



Planning & Development Services Department
 550 Landa Street
 New Braunfels, Texas 78130
 (830) 221-4050 www.nbtexas.org

CC/Cash/Check No.: _____ Amount Recd. \$ _____ Receipt No.: _____ Case No.: _____ - _____ <i>Submittal date – office use only</i>

Short-Term Rental Permit Ownership Transfer Application

Any application that is missing information will be considered incomplete and will not be processed.

1. **Property Owner – All of the owners of the short-term rental (STR) with address and phone number – use separate sheet if necessary.**

Name: _____
 Mailing Address: _____
 Telephone: _____ Fax: _____ Mobile: _____
 Email: _____

2. **Property Address/Location:** _____

3. **24 Hour Contact – Person responsible and authorized to respond to complaints concerning the use of the Short-Term Rental.**

Name: _____
 Mailing Address: _____
 Telephone: _____ Fax: _____ Mobile: _____
 Email: _____

4. **Property Management/Agent – if applicable.**

Name: _____
 Mailing Address: _____
 Telephone: _____ Fax: _____ Mobile: _____
 Email: _____

STAFF:
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

APPLICANT:

- Proof of Hotel Occupancy Tax compliance**
 *Email nbhoteloccupancytax@trpgroup.us, and you will be sent a website to register from.
- Tenant Indoor Notification Sheet**
 *Blank form is attached to this application.
- Application Fee: \$51.00** (\$50 application fee + \$1.00 tech. fee)
 (Expired Fire Inspection) Fire Inspection Fee: \$128.00 (\$125 application fee + \$3.00 tech. fee)

As the owner I hereby certify that the property identified within this application has met and will continue to comply with the standards and other requirements established for Short Term Rentals in Section 5.17 of the New Braunfels Zoning Ordinance.

Signature of Owner

Print Name

Date

INFORMATION SECTION

Please read the following information regarding Special Use Permits prior to submitting an application.

Keep these documents for your records.

APPLICATION COMPLETENESS:

Applications will be reviewed for completeness by Planning Division staff. If the application is incomplete, the application will not be accepted.

REQUIRED FEES:

Ownership Transfer Fee	\$51 (\$50 application fee + \$1 technology fee (3%))
Annual Fire Inspection Fee	\$128 (\$125 fee + \$3 technology fee (3%))

REQUIRED ANNUAL FIRE INSPECTION:

An annual fire inspection is required for the renewal of your short-term rental permit. Failure to successfully complete the renewal process of a short-term rental permit is considered a violation of Section 144-5.17 Short Term Rental or Occupancy.

Prior to requesting your annual fire inspection for your short-term rental permit, the \$128 fire inspection fee must be processed at the Planning Division front counter, located at 550 Landa Street, New Braunfels TX 78130. Upon receiving your receipt for payment, you may then contact the Fire Lieutenant Arlon Hansmann at (830) 221-4208 to schedule your inspection.

A new Short-Term Rental Permit decal indicating your permit number, date of inspection expiration, maximum sleeping occupancy and emergency contact information will be mailed upon fire inspection approval. Please contact the Planning Division should you need a replacement decal in the future.

SEC. 5.17 SHORT TERM RENTAL OR OCCUPANCY IN ONE- AND TWO-FAMILY DWELLINGS - CHAPTER 144, ZONING

5.17 Short term rental or occupancy.

5.17-1 Purpose: This section is intended to provide a procedure to allow the rental of private residences to visitors on a short-term basis, while ensuring that such rental use does not create adverse impacts to residential neighborhoods due to excessive traffic, noise, and density. Additionally, this section is intended to ensure that the number of occupants within such rental units does not exceed the design capacity of the structure to cause health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions.

5.17-2 Definitions:

“Adult” means an individual 17 years of age or older.

“Bedroom” means a room designated and used primarily for sleeping and rest on a bed.

“Floodway” means the channel for a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

“Non-Residential District” means the following zoning districts: R-3, R-3L, R-3H, MU-A, MU-B, C-1, C-1A, C-1B, C-2, C-2A, C-3, C-4, C-4A, C-4B, C-O, M-1, M-1A, and M-2A. This includes all subsequently approved Special Districts identified as Non-Residential unless otherwise specified within the Special District.

