

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, ADOPTING AMENDMENTS TO CHAPTER 97 OF THE CITY OF CARROLLTON CODE OF ORDINANCES REGARDING THE REGULATION OF HOTELS, BED AND BREAKFASTS, AND SHORT-TERM RENTAL PROPERTIES; ESTABLISHING DEFINITIONS; ESTABLISHING LICENSE REQUIREMENTS; ESTABLISHING SPECIFIC VIOLATIONS; PROVIDING FOR MINIMUM STANDARDS AND NOTICE OF VIOLATION; PROVIDING FOR APPLICATION OF STANDARDS; ESTABLISHING A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas (the “City”) is a Home-Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

WHEREAS, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, the City is further authorized to enact and enforce minimum standards relating to the use and occupancy of structures pursuant to Subchapter A of Chapter 214 of the Texas Local Government Code; and

WHEREAS, the regulation and licensure of permitted short-term rental business operations within the City is necessary and essential to the economic health of the community and the preservation and protection of the public welfare; and

WHEREAS, the regulation and licensure of permitted short-term rental properties will preserve and protect public health, safety, and well-being of the community; and

WHEREAS, the implementation of these regulations will also assist with the preservation and protection of property values and the City’s tax base within the City; and

WHEREAS, on May 6, 2025, the City Council adopted an interim prohibition for a period not to exceed one year, which stayed all pending special use permit (“SUP”) applications submitted under Article XXI. Special Use Permits, Section D. Special Conditions, 2. Subsection f. Hotel And Transient Lodging of the Comprehensive Zoning Ordinance; and

WHEREAS, in July the City Council directed staff to present information regarding child safety zones, human trafficking, zoning options, notification processes, restriction/regulation options, and an administrative permitting process; and

WHEREAS, in September criminologist Dr. del Carmen presented his findings regarding elevated crime rates for and around short-term rental (“STR”) and bed and breakfast (“B&B”) uses located in the City; and

WHEREAS, the City Council also received information about the prevalence of sex offenders and human traffickers using transient lodging to mask their activities, but efforts by the hospitality industry to subvert those activities has led to the potential for an increase of STR and B&B usage by such persons; and

WHEREAS, the City Council next received information about different zoning options available, such as density restrictions between uses, prohibiting STRs and B&Bs in child safety zones, prospective or total ban on uses, and caps on the number of SUPs or administrative permits for STRs and B&Bs in the City; and

WHEREAS, finally, the City Council received and discussed different administrative regulations, to be addressed through a licensing process, such as noise, trash, use, parking, notification, adult background checks, anti-trafficking education, and age restrictions, among others; and

WHEREAS, after considering all the options presented by staff, and consideration of the public hearing comments made during previous SUP applications at public meetings, the City Council directed staff to draft ordinances that would provide non-conforming rights to all STRs and B&Bs operating in compliance with City regulations in existence on December 2, 2025, but prohibit any new STRs or B&Bs within the City as of December 2, 2025, with additional administrative regulations to prevent illegal activities such as trafficking or violating the City's child safety zone regulations; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, health, and safety of the City to adopt updated regulations relating to the safety of structures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1.

All the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2.

Chapter 97 of the Code of Ordinances of the City of Carrollton, Texas, is hereby amended in its entirety and shall read as follows:

“CHAPTER 97. HOTEL, SHORT-TERM RENTAL, BED AND BREAKFAST CODE

Subchapter I. – General.

Sec. 97.01 – Purpose.

The purpose of this chapter is to ensure the continued availability of transient lodging within the City of Carrollton, to protect the health, safety, and welfare of the public, and to ensure the proper operations of a hotel, short-term rental, and bed and breakfast rental in accordance to city codes and ordinances. The purpose of this chapter is to require the issuance of a lodging license to operate, conduct, or own a hotel, short-term rental, or bed and breakfast within the City of Carrollton regardless of the date of the hotel's construction, establishment of a short-term rental, or establishment of a bed and breakfast. This chapter establishes standards for the issuance of said license; to establish rules and regulations under which such license shall remain in force, be denied or revoked; and providing penalties for violations. This chapter is remedial and essential to the public interest, safety, health, and welfare, and this chapter is liberally construed to effectuate its purposes.

