



City of Haltom City

Planning & Community Development
4801 Haltom Rd. Haltom City, Texas, 76117
817-222-7730

SHORT-TERM RENTAL PERMIT APPLICATION
Permit Fee - \$250.00

Location Address:
Legal Description:
Tarrant Appraisal District (TAD) Parcel ID:
Zoning District:
Number of off-street parking spaces provided on the premises:

PROPERTY OWNER INFORMATION

Property Owner Name:
Property Owner Address:
Property Owner City/State/Zip:
Property Owner Phone:
Property Owner Cell:
Property Owner E-Mail:

APPLICANT INFORMATION

Applicant Name:
Applicant Address:
Applicant City/State/Zip:
Applicant Phone:
Applicant Cell:
Applicant E-Mail:

OPERATOR INFORMATION

Operator Name:
Operator Address:
Operator City/State/Zip:
Operator Phone:
Operator Cell:
Operator E-Mail:

24-HOUR CONTACT INFORMATION

24-hour Contact Name:
24-hour Contact Address:
24-hour Contact City/State/Zip:
24-hour Contact Phone:
24-hour Contact Cell:
24-hour Contact E-Mail:

HOMEOWNERS' ASSOCIATION (HOA) CONTACT INFORMATION

HOA Name:
HOA Contact Name:
HOA Address:
HOA City/State/Zip:
HOA Phone:
HOA Cell:
HOA E-Mail:

Property Owner Signature:	
Printed Name:	Date:

Applicant Signature:	
Printed Name:	Date:

Operator Signature:	
Printed Name:	Date:

24-hour Contact Signature:	
Printed Name:	Date:

HOA Contact Signature:	
Printed Name:	Date:

REQUIRED DOCUMENTS (to be submitted with Short-Term Rental Permit Application)

- Proof of registration with City (HdL) for payment of hotel occupancy tax (HOT) as required by section 62-429(m)
- Parking plan of the premises identifying the location and quantity of parking spaces to be used in conjunction with the short-term rental, in relation to the residence
- A dimensioned floor plan of the proposed short-term rental identifying the proposed maximum number of occupants, bedrooms, other living spaces, location of safety features, and emergency evacuation routes
- Proof of liability insurance, which shall meet the following minimum requirements:
 - City of Haltom City shall be named as an “additional insured” on all policies
 - Policy shall provide a minimum liability coverage of \$1,000,000 (one million dollars)
 - Policy shall be endorsed to provide the City with a minimum of a 30-day notice of cancellation, non-renewal, and/or material change in policy terms or coverage; provided, however, a minimum 10-days’ notice shall be required in the event of non-payment of premium
- Current tax certificate(s) indicating all taxes for the subject property have been paid to the current year (available from Tarrant Appraisal District). Tax statements printed from the Tarrant County website (pdf) are acceptable in lieu of the original certificate(s)
- Copy of the proposed host rules for the short-term rental, including a statement identifying the description and location of safety features described in Section 62-429(e):
 - Working smoke alarms, meeting the requirements of Section 92.254 of the Texas Property Code, with a minimum of one (1) on each floor level and one (1) in each room used as a bedroom
 - Minimum of one (1) working carbon monoxide detector on each floor or level
 - Minimum of one (1) 2A:10B:C type fire extinguisher (a standard five-pound extinguisher) properly mounted within seventy-five (75) feet of all portions of the structure on each floor
- Statement that the owner of the short-term rental complies with and will continue to comply with the standards and other requirements of this article, as well as all applicable standards and other requirements of the code
- Copy of City of Haltom City Fire Department inspection report

Application Accepted By:	Date:
Staff Administration Approval:	Date:



SHORT-TERM RENTAL PERMIT APPLICATION
Acknowledgement and acceptance of rules for operation (form must be notarized)

As the owner of _____
(physical address of short-term rental property)

I acknowledge and will follow all regulations and rules of operation including, but not limited to:

Sec. 62- 429. - Regulations.

(a) *Maximum stay; minimum stay.* It shall be unlawful for an owner to rent or lease a shortterm rental for a period of more than thirty (30) days or less than twenty-four (24) hours.

(b) *Occupancy.* The maximum number of persons permitted to stay in a short- term rental is limited to two (2) persons per bedroom, plus two (2) additional persons; however, no short-term rental shall permit the cumulative total number of occupants to exceed twelve (12) persons.

