

ORDINANCE NO. 7625

AN ORDINANCE AMENDING CHAPTER 26, APOLICE-MISCELLANEOUS PROVISIONS AND OFFENSES@, OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS, BY ADOPTING ARTICLE VI THEREOF RELATING TO SHORT-TERM RENTALS; AMENDING CHAPTER 32, "PROPERTY SANITATION AND HOUSING SERVICES", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS, BY ADDING PROVISIONS RELATED TO THE REGULATION OF SHORT-TERM RENTALS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Chapter 26, Article VI, "Short-Term Rentals," Section 26.64, "Prohibited conduct," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

Section 26.64 Prohibited conduct.

- (A) The following conduct is Prohibited Conduct by an Owner, manager, operator, host, resident, guest, patron, invitee, or client of the Short-term rental while on the Premises:
- (1) A violation of Chapter 26, Section 26.09, "Sound Amplification on vehicles," of this Code of Ordinances on or within 50 feet of a property line of the Premises where the violating vehicle is owned, controlled, or operated by a resident, patron, guest, sponsor, invitee, client, or owner of the Short-term rental;
 - (2) A violation of Chapter 22, Article V., "Noise Control," of this Code of Ordinance;
 - (3) A violation of Chapter 26, Section 26.14, "Fireworks prohibited," of this Code of Ordinance;
 - (4) A violation of Chapter 32, Article II., "Property Maintenance and Nuisance Abatement," of this Code of Ordinance;
 - (5) On-street parking of any vehicle owned, leased, controlled, or operated by an agent, contractor, employee, owner, resident, guest, patron, invitee, or client of the Short-term rental;

- (6) Any violation of Sections 106.05 (Possession of Alcohol by Minor) or 106.06 (Furnishing Alcohol to Minor) of the Texas Alcoholic Beverage Code;
 - (7) Any violation of state or federal law that is classified as a class B misdemeanor or higher; or
- (B) In the event a guest, patron, invitee, or client of the Short-term rental engages in conduct which the resident, person in charge of the Premises, or the organizer or sponsor could not reasonably foresee and the conduct is an isolated instance of an invited guest of the Premises violating the law which the resident, person in charge of the Premises, or the organizer or sponsor is unable to reasonably control without the intervention of a peace officer and the resident, person in charge of the Premises, or organizer or sponsor is the person who calls the police, the unlawful conduct of the guest, patron, invitee, or client shall not be attributable to the Owner, resident, person in charge of the premises, or the organizer or sponsor for the purpose of determining whether the event constitutes Prohibited conduct that may negatively impact the Short-term rental's permit.
- (C) There shall be a presumption that the same type of Prohibited conducted occurring on the Premises by any guest, patron, invitee, or clients of the Short-term rental more than three times within a 12-month period is reasonably foreseeable and is not an isolated occurrence.

Section 2

That Chapter 26, Article VI, "Short-Term Rentals," Sections 26.66 and 26.67 of the Code of Ordinances of the City of Garland, Texas, are hereby amended to read as follows:

Section 26.66. Maximum stay; minimum stay.

It shall be unlawful for an owner to rent or lease a short-term rental for a period of more than thirty (30) days or less than 48 hours.

Section 26.67 Criminal Penalties

- (A) An Owner commits an offense if he allows, suffers, or operates a short-term rental without a valid single-family permit for the premises on which the short-term rental use occurs.

- (B) An Owner commits an offense if he allows, suffers, or operates a short-term rental and fails to provide the City with accurate and up-to-date registration information required by section 32.09 in a timely manner.
- (C) A Responsible Party commits an offense if he violates, allows, or suffers a violation of any provision of this article by a manager, host, resident, guest, patron, invitee, or client of a short-term rental.
- (D) A person commits an offense if he is a guest, invitee, patron, or manager, host, or client of a short-term rental and commits, participates in, allows, or suffers any prohibited conduct on the premises of a short-term rental, or in the case of a violation of chapter 33, article IV, "stopping, standing, and parking," or chapter 26, section 26.09, "sound amplification on vehicles," on or within 500 feet of the property lines of the premises.
- (E) On-street parking violations contained within this Article may be enforced as a civil offense pursuant to the provisions of Articles II and III of Chapter 24 of this code, in addition to being subject to the criminal penalties and procedures established in chapters 26 and 32 of this Code.