Sec. 97.02 – Definitions.

For the purpose of this chapter, the following terms, words, and derivations shall have the meaning given, unless the context clearly indicates or requires a different meaning:

Advertise - means an act of drawing the public's attention in order to promote the availability of a residential property for use as a hotel, long-term rental, short-term rental, or bed and breakfast. Said advertising may be found in any medium, including but not limited to newspapers, magazines, brochures, websites, mobile applications, or other social media sites.

Bed and Breakfast (B&B) - means a dwelling, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) consecutive days and which is permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

Bedroom - means a living area(s) of the dwelling unit that is designed and furnished for sleeping and which has proper egress as required by the City of Carrollton's adopted building and fire codes.

Board – means the Property Standards Board.

Booking service - means any reservation and/or payment service provided by a person or entity that facilitates a hotel, long-term rental, short-term rental, or bed and breakfast transaction between the owner and a prospective occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the hotel, long-term rental, short-term rental, or bed and breakfast transaction.

Calls for service (CFS) – means and includes, but is not limited to, any and all calls to emergency services, (police, fire, medical, code enforcement, and development services) that result in a city employee being dispatched or directed to a premise. This shall include any calls for service within the surrounding neighborhood that, through information or investigation, can be attributed or traced to the premises. Calls for service include any self-initiated activity or

investigation based on the observation(s) of an emergency services representative that results in a written report. Multiple calls regarding the same event shall be treated as a single call for service for purposes of calculating the CFS room ratio. Calls from employees of the premise are excluded from being used to determine the calls for service room ratio. Calls for service include, but are not limited to:

1. Commission of crimes that are drug related or drug related arrests;
2. Commission of crimes that are prostitution related or prostitution related arrests;
3. Commission of crimes that are a breach of the peace;
4. All fire alarms;
5. Immediate public safety and health issues; or
6. Noncompliance with federal law, state law, or city codes and ordinances.

Calls for service room ratio - means the number of calls for service divided by the total number of guest rooms during the time period set forth herein.

Clean condition - means free from:

1. Chemical contamination;
2. Microbial contamination;
3. Insect or rodent contamination;
4. Displaying or undergoing spoilage, putrefaction; or
5. Trash, debris, dirt, or refuse

Provided, however, such condition shall not be attributable to the hotel, short-term rental, or bed and breakfast unless it exists in a room within two days after it was vacated by the occupant.

Commissioned security officers - means officers who have successfully undertaken and passed a state and national criminal history check and passed the 30 hour training class provided by the Private Security Bureau of the Texas Department of Public Safety.

Designated city official or DCO - means the City Manager, and may include the City Manager's designee or delegated staff or duly authorized representative of the City Manager.

Drug related – means and includes, but is not limited to, the manufacture, cultivation, importation into the state, transportation, possession, possession for sale, sale, furnishing, administering, or giving away or providing a place to use or fortification of a place involving any illegal or controlled drug, narcotic, or drug paraphernalia.

Duplex –means, for purposes of this chapter, a detached building containing not more than two (2) dwelling units, whereby both individual dwelling units within the building are located on the same lot of record and separated by a party wall or abutting wall.

Dwelling – means any building, or portion thereof, which is designed for use for residential purposes.

Dwelling unit, Residential –means, for purposes of this chapter, a single-family attached, single-family detached, or duplex providing complete, independent living facilities for one family or persons, and including a residential kitchen, bathroom, and provisions for living, sleeping, and sanitation; accessible independently of another dwelling unit or portion thereof. Dwelling unit, residential does not include hotels, motels, or non-residential uses where rooms are rented.

