

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 22- BUSINESSES, ADDING ARTICLE XI, SHORT-TERM RENTALS; ADOPTING FEES FOR LICENSING AND INSPECTIONS FOR SHORT-TERM RENTALS IN APPENDIX C- FEE SCHEDULE; PROVIDING A SEVERABILITY CLAUSE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, an increase in the number of property owners that desire to rent out residences as short-term rentals has led to an increase in the number of vacation rentals in neighborhoods throughout the city; and

WHEREAS, short-term rentals may cause adverse impacts to residential neighborhoods due to an increase in traffic, noise, and density; and

WHEREAS, the Seguin City Council desires to preserve and protect residential neighborhoods by establishing regulations that will allow the rental of residences to visitors on a short-term basis while ensuring that such rental use does not cause adverse impacts to neighboring properties; and

WHEREAS, the City Council established an advisory committee to meet, discuss, and propose regulations for short-term rentals within the City limits; and

WHEREAS, the purpose of the regulations set forth herein is to provide a procedure to allow the rental of residences to visitors on a short-term basis through an annual license; and

WHEREAS, the City Council has determined that the enforcement of such regulations will promote the public health, safety and welfare of its citizens and the general public.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Seguin, Texas, as follows:

PART ONE. Chapter 22- Businesses, of the Seguin Code of Ordinances is hereby amended as follows by adding a new Article XI, Short-term Rentals, to read as follows:

Article XI – SHORT-TERM RENTALS

Section 22-700. Purpose.

The purpose of this article is to safeguard the life, health, safety, and general welfare of the occupants of residential dwelling units, the neighbors of said occupancy, and the general public, through the regulation of short-term rentals in the city limits of the City of Seguin.

Section 22-701. Applicability.

The provisions of this article shall apply to all existing and future short-term rental (STR) units within the city limits of the City of Seguin.

Section 22-702. Definitions.

Whenever used in this article, the following terms shall have the following definitions and meanings:

Accessory Dwelling Unit means a secondary separate dwelling unit on a lot that is no larger than 50% of the square footage of the primary structure and no larger than 800 square feet. The size of a dwelling unit is calculated as the gross floor area of the unit, which is the sum of the floor areas of all levels of the building. The determination of whether one family is living independently of another is based on one or more of the following criteria: separate sanitary facilities, separate kitchen facilities, separate entrances, and separate utilities.

Bedroom means the living area(s) of the dwelling unit that is designed and furnished for sleeping and which has proper egress as required by the International Residential Code.

Hotel Occupancy Tax means the hotel occupancy tax required to be assessed and collected for the operation of any short-term rental and paid pursuant to V.T.C.A. Texas Tax Code Ch. 351.

Local Contact Person means the local responsible party who has authority to make decisions about the STR unit and can be contacted regarding emergencies, immediate concerns, and complaints from the City and/or the public.

Occupant means any person living, sleeping or possessing a building, or portion thereof.

Operator means any person, firm, or corporation who operates a short-term rental

Owner means the individual or entity who owns a property on which a short-term rental is operated.

Short-term Rental (STR) means a dwelling unit used for lodging accommodations to occupants for a period of no more than thirty (30) consecutive days. The definition of short-term rental does not include a bed and breakfast, hotel, or motel.

Section 22-703. License Required.

- (a) It shall be unlawful for any person or entity to advertise, rent, or offer to rent, any short-term rental without a valid short-term rental license issued by the City.
- (b) A separate short-term rental license is required for each individual short-term rental as defined in this section.

- (c) Application. Applicants shall provide, at a minimum, the following information on the application for a short-term rental license as provided on the forms furnished by the city:
- (1) The name, address, email, and telephone number of the owner of the short-term rental.
 - (2) The name, address, email, and telephone number of the operator of the short-term rental.
 - (3) The name, address, email and 24-hour telephone number of the local contact person.
 - (4) The physical address of the short-term rental.
 - (5) The number of bedrooms and the proposed maximum occupancy of the short-term rental.
 - (6) A detailed description of the short-term rental identifying the number of bedrooms and the proposed occupancy limits.
 - (7) A site layout of the property showing the proposed parking spaces designated for the short-term rental.
 - (8) A copy of the certificate of liability insurance as required under this article.
- (d) Issuance of license.
- Upon application to the city, a short-term rental license shall be approved by the Director of Planning & Codes, or designee, if the application satisfies all the conditions of this article and meets all other applicable state and local laws. All applicable fees shall be rendered to the city prior to issuance of the license.
- (e) Term, Fees, and Renewal.
- (1) All short-term rental licenses shall be valid for a period of one year from the date of its issuance.
 - (2) The annual fees shall be established by the City Council and set forth in Appendix C of the Seguin Code of Ordinances.
 - (3) All short-term rental licenses shall be renewed on an annual basis. The applicant shall have up to thirty (30) days, following the expiration date of their current license, to renew the license and pay the renewal fee.
- (f) Transferability.
- Short-term rental licenses are non-transferable and cannot be assigned to or transferred to another person or entity.

