

ARTICLE VII.
SHORT TERM RENTALS

Sec. 11-220. - Short term rentals.

- (A) The purpose of this Article is to establish regulations for the use of residential single family dwelling units ("dwelling units" herein) as short term rentals and to ensure the collection and payment of hotel/motel occupancy taxes.
- (B) For purposes of this Article a Short Term Rental (STR), is defined as a residential dwelling, including a single-family residence, apartment, residential condominium unit, or other residential real estate improvement, in which the public may obtain sleeping accommodations in exchange for compensation for a period of less than 30 consecutive days. The term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling.
- (C) For purposes of this Article: An Owner shall designate the Owner, or an Agent or a Representative to comply with the requirements of this section on behalf of the Owner. The Owner or designated agent or representative is referred to as "Operator" herein.
- (D) The Owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a short term rental unit, regardless of whether such noncompliance was committed by the Owner's authorized agent or representative or the occupants of the Owner's short term rental unit or their guests.
- (E) This Article is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short term rental purposes as defined in this section.

Sec. 11-221. - Registration.

- (A) The Owner/Operator who offers for rent or advertises for rent (in any manner) a short term rental of a dwelling unit shall obtain a short term rental registration and any other required documents from the Convention Centre Department of the City of South Padre Island located at 7355 Padre Boulevard, South Padre Island, Texas, 78597. The Convention Centre Department may be contacted at phone number 956-761-3000 for additional information.
- (B) The Owner/Operator must submit and comply with the following information on a short term rental registration form:
 - (1) The name, address, email and telephone number of the Owner/Operator of the subject short term rental unit;
 - (2) The name, address, email and twenty-four hour telephone number of the local contact person. The local contact person is the person designated by the owner or the operator who shall be available twenty-four (24) hours per day, seven (7) days per week and shall respond in person within one hour (with the signed rental contract in hand) to complaints from a City Official regarding the condition, operation, or conduct of occupants of the short term rental unit; and take remedial action to resolve any such complaints;
 - (3) The name and address of the proposed short term rental unit;
 - (4) The number of bedrooms and the applicable overnight and daytime occupancy limit of the proposed short term rental unit;
 - (5) The property ID number as listed on the Cameron County Appraisal District; and
 - (6) Such other information as the City Manager, or designee, deems reasonably necessary to administer this section.

- (c) If any information on the registration form changes, the Owner/Operator must modify that information within 30 days.
- (D) Registration Fee.
 - (1) The short term rental registration form shall be accompanied by a registration fee as established by the City Council.
 - a. The rental registration fee shall be fifty dollars (\$50.00) (per rental unit).
 - b. The registration fee is waived for those properties that have been properly remitting hotel occupancy tax.
 - (2) A registration is valid from the date the completed registration is filed with the City and payment of the registration fee (if applicable) has been made, and is transferrable if the ownership of the short term rental changes.
 - (3) Each property shall be issued a registration number.
- (E) The registration number must appear on any advertisement of the property available for short term rental.

(Ord. No. 17-09, § 1, 8-16-2017)

Sec. 11-222. - Compliance—Penalty provision.

- (A) The Owner or Operator shall comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short term rental unit, including, but not limited to, Chapter 12, "Noises" and Chapter 17, Article II "Hotel-Motel Occupancy Tax: of the City Code of South Padre Island. Pursuant to Section 17-20 of the city code, the Owner or Operator shall, submit a monthly report to the City, on the appropriate "Hotel Occupancy Tax Collection Report" form, even if the short term rental unit was not rented during any such month.
- (B) Any violation of this Article XII may be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each offense, for each day such offense shall continue and the penalty provisions of Section 21-1 of the Code of Ordinances is hereby adopted and incorporated for all purposes."

(Ord. No. 17-09, § 1, 8-16-2017)