Hosting platform - means a person or entity that participates in the hotel, long-term rental, short-term rental, or bed and breakfast business by providing, and collecting or receiving a fee for, booking services through which an owner may offer premises or guest rooms to an occupant on a long-term or short-term basis. Hosting platforms usually, though not necessarily, provide booking services through an online platform and allows an owner to advertise the premises through a website or phone number provided by the hosting platform and the hosting platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be occupant pays rent directly to the owner or to the hosting platform.

Hotel – means, for the purposes of this chapter, any commercially designed structure or establishment in the city having five (5) or more rooms where transient guests are lodged for pay and provides amenities such as maid service, laundry, concierge, meeting rooms, exercise rooms, pool, and business services (fax, internet, voice mail, courier, etc.) which may only be provided to guests.

Guest room - means the portion of the hotel or bed and breakfast which may be used by a guest as a temporary residence, including single rooms and suites which are primarily used for sleeping accommodations.

Law - means any federal, state statute, city ordinance, court decision, or regulation.

Let or let for occupancy - means to permit, provide, or offer possession or occupancy of a dwelling unit, rooming unit, building, premise, or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement, or license, or pursuant to recorded or unrecorded agreement or contract for the sale of land.

Manager –means any person who manages the business operations of any hotel, STR or B&B on behalf of the owner and/or management company, whose duties may include the collection of rental charges, issuing of keys, direction of maintenance personnel, assigning of rooms to guests, handling guest affairs, or overseeing security.

Occupant – means any individual person living, sleeping, or possessing a residential dwelling unit, or portion thereof. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract, or other legal document to be considered an occupant.

Operator – means any person who is the proprietor of any hotel whether in the capacity of the owner, lessee, receiver, sub-lessee, franchisee, mortgagee in possession, hotel management company, or agent of any of the aforementioned, who offers or accepts payment for rooms, guestrooms, sleeping accommodations, or board and lodging, and retains the right of access to, and control of, dwelling units.

Person – means an individual, corporation, business trust, estate trust, partnership, or any other group acting as a unit.

Premises – means property, a lot, plot, or parcel of land, including any structures or portions of structures thereon.

Prostitution related – means and includes, but is not limited to, incidents that involve prostitution or prostitution related crimes, such as pimping or pandering, in violation of city and/or state codes.

Short-Term Rental (STR) – means a residential dwelling unit used for lodging accommodations to occupants for a period of less than thirty (30) consecutive days that is not permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

Sec. 97.03. – Application for lodging license.

All applications for a lodging license shall be filed on forms provided by the city. An application is not complete until all required information is submitted along with the applicable fee, as set forth in chapter 31 of the City Code. Additional information may be required based on the proposed use, but in general the following information is required:

- (A) Owner, operator, or manager's name, address, email address, telephone number, driver's license number, or identification card number, and state of issuance of the owner, operator, or manager;
- (B) If owner, operator, or manager is a partnership, the name of all partners, the principal business address, business email address, and telephone number of the partnership;
- (C) If owner, operator, or manager is a corporation, the person registering must state whether it is organized under the laws of this state or is a foreign corporation, and must show the mailing address, business location, corporate email address, telephone number, name of the person in charge of the local office of such corporation, if any, and the names of the registered agent, all officers and directors or trustees of such corporation, and, if a foreign corporation, additionally the place of incorporation and proof of authority to conduct business in this state;
- (D) Official criminal history from each state of residence for each owner, operator and manager that has been convicted of or is continuing on or has completed parole or probation for a crime during the last five years for any offense constituting a misdemeanor or felony involving weapons, narcotics, assault, trafficking, prostitution, or crimes of moral turpitude;
- (E) Street address of the premises;

- (F) Number of guest rooms or bedrooms, as applicable;
- (G) Maximum number of persons who can be accommodated at any given time;
- (H) Signature of each of the owners, operators, or the owner or operator's agent;
- (I) The Texas taxpayer number obtained from the Texas Comptroller's Office for hotel occupancy tax;
- (J) The name and contact information of the owner's designated local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said party must be available to be reached in person or by phone at all times while occupants are on the premises. If called, a local responsible party must be able to and shall be present at the premises within one hour of call from the DCO. A local party must be authorized to make decisions regarding the premises and its occupants. A local responsible party may be required to, and shall not refuse to, accept service of citation for any violations on the premises. Acceptance of service shall not act to release the owner of any liability under this chapter.