Section 22-704. Rental Operating Requirements.

- (a) Zoning.
- Short-term rental units shall only be allowed in those zoning districts as identified in Section 3.4.3, the Land Use Matrix, of the Unified Development Code.
- (b) Accessory dwelling units.
- Short-term rental units shall be allowed in accessory dwelling units, as defined herein, but shall be limited to the rental of one accessory dwelling unit per lot.
- (c) Duration of Stay.
- (1) Minimum stay- An owner and/or operator shall not rent or lease a short-term rental for a period of less than one (1) night.

- (2) Maximum stay- An owner and/or operator shall not rent or lease a short-term rental for a period of more than thirty (30) consecutive days.
 - (3) If the short-term rental is temporarily leased for a period of more than thirty (30) consecutive days to the same occupant(s), the owner or operator shall notify the City of the extended lease period to request that the property's short-term rental license be preserved.
- (d) Occupancy. The maximum number of people permitted to stay in a short-term rental is limited to two (2) adults per bedroom as defined herein, plus two (2) additional adults. Adults, in this section, shall refer to individuals over the age of 18.
- (e) Parking Requirements.
 - (1) Parking for each STR unit is required and shall be designated at a ratio of one parking space per bedroom as defined herein.
 - (2) Off-street parking spaces can be located in the driveway, garage, or carport on the property of the STR unit.
 - (3) On-street parking spaces along a residential street shall only be counted toward the required parking for the STR unit if the spaces are directly adjacent to the property frontage of the STR unit.
 - (4) Parking in yards or on unimproved surfaces shall not be allowed.
 - (5) Additional parking spaces shall not be added to the site or property prior to obtaining City approval through a site development permit per the requirements of the UDC.
 - (6) Parking requirements shall not apply to STR units located within the Downtown Historic District.
 - (7) It shall be unlawful to park or occupy a motor home, recreational vehicle, boat, or commercial vehicle on the premises of a short-term rental or on a street near a short-term rental.
- (f) Trash pickup requirements.
 - (1) Trash receptacles, bins, containers, or bags shall be placed on or near the street or alley for pickup no earlier than 24 hours before the scheduled pickup day and shall be returned to an area near the STR unit no later than 24 hours after the scheduled pickup day.
 - (2) Concierge service may be required and enforced at short-term rental locations with repeat violations of this section.
- (g) Local contact person required.
 - (1) The owner of the short-term rental shall designate a local contact person as a responsible party who can be contacted regarding immediate concerns and complaints about the short-term rental from the City or the general public.
 - (2) The local contact person must be available 24 hours a day when occupants are renting the short-term rental.
 - (3) The local contact must respond to a valid concern or complaint within one (1) hour and must resolve the issue or be present at the premises of the short-term rental within two (2) hours.
- (h) Posting Requirements.

- (1) There shall be, posted in a conspicuous place within the short-term rental, a sketch of the floor plan, which identifies sleeping areas, maximum number of guests, designated parking spaces, evacuation route(s), and locations of fire extinguishers.
 - (2) There shall be, posted in a conspicuous place within the short-term rental, a copy of the City regulations for short-term rentals.
 - (3) For properties located within or near a designated floodplain, there shall be, posted in a conspicuous place within the short-term rental, detailed information about local flood warnings and sirens as well as evacuation routes from flood-prone areas.
- (i) External Signage. There shall be no outdoor on-site or off-site signage or displays advertising and/or indicating that the property is a short-term rental.
- (j) Liability Insurance.
It shall be unlawful for the owner of premises operating as a short-term rental to operate without liability insurance that provides coverage of up to \$1 million per occurrence. A certificate of insurance must be on file with the City of Seguin. Proof of insurance shall be required at the time of application.
- (k) Life Safety.
- (1) Smoke alarms shall be installed and operational in each bedroom, in the area immediately outside each bedroom, and on each floor of the STR unit.
 - (2) There shall be a minimum of one operational carbon monoxide detector on each floor of the STR premises if the STR is equipped with natural gas, propane, and/or an attached garage.
 - (3) There shall be a minimum of one fire extinguisher available on each floor of the STR unit. All fire extinguishers shall be inspected annually in accordance with the International Fire Code and tagged by a third-party inspector.
 - (4) All gas appliances shall be properly ventilated outside the home.
 - (5) Each room used as a bedroom must have at least one means of egress opening directly to the outdoors.
 - (6) Pathways and stairways shall remain unobstructed. Handrails on stairways shall be maintained in accordance with adopted building codes.
 - (7) All pool and spa facilities must comply with the International Property Maintenance Code as adopted by the City of Seguin.
- (l) Other Restrictions.
- (1) Events. It shall be unlawful to advertise, promote, or operate a special event (including but not limited to, operations as an event center or operations for a banquet, wedding, reception, reunion, party, concert or similar activity that would assemble large numbers of invitee) at the site of the short-term rental.
 - (2) No sleeping or camping outdoors, in tents or otherwise, is allowed.