“Occupant” means the person or persons who have rented the Short-Term Rental and their guest(s).

“Operator” means every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government or any other group or combination acting as a unit who is the proprietor of a Short Term Rental, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, license or any capacity. Where the operator performs his or her functions through a managing agent of any type of character, other than an employee, or where the operator performs his or her functions through a rental agent, the managing agent or the rental agent shall have the same duties as his or her principal.

“Owner” means the person or entity that holds legal and/or equitable title to the private property.

“Residential District” means the following zoning districts: R-1, R-1A-43.5, R-1A-12, R-1A-8, R-1A-6.6, R-2, R-2A, B-1, B-1A, B-1B, TH, TH-A, ZH, ZH-A and SND-1. This includes all Special and Planned Development Districts identified as Residential unless otherwise specified within the Special District.

“Resort Condominiums” means a form of housing tenure and other real property where a specified part of a piece of real estate (usually of an apartment house) is individually owned and rented out for use of persons for less than 30 days while use of and access to common facilities in the piece such as hallways, heating system, elevators, exterior areas is executed under legal rights associated with the individual ownership and controlled by the association of owners that jointly represent ownership of the whole piece.

“Resort Property” means a compound of buildings and facilities located together that provides lodging, entertainment and a relaxing environment to people on vacation. This includes 24-hour security and 24-hour front desk personnel. These units comply with all commercial building code standards.

“Short Term Rental” means the rental for compensation of one- or two -family dwellings, as defined in the IRC (International Residential Code), for the purpose of overnight lodging for a period of not less than one (1) night and not more than thirty (30) days other than ongoing month-to-month tenancy granted to the same renter for the same unit. This is not applicable to hotels, motels, bed and breakfasts, resort properties as defined in this ordinance or resort condominiums.

“Short Term Rental Decal” means the decal issued by the City as part of a Short Term Rental permit that identifies the subject property as a Short Term Rental, the Short Term Rental permit number, the owner or rental agent’s name and 24-hour emergency contact phone number of either the owner or the rental agent.

“Sleeping Area” means a room or other space within a Dwelling designed or used for sleeping, including a Bedroom. Tents and Recreational Vehicles shall not be considered a Sleeping Area.

5.17-3 Applicability.

(a) Short Term Rental within Residential Districts is prohibited.

(b) Short Term Rental is prohibited in any floodway located within the city limits, regardless of zoning district.

(c) A Short-Term Rental Permit is required prior to the use of a one family or two-family dwelling as a Short-Term Rental located within a Non-Residential District. Subject to Subsection (d), Standards, of this

Section, an Owner shall obtain and maintain a current permit whenever a dwelling is used as a Short-Term Rental. Annual inspection is required as specified in Subsection (f), Inspections, of this Chapter. A Special Use Permit is required in all zoning districts except C-4, C-4A and C-4B.

- (d) Within one hundred and eighty (180) days of the effective date of this Ordinance, the Owner or Operator of each existing legally established short-term rental shall apply for and pay the permit fee for a Short-Term Rental Permit. Within forty-five (45) days of receipt of a completed application, the permit fee and compliance with Subsection (e), Short Term Rental Permit, of this Section, a permit shall be issued to the Owner or Operator that will be good for one (1) year from the date issued and subject to the annual renewal inspection by the Fire Marshal. Ability to approve said permit is predicated on verification that the short-term rental is in compliance with Section 2.3(b, c, d), Nonconforming Use.

5.17-4 Standards. All Short-Term Rentals permitted pursuant to this Chapter are subject to the following standard requirements:

