

**ORDINANCE NO. 2021-07
CITY OF JAMAICA BEACH**

AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS, ESTABLISHING REGULATIONS AND OPERATING REQUIREMENTS FOR OPERATION OF A LONG TERM RENTAL, PROVIDING A PENALTY FOR VIOLATIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Jamaica Beach, Texas, deems it in the best interest of the City's Administrative process, law enforcement and the citizens of the City of Jamaica Beach to adopt this Ordinance to establish regulations for the use of privately owned dwellings as Long Term Rentals, to minimize negative impact on surrounding properties;

WHEREAS, this Ordinance covers topics that include definitions, regulations and registration requirements for operation of a short term rental, penalty for violations, and an effective date;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Intent and Findings.

The City Council finds that no current procedure exists whereby a property owner may notify the City that the said owner operates a Long Term Rental within the City Limits and the City Council wishes to provide a method for such notification.

SECTION 3. Definitions.

As used in this Ordinance, the following terms shall have the following meanings:

- A. *City* - The City of Jamaica Beach, Texas.
- B. *Guest* - The overnight occupants renting a Long Term Rental Unit for a specified period and the daytime visitors of the overnight occupants.
- C. *Local Contact Person* - The Owner, Operator, or person designated by the Owner or the Operator, who shall be available for the purpose of responding to concerns or requests for assistance related to the Owner's Long Term Rental.
- D. *Operator* - The Owner or the Owner's authorized representative who is responsible for compliance with this Ordinance while advertising and/or operating a Long Term Rental.
- E. *Owner* - The person or entity that holds legal or equitable title to the Long Term Rental property.
- F. *Long Term Rental (LTR)* - A privately owned dwelling, including but not limited to, a single family dwelling, multiple family attached dwelling, apartment house,

condominium, duplex, mobile home, or any portion of such dwellings, rented by the public for consideration, and used for dwelling, lodging or sleeping purposes for any period more than 30 consecutive days.

- G. *Long Term Rental Registration* – An email or letter notifying the City of the existence of a LTR and a returned email or letter issued by the City authorizing the use of a privately owned dwelling as a Long Term Rental.

SECTION 4. Long Term Rental Registration Required.

It shall be unlawful for any person or entity to rent, or offer to rent, any Long Term Rental without a valid Long Term Rental Registration Notification issued under this Ordinance.

SECTION 5. Long Term Rental Notification / Registration.

- A. An owner or operator shall submit a Long Term Rental Notification by mail or email to; cityadmin@ci.jamaicabeach.tx.us (or) mail to 5264 Jamaica Beach, Jamaica Beach, Texas 77554, with the following required information:
1. The name, address, email and telephone number of the Owner of the Long Term Rental.
 2. The name, address, email and telephone number of the Operator of the Long Term Rental.
 3. The name, address, email and 24 hour telephone number of the Local Contact Person.
 4. The address of the Long Term Rental.
- B. The Owner has a duty to notify the City within twenty (20) calendar days, in writing, of any changes to information submitted as part of a Long Term Rental Registration under this Ordinance.

SECTION 6. Long Term Rental Operational Requirements.

- A. The Operator shall provide each guest the following information in written form:
1. Operator name and telephone number;
 2. Local Contact Person name and number (if different than the owner);
 4. The location of any on-site and off-site parking (over flow parking available at the City Park or City Hall) spaces available for Guests;
 5. The Long Term Rental occupancy limits (as deemed appropriate by the owner)
 6. Instructions to Guests concerning disposal of garbage and handling of garbage containers; which includes; Garbage regulations, including but not limited to ensuring all trash is set out for collection prior to 8:00 a.m. on Mondays and Thursdays for trash collection set forth in the City of Jamaica Beach Garbage Collection Ordinance.
 7. Notification that the Guests are responsible for compliance with all applicable laws and Ordinances (including Ordinance #2020-2 Prohibiting unreasonably loud, disturbing, or unnecessary noise, and that they may be subject to eviction from the rental for violation of the law or breach of the rental agreement.
 8. Instructions as to the use of the Marina (by permit only).

9. Instructions as to the use of golf carts or other slow moving vehicles (by licensed drivers, with proper lighting and safety equipment and license plates (registration).

B. The Operator shall operate a Long Term Rental in compliance with the following:

1. Zoning regulations prescribed for the zoning district, in which such Short Term Rental is located, set forth in Section 11-700 Use and Regulations of the City of Jamaica Beach Zoning Ordinance.
2. For the protection of the owner's property, during any period when a Long Term Rental is occupied or intended to be occupied by Guests, the Local Contact Person shall be available 24 hours per day for the purpose of responding (via telephone or in person) to concerns or requests for assistance related to the condition or conduct of Guests of the Long Term Rental

SECTION 7. Notification of Complaints.

Complaints related to the operation of a Long Term Rental, including but not limited to complaints concerning noise, garbage, parking, and disorderly conduct by Guests, shall be reported to the Jamaica Beach Police Department. Each complaint will be investigated and proper legal action will be taken. All investigative findings will be covered with the owner or operator of the Long Term Rental.

SECTION 8. Penalty for Violations.

- A. It shall be unlawful for any person or entity to violate any provision of this Ordinance.
- B. Any violation of this Ordinance is a Class C Misdemeanor Offense, and upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00) per offense. Each day shall constitute a separate offense.
- C. Penalties provided for in this Ordinance are in addition to any other criminal or civil remedies that the City may pursue under federal, state, or local law.

SECTION 9. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 10. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 11. This Ordinance shall be effective on the date as approved by the City Council.

APPROVED AND ADOPTED this, the 16 TH. Day of August, 2021.



ATTEST:

Debbie C. Nesbitt
Debbie Nesbitt, City Secretary

Clay Morris
Clay Morris, Mayor

M/2		Yea	Nay	N/V	Absent
	C. Morris	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	R. Rupertus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	M. Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	L. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>M</i>	S. Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>2</i>	G. Madray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed ~~Failed~~:

Debbie C. Nesbitt

Debbie C. Nesbitt

City Secretary - Date *8-16-21*