Section 22-705. Noise.

The occupants of the short-term rental shall comply with the noise ordinance as adopted by the City of Seguin.

Section 22-706. Hotel Occupancy Tax Payments.

The owner or operator of the short-term rental shall pay and remain current on the payment of all hotel occupancy taxes owed to the City under the Texas Tax Code.

Section 22-707. Inspections.

- (a) Inspection required. No license or renewal license shall be approved or issued for a short-term rental until the city has inspected the STR premises and found the premises to be compliant with all applicable codes, laws, and regulations, including minimum health and safety requirements for use and occupancy. If the premises fails to pass an inspection, a re-inspection fee may be charged for each subsequent inspection in accordance with the fee schedule as adopted in Appendix C of the Seguin Code of Ordinances.
- (b) Right to Inspect Premises with reasonable notice. The City of Seguin reserves the right, with reasonable notice to the owner, to inspect the premises of the short-term rental to determine compliance with the City of Seguin's regulations.

Section 22-708. Violations, Suspensions, and Revocations.

- (a) Violations of this article shall be classified as follows:
 - (1) Minor violations shall include any violations of the rental operation requirements in Section 22-704 of this article.
 - (2) A minor violation may be dismissed by the Director of Planning & Codes if the violation is addressed promptly and effectively.
 - (3) A violation of the noise ordinance as confirmed with a police report constitutes a minor violation.
 - (4) Three minor violations within a 12-month period shall constitute one major violation.
 - (5) Operating a short-term rental in the city limits without a valid license or renewal license as required herein constitutes a major violation. Any advertisement, whether it be online or in print, promoting the availability of a property within the city for rent for a period of less than 30 days shall constitute prima facie evidence of the property's use as a short-term rental.
 - (6) Failure to remit applicable hotel occupancy tax payments within 60 days of receiving a delinquency notice of non-payment from the City of Seguin constitutes a major violation.
 - (7) Omitting or providing false information on an application for a short-term rental license constitutes a major violation.
- (b) Suspensions.
 - (1) If a short-term rental accumulates three or more major violations within a 12-month period, the short-term rental license may be suspended by the Director of Planning & Codes for a period of 90 days.
 - (2) If a license is suspended at any time during the annual period of the license, the renewal fee due for the short-term rental shall be double the standard renewal fee as adopted in the fee schedule in Appendix C of the Code of Ordinances.
- (c) Revocations.

- (1) If a short-term rental license is suspended twice in a 12-month period, the Director of Planning & Codes shall refer the license to the City Council for possible revocation.
- (2) City Council shall hold a public hearing before taking action on the referral for revocation.
- (3) Notices of the public hearing shall be sent to all owners of property located within 200 feet of the property of the short-term rental. Notices shall be mailed not less than 10 days before the hearing is held. Property owner information shall be based on County Appraisal District records.
- (4) Following the public hearing, City Council may revoke the permit or suspend the permit for an additional period between 90 and 180 days, based on factors including the frequency and severity of any repeated violations, whether a violation was committed intentionally or knowingly, or any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare.
- (5) Following the revocation of a license, the property in which the permit(s) was revoked shall not be eligible to apply for or receive a short-term rental permit for a period of 6 months from the date of the revocation.
- (6) If the license is revoked, a license shall not be issued for the short-term rental for a period of one year from the date of revocation. An application for a short-term rental license following a revocation shall follow the process for a new application.
- (7) If the owner or operator continues to operate a short-term rental after the short-term rental license is revoked, the violator shall be subject to payment of a fine not to exceed \$2,000.00 plus court costs. Each act of violation and each day upon which such violation occurs constitutes a separate offense.

Section 22-709. Exemptions.

This article shall not apply to hotels, motels, dormitories, RV parks, and bed & breakfast establishments.

PART TWO. Appendix C- Fee Schedule, Chapter 22- Businesses, Article XI- Short-term Rentals is added to the Seguin Code of Ordinances as follows:

Chapter 22- Businesses

Article XI. Short-term Rentals

(a) Initial License	\$ 250.00
(b) Annual Renewal of License	\$ 150.00
(c) Re-inspection Fee	\$ 50.00

PART THREE. If any word, phrase, clause, sentence, or paragraph of this ordinance or the is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

PART FOUR. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

PART FIVE. This ordinance shall be published in a newspaper of general circulation.

PART SIX. This ordinance shall be effective on January 1, 2026 and shall be published in a newspaper of general circulation.

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

PASSED AND APPROVED on the second reading this 16th day of September, 2025

Donna Dodgen, Mayor

ATTEST:

Kristin Mueller, City Secretary