Section 3

That Chapter 32, Article 1, "Minimum Property Standards," Sections 32.09 (B) and (C) of the Code of Ordinances of the City of Garland, Texas, is hereby amended in part to read as follows:

. . .

(B) Eligibility; application; form. An applicant for a single-family rental permit shall not be eligible for a permit if:

- (1) the applicant has claimed or received a homestead exemption on more than one residential property in or outside of the state; or
- (2) the applicant does not have a valid liability insurance policy for the property with a minimum of \$250,000 liability coverage per person and a minimum \$1,000,000 liability coverage per event. The applicant must maintain the minimum coverage amounts throughout the term of the permit.
- (3) An applicant for a single-family rental permit shall file with the City a written application, on the form provided for that purpose, signed by the owner (or the owner's

authorized agent) of the single-family dwelling to be permitted. An applicant who owns more than one single-family residential dwelling shall file a separate application for each dwelling.

(C) Form; contents. The application shall include:

- (1) The name, physical street address, telephone number, and driver's license or other government-issued identification number of the owner, and the name, street address, and telephone number of any property manager of the property for which an application is being submitted;
- (2) If the owner is other than an individual, the legal name, all trade names, and the registered agent, managing partner, or other person authorized to accept service of process on behalf of the owner;
- (3) A statement as to whether the property will be used as short-term rental facility; if it is to be used as a short-term rental facility, then a diagram depicting the floorplan (to scale) shall be included in the application prior to inspection;
- (4) A statement as to whether the owner is using the property as the owner's principal residence;
- (5) A statement as to whether the owner has claimed a homestead exemption on the property;
- (6) A statement as to whether the owner has claimed a homestead exemption on another residence homestead in or outside of Texas; and
- (7) A name and telephone number of the tenant or lessee that is responsible for the dwelling, if available, at the time of application.

Section 4

That Chapter 32, Article 1, "Minimum Property Standards," Sections 32.09(I)-(M) of the Code of Ordinances of the City of Garland, Texas, is hereby amended in part to read as follows:

. . .

(I) Permit term and fee.

- (1) A single-family rental permit issued under this section

shall be valid for one year from its date of issuance, unless suspended or revoked.

- (2) Applications for permit shall include an annual permit fee in the amount designated in the Master Fee and Rate Schedule, Article VII, Section 10.85, of Chapter 10. However, notwithstanding any amount to the contrary, the annual permit fee for short-term rentals shall be a minimum of \$500.

(J) Short-term rentals; temporary tenancies.

(1) Short-term rentals.

- (a) No person shall rent a single-family dwelling unit as a short-term rental, or portion thereof, without first obtaining a single-family rental permit issued under the provisions of this section.
- (b) The owner, agent, or representative of a short-term rental, as defined in above section [32.01](#), may elect to be exempt from the provisions and requirements of subsection [\(H\)](#) "inspection," and subsection [\(O\)](#) "certified rental properties" of this section [32.09](#).
- (c) A single-family dwelling must be fully inspected by the City prior to a single-family permit being issued by the City for use as a short-term rental.
- (d) A short-term rental must be re-inspected each year prior to any single-family permit renewals.

(K) Suspension of permit.

- (1) A single-family rental permit may be temporarily suspended by the City:
 - (a) If a life safety violation exists on the premises of the permitted single-family dwelling;
 - (b) If, after notice and a period of correction as provided by section 32.02(F), a critical violation remains on the premises of the permitted single-family dwelling;
 - (c) If, after a change in tenancy, not including short-term rentals, the City has not received a request for inspection or a certification of compliance within 60 days of application for utilities;