(c) *Parking restrictions.* Parking is restricted to the number of off-street parking spaces associated with the residential structure, either in the driveway and garage or by location or number assigned to a specific unit. It shall be unlawful for an occupant or invitee of an occupant to park a motor vehicle on a residential street near or across the street from a short-term rental. Additionally, it shall be unlawful for an occupant to park a motor vehicle on an unimproved surface, or for an owner and/or operator to permit such parking. No major recreational vehicle (as defined in Section 28 of the Zoning Ordinance) may be parked on or adjacent to a short-term rental property. All motor vehicles are further subject to the parking requirements of chapter 90, article III of the code.

(d) *Access to basic sanitation.* Each bedroom of a residence or portion of a residence used as a short-term rental must provide interior access to a bathroom, such that an occupant shall have access to a bathroom without exiting the residence, regardless of whether such bathroom is private or shared.

(e) *Life safety.*

(1) The short-term rental must be equipped with:

a. Working smoke alarms, meeting the requirements of Section 92. 254 of the Texas Property Code, with a minimum of one on each floor level and one in each room used as a bedroom; and

b. A minimum of one working carbon monoxide detector on each floor or level; and

c. A minimum of one 2A: 10B: C type fire extinguisher(a standard five-pound extinguisher) properly mounted within seventy- five(75) feet of all portions of the structure on each floor.

(2) All gas appliances shall be properly ventilated outside the home.

(3) Emergency escape openings shall comply with the city' s currently adopted International Residential Code(IRC), with at least one emergency escape opening for each bedroom opening directly to the outdoors.

(4) An evacuation plan shall be posted in each bedroom.

(5) Any room that does not comply with this subsection (e) shall not be used as a bedroom, and where equipped with a door, shall remain locked at all times when the dwelling is being used as a short-term rental. Any non-compliant bedroom shall not be included in the maximum occupancy calculation for the short-term rental, nor be advertised as a bedroom.

(f) *Conduct on premises.* Each short-term rental owner, operator, and occupant shall comply with all requirements of the city code. Owners and/or operators shall be responsible for informing occupants of all relevant city codes and occupants' liability for violations of same. In addition, the following shall be unlawful:

(1) Conduct involving the use of amplified sound, excessive noise or other disturbances outside the short-term rental structure between the hours of 8:00 p.m. and 7:00 a.m. (pursuant to section 66- 14 of the code) including, but not limited to, the following outside areas: decks, portals, porches, balconies, patios, hot tubs, pools, saunas or spas;

(2) Sleeping outdoors;

(3) Placing, or allowing to be placed, waste or recycling receptacles at the designated pickup location prior to 7:00 p.m. on the day prior to the scheduled pickup or failing to remove waste and recycling receptacles by 7:00 a.m. on the day following the scheduled pickup for that location (pursuant to section 42-3 of the code);

(4) Advertising, promoting, or operating a special event, or permitting the advertising, promotion, or operation of a special event(including, but not limited to, a banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or similar activity that would assemble large numbers of invitees) to be held on the premises; and

(5) Using or permitting the use of the short-term rental for the purpose of: housing sex offenders; operating a structured sober, recovery or other purpose living home or similar enterprise; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; or operating as a sexually oriented business.

(g) *Signage.* On-premise signage advertising or identifying the short-term rental shall not be permitted.

(h) *Advertising.* The owner shall not advertise or promote, or allow another to advertise or promote, the short-term rental without including the occupancy limits, parking standards, and city permit number for the listing.

(i) *Local Contact.* An owner must designate the name and contact information of an operator, who shall be a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available in person or by phone at all times while occupants are on the premises of the short-term rental. If called, the operator must be able to, and shall be present at the premises, within one (1) hour of receiving a call from the director. An operator must be authorized to make decisions regarding the premises and its occupants.

(j) *Occupant Notification Packet.* The owner and/or operator shall post in a conspicuous location of the short-term rental premises a packet containing, at a minimum, the following information:

- (1) Maximum number of occupants;
- (2) Location of required off-street parking, other available parking and prohibition of parking on landscaped areas or on the street;
- (3) Quiet hours and noise restrictions;
- (4) List of HOA rules, if applicable;
- (5) 24-hour local contact person and phone number;
- (6) Property cleanliness requirements;
- (7) Waste pick-up requirements, including location of waste and recycling receptacles;
- (8) Flooding hazards and evacuation routes, as well as information on the emergency siren system and other safety features;
- (9) Emergency and non-emergency numbers; and
- (10) Notice that failure to conform to the occupancy and parking requirements constitutes a violation of the code and an occupant or visitor may be cited.