All material provided in the application must be updated and current with the city at all times by the owner, operator, and manager. Any material misrepresentation in the application for the lodging license or a failure to provide the required information shall be grounds for denial of the application or revocation of the lodging license.

Sec. 97.04. – Denial of lodging license.

A lodging license shall be denied for any of the following reasons the DCO may discover or deem advisable or necessary during the review of the application:

- (A) The premises as constructed or as proposed to be operated by the applicant does not comply with all applicable laws including, but not limited to, the applicable building, zoning, housing, fire, safety, and health regulations and codes;
- (B) The owner, operator, and/or their manager is or has been a registered sex offender;
- (C) There are uncorrected code violations on the premises;
- (D) The applicant has knowingly made a material misstatement in the application for the lodging license.

Sec. 97.05. – Revocation of lodging license.

- (A) A lodging license shall be revoked by the Board if the owner, operator, or manager is convicted of or receives deferred adjudication or probation for a drug related or prostitution related crime. A lodging license owner, operator, or manager shall

immediately notify the City upon the occurrence of a conviction, deferred adjudication, or probation under this section.

- (B) A lodging license shall be revoked by the Board upon good cause shown that the operation of the hotel, STR, or B&B is such that it is or has negatively impacted the health, safety and/or welfare of its guests or the neighboring community to the extent that it is a public nuisance. The decision for revocation shall be based on, but is not restricted to, the following:
1. Non-compliance with federal, state, and/or city codes and ordinances;
 2. Drug-related calls for service and/or drug-related arrests;
 3. Prostitution-related calls for service and/or prostitution-related arrests;
 4. The operator, owner, and/or the manager have failed to correct a violation within the time period ordered by the city;
 5. Any other conditions, problems, issues, concerns, or facts arise or are present on the premises that are prohibited under this chapter;
 6. There are uncorrected code violations on the property;
 7. False statements were intentionally made by the owner, operator, or company regarding matter(s) in the application for a lodging license or in a hearing concerning the lodging license;
 8. The owner, operator, or manager fails to notify the DCO in writing of any material change in the information contained in the lodging license application within thirty (30) days of the change;
 9. The owner, operator, or manager fails to pay a fee required by this chapter at the time the payment is due; and/or
 10. The owner, operator, or manager fails to pay any hotel occupancy tax in accordance with Title III, Chapter 38 - Taxation of the Carrollton Code of Ordinances.
- (C) In processing a revocation, the DCO shall prepare an investigation report that details the circumstances that have led to the request for a revocation. It may include, but not be restricted to, any or all of the following:
1. Frequency or occurrence of violation(s), arrest(s), or call(s) for service;
 2. Seriousness of the violation(s), arrests(s), or call(s) for service;
 3. History of code violations(s);
 4. Any activity, action or effort taken by the responsible party to obstruct or interfere with correction of the problem; and/or
 5. The impact of the violation(s), arrest(s), or call(s) for service on the surrounding property and community.

Sec. 97.06. – Process for denial or revocation of a lodging license or tier classification.

- (A) *Filing appeal.* Any owner, operator, or manager that had its lodging license denied by the DCO, or who has undergone tier classification by the DCO may appeal this action of the DCO to the Board. Within thirty (30) days of the DCO's action, the

owner, operator, and/or manager must file a written appeal at the office of the city building official with the following information:

1. A heading in the words: "Before the Property Standards Board."
2. A caption reading: "Appeal of Denial of a Lodging License" or "Appeal of Tier Classification," and providing the names of all appellants participating in the appeal.
3. A brief statement setting forth the legal interest of each of the appellants in the premises involved in the denial, revocation, or classification change of a lodging license.
4. A brief statement in ordinary and concise language of that action protested, together with any material facts claimed to support the contentions of the appellant.
5. A brief statement in ordinary and concise language of the relief sought and reasons why it is claimed the denial, revocation, or classification change should be reversed, modified, or otherwise set aside.
6. The signatures of all parties named as appellants and their official mailing addresses.
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
8. Produce all documents that the appellant has relied upon.