- (a) *Occupancy.* The maximum number of persons allowed to reside in a Short-Term Rental is two (2) adults per Sleeping Area plus an additional four (4) adults per residence.
- (b) *Short Term Rental Decal Display.* As part of a Short-Term Rental Permit, the City issued Short Term Rental Decal shall be posted on the front of each Short-Term Rental in a location that is accessible and legible to an individual at the entry of the Short-Term Rental.
- (c) *Parking.* A minimum of one (1) off-street parking space, not including the garage, per Sleeping Area shall be provided with a minimum of two (2) and a maximum not to exceed the number of Sleeping Areas plus one (1). No required parking shall be permitted within public right-of-way or access easements as defined by City and State regulations regarding parking.
- (d) *Life Safety.*
- (1) All building and fire related construction shall conform to the City's adopted IRC (International Residential Code) building code.
 - (2) A 2A:10B:C type fire extinguisher (a standard 5 lb. extinguisher) shall be properly mounted within 75 feet of all portions of the structure on each floor.
 - (3) Every sleeping room shall have at least one operable emergency escape and rescue opening
 - (4) An evacuation plan posted conspicuously in each Sleeping Area.
 - (5) Every bedroom / sleeping area in a Short Term Rental that does not comply with Subsection (d)(4), Life Safety, of this Section shall not be used as a Sleeping Area and where equipped with a door, shall remain locked at all times when the Dwelling is being used as a Short Term Rental. Such a non-compliant sleeping area shall not be included in the maximum occupancy calculation for the Short-Term Rental. The owner / operator shall notify every Occupant, in writing, that the non-compliant Sleeping Area may not be used for sleeping.
- (e) *Conduct on premises.*
- (1) Each occupant and visitor to a Short Term Rental shall comply with all applicable provisions of the City's Code, including, without limitation: noise and disorderly conduct restrictions from Chapter 82, Offenses and Miscellaneous Provisions; litter prohibition from Chapter 50, Environment; and others such as parking, and trespassing provisions. No occupant of or visitor to a Short-Term Rental shall cause or permit a public nuisance to be maintained on such property.

TENANT NOTIFICATION SHEET

PLEASE READ AND BE FAMILIAR WITH THIS INFORMATION

1. The maximum occupancy (adults over 17) of this residence is _____. No sleeping outdoors.
2. Parking is permitted in designated locations only (see map). No parking allowed in landscaped areas. Failure to comply with parking restrictions may result in a citation.
3. Noise. Excessive noise or other disturbance outside is prohibited between the hours of 10:00 p.m. and 8:00 a.m. This includes, but is not limited to, decks, balconies, patios, hot tubs, pools, or spas.
Be courteous and respect the enjoyment of your neighbors. Disorderly conduct or noise of such character, intensity or duration that causes distress or interferes with the comfortable enjoyment of a private home is prohibited. Violators are guilty of a misdemeanor and subject to a fine. (Chapter 82 City Code)
4. Emergency contact for this residence is _____ at _____.
5. The residence and property are to be maintained free of litter and debris. If your stay is of a sufficient length of time, the trash pickup day is by _____ am/pm on _____ of each week. Please place cart on curb for pickup and retrieve it after pickup.
Recycling is picked up by _____ am/pm on _____ of each week.
6. Tenant and guests must comply with the City of New Braunfels' water conservation and burn ban regulations in effect during your stay.
7. Emergency Preparedness:
 - a. Flooding Please note that the New Braunfels area is subject to flooding and low water crossings may become dangerous with only inches of water. Please "turn around and don't drown" when you see water over the road and seek an alternative route.
 - b. The City of New Braunfels has an emergency siren system that includes eight (8) sirens strategically located throughout the City. In the event of an emergency, these sirens will be activated, and a tone will be heard. Following a short tone of 5 seconds modulator sirens will broadcast an explanation of what has occurred and what actions you should take. Tone only sirens will broadcast only a tone. **Tune to 1420 AM on your radio for important additional information.**
 - c. Emergency and Important Numbers: **Emergencies – Dial 911**

New Braunfels Police Department -	(830) 221-4100 24 hr Dispatch (non-emergency)
	(830) 620-8477 Crime Stoppers
New Braunfels Fire Department -	(830) 221-4200
Poison Center -	(800) 222-1222
Animal Control -	(830) 608-2183
Street Closures -	www.nbtexas.org
Rape Crisis/Family Violence Shelter (San Marcos) -	(512) 396-HELP(4357)
Texas Runaway Hotline, day or night -	(800) 580-HELP(4357)
 - d. During a large emergency event in addition to local news stations tune into Time Warner Cable Channels 21 or 98 for Government Access channels, 1420 AM on your radio, and the "News Flash" section of the City's website www.nbtexas.org. The City of New Braunfels' Emergency Operations Center (EOC) will be open in such an event and fielding non-emergency calls at: (830) 221-4563, -4562, and -4564.