(k) *Rental agreement notification.* The rental agreement between the owner and/or operator of the short-term rental and the occupant shall include, by attachment, all of the information provided in the occupant notification packet.

(l) *Changes in ownership.* The purchaser of a short-term rental shall provide the director with current application materials required by section 62- 428, revised to include any new information associated with the change in ownership, within thirty (30) days of the closing date for the purchase of the short-term rental. Since a permit is non-transferable pursuant to section 62- 430, the purchaser shall also remit a permit renewal fee as described in subsection C. 47. of appendix C.

(m) *Hotel occupancy taxes.* The owner and/or operator of the short-term rental property shall register with the city finance department to pay hotel occupancy taxes prior to the date that the short-term rental permit application is submitted, and the owner and/or operator must remit all applicable hotel occupancy taxes in a timely manner pursuant to applicable laws.

(n) *Request for occupancy history.* Upon request of the director, the owner of a premises used as a short-term rental shall remit, within thirty (30) days, an accounting of all rental activity and the hotel occupancy taxes paid therefor.

(o) *Right to inspect premises.*

(1) *Inspections.* The fire marshal shall perform periodic inspections of each short-term rental property to ensure compliance with this article and other applicable laws. For the purpose of performing inspections, the fire marshal may enter, examine, and survey, at all reasonable times, all buildings, dwelling units, guest rooms, and the premises used as a short-term rental property. An owner and/or operator may refuse to consent to an inspection conducted by the fire marshal. If consent is refused, the fire marshal may seek an administrative search warrant authorized by Article 18 of the Texas Code of Criminal Procedure and the city code. No permit for operating a short-term rental shall be issued until the premises successfully passes such inspection.

(2) *Types of inspections.* The city may perform the following inspections:

- a. *Initial and annual fire inspection.* The fire marshal may perform an initial inspection of the short-term rental property upon application for a permit, as well as annual fire inspections of the short-term rental property.
- b. *Repeat inspections.* If, upon completion of an inspection, the premises are found to be in violation of one or more provisions of this section, the city shall provide written notice of such violation and shall set a re-inspection date. If a property fails to pass an inspection, another inspection fee will be charged after the third re-inspection of the premises. A property cannot be occupied as a short-term rental while its status with the fire marshal's office is noted as being in violation.
- c. *Fire extinguishers.* The owner and/or operator is responsible for obtaining annual independent inspections of the fire extinguishers in compliance with the city regulations.
- d. *Change in ownership inspection.* As part of the change in ownership process for a short-term rental the fire marshal shall conduct an inspection to verify compliance with this article.

(p) *Density limitations for short-term rental properties.*

(1) *Limitation.* Short term rentals shall be limited to no more than one-eighth (12.5 percent) of the total number of residential units on the block or in a multi-unit building. Notwithstanding the foregoing, at least one short-term rental shall be permitted per block or multi-unit building, regardless of density.

(2) *Special exception available.* In order to obtain a permit for a short-term rental that would exceed the density limitation of this section, a property owner may apply to the zoning board of adjustment for a special exception in accordance with subsection 35. B. of appendix B of the code. The board may consider factors such as the following:

- a. Whether operation as a short-term rental in excess of the density limitation will not adversely impact the residential quality of the neighborhood in which the property is located;
- b. Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);
- c. Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;
- d. Whether the applicant seeks to operate an entire residence as a short-term rental or whether the short-term rental use is limited to a portion of the residence;
- e. Whether the applicant occupies the premises as their primary residence or uses it as an investment property; and
- f. Whether other short-term rentals in excess of the density limitation are already operating on that block.

(3) *Nonconforming uses.* A short-term rental that was lawfully in existence on the effective date of this article shall be considered a nonconforming use and shall not be subject to the density limitations set forth in this subsection. A short-term rental shall be considered lawfully in existence on the effective date of this article if the owner provides written confirmation from the city finance department indicating that, prior to the effective date of this article, the property was registered for payment of hotel occupancy tax as required by chapter 30, article III of the code and that the tax account was not in arrears.

Sec. 62-430. - Permit term and renewal; fees; non- transferability; public information designation.