(B) *Processing of appeal and stay of enforcement.* Upon receipt of any appeal filed pursuant to this section, the building official shall present the appeal at the next available regular or special meeting of the Board. Enforcement of the denial or revocation of a lodging license or tier reclassification shall be stayed during the pendency of such action that is properly and timely filed.

(C) *Filing revocation.* Upon good cause shown in the investigation report, the DCO shall file a written revocation request at the office of the city building official containing the following:

1. A heading in the words: "Before the Property Standards Board of the City of Carrollton."
2. A caption reading: "Revocation of a Lodging License" giving the names and addresses of owners, operators, or managers (as shown on the most recent license application) and the physical address of the premise.
3. A brief statement in ordinary and concise language of why the lodging license should be revoked together with any material facts claimed to support the contentions of the DCO.
4. The signature of the DCO and his official mailing address.

(D) *Notice of hearing.*

1. Notice of the hearing before the Board shall be delivered to the owner, operator, or manager as listed on the application

2. Notice shall be by one of the following methods at least fifteen (15) calendar days prior to the hearing:
 - (a) Personal service delivered; or
 - (b) Certified mail, return receipt requested, and regular mail. Notice shall be sufficient if the return receipt is returned; or unsigned for any reason, and the regular mail is not returned.

(E) *Hearing.*

1. The DCO shall present to the Board evidence of the property condition, the extent of danger or hazard to health, safety and welfare, and all other evidence that supports denial or revocation of the lodging license or change in classification of tier.
2. The owner of any interest in the property may present evidence on relevant issues and has the burden of proof to demonstrate the scope of any work that may be required to comply with city ordinances and the time it will reasonably take to perform the work.
3. Any party may examine or cross-examine any witness before the Board. Strict rules of evidence or procedure are not required, but the Board has the authority to enforce strict decorum and may cause the removal of anyone who causes a disruption.
4. Only those matters or issues specifically raised by the appellant in the written appeal or by the DCO in the revocation request shall be considered by the Board during the appeal hearing.

(F) *Findings of the Board for a denial or revocation hearing or tier re-classification hearing.* After hearing evidence from any interested party, the Board may:

1. For a denial or revocation hearing:
 - (a) Uphold the denial of a lodging license; or
 - (b) Overturn the denial and grant a lodging license.
2. For a revocation hearing:
 - (a) Uphold the revocation for a lodging license; or
 - (b) For cases of revocation based solely on continuing code violations uphold the revocation for a lodging license until the code violations have been corrected; or
 - (c) Overturn the request for revocation and reinstate the lodging license.
3. For a tier re-classification hearing find:
 - (a) The hotel is classified as a Tier 1 hotel; or
 - (b) The hotel is classified as a Tier 2 hotel.

(G) Upon the issuance of a final decision by the Board upholding the decision of the DCO, the DCO shall file in the office of the County Clerk of the county where the property is located a certificate describing the property and the final action of the Board.

- (H) Whenever a lodging license has been revoked by the Board, the operator, owner, or manager for which the lodging license was issued shall surrender such license to the city. The operations of the premises shall cease within ten (10) calendar days of the notice of revocation of the lodging license.
- (I) The action of the Board under this section may be appealed to a State District Court of the county in which the premise, which is the subject of the action, is located if such appeal is filed within thirty (30) days of the Board's action.
- (J) An appeal of the denial or reclassification finding by the Board to the State District Court of the county in which the property is located does not stay the effect or the use of any enforcement measure.

