

ORDINANCE NO. 256

AN ORDINANCE OF THE CITY OF ENCHANTED OAKS, TEXAS, REGULATING VACATION RENTAL PROPERTIES; PROVIDING FOR REGISTRATION, SAFETY STANDARDS, AND ENFORCEMENT; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE

SECTION 1. PURPOSE AND INTENT

The purpose of this ordinance is to promote the health, safety, and general welfare of the residents of the City of Enchanted Oaks, Texas, by establishing reasonable regulations for the operation of Vacation Rental Properties. This ordinance is intended to ensure compliance with applicable state laws, protect neighborhood integrity, and provide clear standards for property owners while respecting private property rights.

SECTION 2. AUTHORITY

This ordinance is adopted pursuant to the authority granted to Type B General-Law Municipalities under the Texas Local Government Code, including but not limited to Chapters 51, 54, and 214.

SECTION 3. DEFINITIONS

For the purposes of this ordinance:

- **“Vacation Rental Property”** means a residential dwelling unit, or portion thereof, rented for compensation for a period of **less than 30 consecutive days**, where the owner does not reside on the property during the rental period.
- **“Owner”** means the person or entity holding legal title to the property.
- **“Operator”** means the owner or any person designated by the owner to manage or oversee the vacation rental.
- **“Guest”** means any person renting or occupying a vacation rental property.
- **“City Administrator”** includes any designee responsible for administering this ordinance.

SECTION 4. REGISTRATION REQUIRED

A. No person may operate a Vacation Rental Property within the City without first obtaining a **Vacation Rental Registration** from the City.

B. Registration shall include:

- Owner name, address, and contact information
- Local emergency contact available 24/7
- Self-certification of safety features required under this ordinance

C. Registration is valid for **one (1) year** and must be renewed annually.

D. Registration is **non-transferable**.

SECTION 5. SAFETY AND OPERATIONAL STANDARDS

A. **Life-Safety Requirements** Each Vacation Rental Property must have:

- Functioning smoke alarms in accordance with the International Fire Code
- A fire extinguisher accessible to guests
- Clearly posted emergency exit information
- Address numbers visible from the street

B. **Occupancy Limits** Maximum occupancy shall not exceed **two (2) persons per bedroom plus two (2)**, unless otherwise limited by state law or septic capacity.

C. **Parking** All guest parking must be accommodated **on the property driveway** unless otherwise approved by the City.

D. **Noise** Guests must comply with the City's noise regulations.

E. **Trash and Waste** Trash must be stored in proper containers and placed for collection in accordance with City regulations.

SECTION 6. PROHIBITED ACTIVITIES

The following are prohibited at Vacation Rental Properties:

1. Use for commercial events
2. Gatherings past 10pm
3. Use for any illegal activity
4. Operation without a valid registration

SECTION 7. ENFORCEMENT AND PENALTIES

A. The City Administrator is authorized to enforce this ordinance.

B. Violations may result in:

- Written warning
- Administrative penalties assessed by Enchanted Oaks will be **\$100 per violation per day**
- Administrative penalties up to **\$500 per violation per day**, as allowed by Texas Local Government Code §54.001
- Suspension or revocation of registration for repeated violations

C. Each day a violation continues constitutes a separate offense.

SECTION 8. APPEALS

An owner may appeal a denial, suspension, or revocation of registration to the City Council within **15 days** of notice. The Council's decision is final.

SECTION 9. SEVERABILITY

If any section of this ordinance is found invalid, the remaining portions shall remain in effect.

SECTION 10. EFFECTIVE DATE

This ordinance shall take effect 90 days from adoption.