- (d) If an official of the City of Garland, including but not limited to police officers, city marshals, health officers, building inspection, or code enforcement, is requested by a member of the public, other than the owner, manager, organizer or sponsor of a short-term rental, to respond to the premises of the short-term rental more than three times within a 12-month period because of alleged prohibited conduct (as defined in Chapter 26, Article VI, of this Code) occurring on the premises and there is probable cause to believe prohibited conduct has occurred or is occurring; or
 - (e) If the property is receiving a homestead exemption and:
 - (i) There is probable cause to believe that the property is not the owner's principal residence; or
 - (ii) The owner of the property is receiving a homestead exemption on another property located in or outside the state.
 - (f) Failure to timely pay hotel occupancy taxes owed, where applicable, pursuant to Chapter 40, Article II, of this Code of Ordinances.
- (2) The City shall notify the holder of the permit in writing, stating the reasons for which the permit is suspended and stating that the permit shall remain suspended until such time as the property owner:
- (a) Prevails in an appeal of the suspension to the Property Standards Board; or
 - (b) Meets with the Director of Code Enforcement, pays all outstanding fines, enters into a compliance agreement with the City, and satisfies the terms and conditions of the compliance agreement.
- (3) The compliance agreement may, among other things:
- (a) Limit the occupancy of the premises, including grounds and yards, at any one time to a maximum of 10 people or 2 persons per bedroom, whichever is less;
 - (b) Prohibit any outdoor activities on the premises between the hours of 9:00 p.m. and 9:00 a.m.; and
 - (c) Require the installation, maintenance, and continuous operation of city-approved, weatherproof, outdoor noise

sensors with real time remote monitoring and alert capabilities, along each property line of the premises that adjoins neighboring private property.

(i) The city shall provide the holder of the permit city-approved noise sensors after receiving payment from the permit holder for the costs associated with the purchase of the sensors.

(ii) The permit holder shall be responsible for the installation of the sensors, which once completed shall be inspected by the city.

(iii) The permit holder shall remotely monitor the premises and set the noise sensors to alert the permit holder in real time of any noises that exceed the sound levels measured at the property boundary allowed by Section 22.69 of this Code.

(iv) The permit holder shall provide the city, within 3 business days of a request, access to any and all reports and data generated by the noise sensors for the previous 30 calendar days.

(d) Limit any trash or debris set out for collection to (i) being contained in a maximum of two city approved trash containers and one city approved recycling bin and (ii) only on regularly scheduled collection days.

(L) Reinstatement of suspended permit.

(1) A person whose permit has been suspended for any violations other than "prohibited conduct" under Section 26.64 of this code of ordinances or violations of the terms of a compliance agreement, may make written application for a reinspection for the purpose of reinstating the permit. Within ten (10) days following receipt of a request, which shall include a statement signed by the applicant that in the applicant's opinion, all of the violations that caused suspension of the permit have been corrected, the City shall make a reinspection. Upon reinspection, if all life safety, critical, and noncritical violations have been corrected, the permit shall be reinstated.

(2) A person whose permit has been suspended for "prohibited conduct" or violations of the terms of a compliance agreement, may appeal his or her suspension to the Property Standards Board. In the case of a violation of the terms of a compliance agreement, the permit holder has 10 calendar days (from the date notice is mailed) to appeal a suspension of his or her

permit.

(M) Revocation of permit. A single-family rental permit may be revoked for up to 24-months after the City has provided an opportunity for a hearing for the following reasons:

(1) For serious or repeated violations of any of the requirements of this article;

(2) For interference with the City or any of its agents in the performance of their duties;

(3) For three or more violations of the terms and conditions of a compliance agreement;

(4) For any unpermitted real property improvements that are inconsistent with the floor plan filed as part of the single-family rental permit application; or

(5) After being given the opportunity to enter into a compliance agreement, three or more criminal convictions (or three or more failures to appear) for prohibited conduct, or offenses related to the operation of a short-term rental under Chapter 26, Article VI of this Code within a 12- month period.

Prior to revocation, the City shall notify the holder of the permit in writing, stating the reasons for which the permit is subject to revocation and stating that the permit shall be permanently revoked at the end of ten (10) days from the service of such notice unless a request for a hearing is filed with the City, by the permit holder, within such ten-day period. A permit shall be suspended for cause pending its revocation or a hearing relative thereto.

Section 5

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That Chapters 26, APolice-Miscellaneous Provisions and Offenses@ and Chapter 32, "Property Sanitation and Housing," of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 7

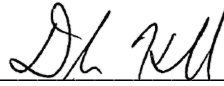
That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 8

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

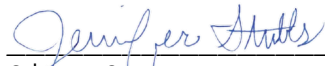
PASSED AND APPROVED this the 2nd day of September, 2025.

CITY OF GARLAND, TEXAS



Mayor

ATTEST:



City Secretary

Published: 9-9-2025
9-11-2025

