# ORDINANCE NO. 16-11A

AN ORDINANCE OF THE CITY OF OAK RIDGE, TEXAS, AMENDING THE ZONING AND DEVELOPMENT CODE OF THE CITY OF OAK RIDGE, ORDINANCE 16-11, AS AMENDED, BY ADDING SECTION 8 REGARDING SINGLE-FAMILY DWELLING TRANSIENT RENTALS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Oak Ridge, Texas ("<u>City</u>"), has adopted a Zoning and Development Code in Ordinance No. 16-11, as amended (hereinafter referred to as the "<u>Zoning Code</u>"); and

WHEREAS, the Zoning Code does not currently address single-family dwelling transient rentals (commonly referred to as "short-term rentals" of residential property); and

WHEREAS, the rise of digital platforms such as Airbnb and VRBO has led to an increase in residential property concerns about transient and vacation rental uses that infringe on the property rights of neighbors in the City;

WHEREAS, there have been local news and media reports of tenants and visitors at short-term rentals in the DFW area engaging in conduct negatively affecting the public sense of well-being and security such as properties being used for gatherings disruptive to neighborhoods; and

WHEREAS, the public has generally complained of short-term rentals in the DFW area regarding unreasonable noise, excessive trash, and parking issues; and

WHEREAS, these residents have indicated that some short-term rental occupants are less concerned than long-term residents with the impact of conduct at short-term rentals premises on neighbors, due to the temporary nature of their occupancy and lack of community with the neighborhood; and

WHEREAS, the City's full-time residents have a right to peace and quiet enjoyment of their properties; and

WHEREAS, the City has determined that such uses are inappropriate in the City and, through this Zoning Code amendment, seeks to ban such uses within the City.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE, TEXAS:

### Section 1

The Zoning Code, Ordinance No. 16-11, as amended, is hereby amended by adding Section 8, which shall read as follows:

# 8. SINGLE-FAMILY DWELLING TRANSIENT RENTALS

All single-family dwelling transient rentals are hereby prohibited and unlawful within the City of Oak Ridge. A single-family dwelling transient rental means the rental or offer for rental of any single-family dwelling or any portion of a single-family dwelling for a period of less than 30 days.

#### Section 2

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

#### Section 3

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

#### Section 4

All rights or remedies of the City of Oak Ridge, Texas, are expressly saved as to any and all violations of the city's zoning ordinance, as amended, or any other ordinance affecting zoning and land use thereto that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

#### Section 5

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares

it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

# Section 6

The City Secretary of the City of Oak Ridge, Texas, is hereby directed to publish in the official newspaper of the City of Oak Ridge, the caption, penalty clause, publication clause, and effective date clause of this Ordinance for two (2) days as required by section 52.012 of the Texas Local Government Code.

## Section 7

This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

PASSED AND APPROVED ON THIS MAY OF Jeptember, 2023.

Al Rudin, Mayor

ATTEST:

Judy Crow, City Secretary