posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire, emergency medical services, and code compliance, and instructions for obtaining severe weather, natural or manmade disaster alerts and updates.
 - (6) Depiction of floor plan identifying evacuation routes, including the dwelling's exits, primary evacuation routes and secondary evacuation routes.
 - (7) A statement notifying the guest(s) that failure to comply with these regulations is a violation of city ordinance and may result in criminal prosecution and/or civil action.

Secs. 18-980—18-984. Reserved.

DIVISION 6. ENFORCEMENT; REMEDIES

Sec. 18-985. Order to correct.

Upon inspection of rental property or any rental unit, the Chief Building Official or designee may issue a notice of violation or order to correct any violations found during an inspection, requiring the owner, landlord, or operator to correct any violation of any provision of this article or of any city health and safety code. The chief building official or designee may establish a time within which a specified violation must be corrected, and repairs be made. An order to correct may be revised, amended, or extended by the chief building official as may be appropriate under the circumstances.

Sec. 18-986. Denial of annual registration; appeal.

- (a) An application for annual permit may be denied, revoked, or suspended by the chief building official if:
 - (1) An application contains false information, is incomplete, or if the application is not timely supplemented at the request of the city;
 - (2) The subject property has conditions that present a danger to life, health or safety;
 - (3) An owner, landlord or operator has prevented, refused, or impaired any inspection by the chief building official, has actively concealed any condition that presents a threat to life, health, or safety, or that is a violation of any provision of this article or any city health and safety code;
 - (4) Is not in compliance with minimum standards imposed by this article or by city health and safety codes;
 - (5) A notice of violation or order to correct, issued by the chief building official or designee, has not been complied with, and at least seven days have elapsed since the order to correct was issued;
 - (6) The rental property or rental unit is deemed a dangerous building by the city; or
 - (7) The rental property has had a rental permit revoked within the preceding 12 month period.

- (b) A denial, suspension or revocation of a permit may be appealed to the Board of Adjustment if written notice of the appeal is received within 20 days of the denial, suspension, or revocation. The chief building official's suspension or revocation of a permit shall be stayed during the pendency of an appeal to the Board. The Board's decision shall be final and binding.

Sec. 18-987. Appeal to Board of Adjustment

- (a) The Board may hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by the chief building official or an administrative official in the enforcement of this article. An appeal must be made in writing, filed with the Board, within not more than 20 days of the service of the official's order, requirement, decision, or determination. Service of the order, requirement, decision, or determination is effective on the date that it is personally delivered to the owner or operator, deposited with the U.S. Postal Service properly addressed, or posted on the property in a conspicuous location.
- (b) The Board shall schedule a hearing as soon as practicable upon the timely filing of an appeal. The owner, property manager or landlord may attend and present evidence at the hearing. The board shall promptly render a decision based on the merits of the appeal and the evidence presented at the hearing. A simple majority shall be a quorum, and a simple majority vote of members present shall be sufficient to pass or rule on matters coming before the board.
- (c) The board's decision shall be final and binding. No appeal may be taken from the decision of the board.

Sec. 18-988. Termination of utility services.

- (a) The city may initiate termination of utility services or place a hold on reconnecting or reinstating utility services that have been terminated, as the case may be, to or for a single family and duplex dwelling, multifamily dwelling, short-term rental or hotel or motel, or any portion thereof, that is substandard, or unfit for human occupancy by certifying, in writing, that the dwelling unit or premises is substandard or unfit for human occupancy.
- (b) Upon initiating a utility termination or hold, the city shall promptly notify the owner, landlord or operator by written notice. The owner, landlord or operator may appeal the request by serving the city with a written notice of appeal within five days of receipt of notice. Appeals shall be conducted in accordance with the foregoing section 18-987.

Sec. 18-989. Enforcement; remedies; penalties.

- (a) This article may be enforced, and the requirements of this article must be met, by owners of rental properties and hotels and motels, as well as any person in control of or responsible for management of the property including but not limited to landlords, operators, managing agents and property managers. Enforcement against one shall not preclude enforcement of the same violation against another.
- (b) The remedies provided for in this article are nonexclusive. The city may, at its option, pursue the remedies provided for in this article as well as any and all other remedies available to the city at law or in equity.
- (c) Any person, firm or association violating any provision of this article relating to the registration and permitting of rental properties and hotels and motels shall be punished by a fine not exceeding \$500.00. All other violations of any provision of this article, including the continued operation of a rental property or a hotel or motel following revocation of a permit, shall be punished by a fine not exceeding \$2,000.00. It is the intent of the city in adopting this article that the provisions of this article govern fire safety and public health and sanitation.
- (d) Violations of the provisions of this article are deemed strict liability offenses. No intent need be pleaded or proven in the prosecution of any offense or violation of any provision of this article.
- (e) Each day in which a violation of any provision of this article occurs shall be deemed to be a separate offense.