(a) All permits issued under this article shall be valid for a period of one year from the date of issuance.

(b) A nonrefundable fee for administration of the application shall be charged as established in subsection C. 47. of appendix C of the code. Such fee shall be paid at the time the application is made and shall not be returned to the applicant, regardless of whether a permit is issued.

(c) A permit holder shall apply for renewal prior to the expiration of the permit on a form provided by the director. The fee for the renewal of a permit to operate a short-term rental shall be charged as established in subsection C.47. of appendix C of the code. The permit holder shall either update the information required under section 62-428 or submit a statement affirming that the information previously submitted is still accurate. A complete application for renewal received after the expiration of a current permit shall be treated as an application for a new permit in accordance with section 62- 428.

(d) A permit to operate a short- term rental is not transferable to another owner, operator, or location.

Sec. 62-431. - Repeat offenses.

(a) If the director finds that the owner, operator, or any occupant of a short-term rental failed to comply with any requirement of this article three or more times within a 12-month period, the director may revoke an existing permit or may deny an application to renew a permit. No new permit may be sought for the subject property for a period of 12 months following a denial or revocation pursuant to this section.

(b) If a property is the subject of five or more violations of federal law, state law, or the other provisions of the city code outside of this article within the previous 24-month period, the director may revoke an existing permit; may deny an application for an original permit; or may deny an application to renew a permit, based on: (1) the frequency of any repeated violations; (2) whether a violation was committed intentionally or knowingly; and(3) any other information that demonstrates the

degree to which the owner or occupant has endangered public health, safety, or welfare. No new permit may be sought for the subject property for a period of 12 months following the denial or revocation pursuant to this section.

(c) A permit applicant may appeal the director's decision to revoke an existing permit or deny an application, in accordance with the process set forth in section 62-432 of this article.

Sec. 62- 432. - Appeals.

(a) The director's revocation of a permit or denial of an application for a permit to operate a short-term rental may be appealed to the city manager in accordance with the provisions of this section.

(b) An appeal filed under this section must be filed with the director no later than the 20th day following the date on which the permit was revoked or denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reasons why the action of the director should be modified or reversed.

(c) The city manager or a designee shall, not later than the 10th day after the date the notice of appeal is filed, hear the appeal, and may affirm, modify or reverse a permit revocation or application denial.

(d) The city manager or designee shall give written notice of a decision on an appeal to the appellant.

(e) An appellant who seeks judicial review of the city manager's review on appeal must file a petition with a court of competent jurisdiction not later than the 30th day after receipt of the notice of the decision.

Sec. 62- 433. - Enforcement.

(a) If the owner, operator, or any occupant of the short-term rental property fails or refuses to comply with the standards and requirements contained herein, the city may initiate enforcement action against the owner, operator, or any occupant, including, but not limited to, the immediate issuance of a citation.

(b) Failure to timely remit applicable hotel occupancy tax is a violation under this article and shall result in permit revocation if all applicable tax is not paid within ninety (90) days of the issuance of a delinquency notice.

(c) Any advertisement, whether it be online or in print, promoting the availability of a property within the city for rent for a period of thirty days (30) or less, shall constitute prima facie evidence of the property's use as a short-term rental.

Sec. 62- 434. - Discontinuance of operations.

(a) The owner and/or operator of a property used as a short-term rental that was registered with the City for collecting hotel occupancy tax prior to the effective date of this article, and who is unable, fails, or refuses to obtain a permit for operation as a short-term rental following the effective date of this article, shall discontinue the short-term rental use within sixty (60) days of the effective date of this article or the notice of permit denial. The density limitation of section 62-429(p) shall not bar such owner and/ or operator from obtaining a permit if all other requirements and standards of section 62-429 are met.

(b) The owner and/or operator of a property used as a short-term rental that was not registered with the City for collecting hotel occupancy tax prior to the effective date of this article shall discontinue the short-term rental use immediately following the effective date of this article. Such property shall not be resumed as a short-term rental until a permit has been applied for and has been issued pursuant to section 62-428.

(Short-Term Rental Property Owner Printed Name)

(Short-Term Rental Property Owner Signature)

SUBSCRIBED AND SWORN TO before me, the undersigned authority, by said Affiant on this the _____ day of
_____, 20_____.

Notary Public in and for the State of Texas

Printed Name _____

My Commission Expires _____