Sec. 97.07. – Requirements and restrictions for lodging license uses.

- (A) Each owner, operator, or manager shall cause to be maintained a complete register for each occupant to whom any premise or guest room is let. The register shall contain the following information:
 - 1. Correct name and permanent address, designating street and number, city, state, and country;
 - 2. Actual dates of occupancy indicating check-in time, checkout time, and guest room number, if applicable;
 - 3. Number of individuals staying at the premises or in the guest room;
 - 4. Amount of the bill and method of payment; and
 - 5. Register records shall be maintained for a period of two (2) years for each occupant at a premise or in a guest room.
- (B) No owner, operator, or manager shall allow or permit any hourly charge for any premises or a guest room.
- (C) No owner, operator, or manager shall allow or permit any premises or guest room to be rented more than twice in any 24-hour period commencing at 12:01 a.m.
- (D) No owner, operator, or manager shall knowingly let, allow, or permit the premises or any guest room to be used for any illegal purpose including but not limited to:
 - 1. Prostitution;
 - 2. Gambling;
 - 3. Drug use, sale, or manufacture of drugs; and/or
 - 4. Sale of alcoholic beverages.

It shall be prima facie evidence that a premise is being used for illegal purposes if the owner, operator, or manager provides false information to the city regarding the identity of and/or the hours of occupancy by any occupant.

(E) Interference with Emergency Request for Assistance.

1. A owner, operator and/or manager commits an offense if the owner, operator and/or manager knowingly prevents or interferes with another individual's ability to place an emergency telephone call or to request assistance in an emergency from a law enforcement agency, medical facility, or other agency or entity the primary purpose of which is to provide for the safety of individuals.
2. A owner, operator and/or manager commits an offense if they recklessly render unusable a telephone that would otherwise be used by another individual to place an emergency telephone call or to request assistance in an emergency from a law enforcement agency, medical facility, or other agency or entity the primary purpose of which is to provide for the safety of individuals.
3. In this section, "emergency" means a condition or circumstance in which any individual is or is reasonably believed by the individual making a call or requesting assistance to be in fear of imminent assault or in which the property is or is reasonably believed by the individual making the call or requesting assistance to be in imminent danger of damage or destruction.

(F) It shall be unlawful for the guest, owner, operator, or manager of a hotel or B&B to allow an occupant to park a motor vehicle on a residential street adjacent to or near the hotel or B&B, as applicable.

(G) Continued maintenance and compliance with this chapter are conditions that are necessary to retain a lodging license and to obtain any renewal of the license.

Sec. 97.08. – Minimum premises conditions and standards.

- (A) *Code compliance.* The premises and guest rooms shall fully comply with all City construction, fire, and health, safety, and property maintenance codes.
- (B) *Mattress condition/cleanliness.* Mattresses shall be free of stains, holes, rips, or odors in excess of normal wear and tear, and be maintained in a sanitary, non-defective condition (e.g., without broken springs, indentations, sags, etc.). Any coverings placed over mattresses to prevent stains, and excess wear must be removable and not permanently attached to the mattress or box spring (e.g., not stapled, nailed, or pinned or tied down to the mattress or box spring).
- (C) *Linen condition/cleanliness.* Linens provided by the hotel shall be maintained in a sanitary condition and be free of stains, holes, rips, or odors in excess of normal wear and tear. Linens shall be replaced upon each change of occupancy or at least once a week when occupancy does not change. Linens shall be cleaned with appropriate sanitizing material to insure disinfection. Linens include, but are not

restricted to, pillowcases, sheets, quilts, bedspreads, blankets, comforters, and towels.

- (D) *Bathroom condition.* Bathroom fixtures (e.g., toilet, bathtub, sink, shower, mirror) shall be maintained without cracks, chips, or stains.
- (E) *Carpet condition/cleanliness.* Carpeting shall be free of stains, holes, rips, or odors in excess of normal wear and tear, and shall be maintained in a sanitary, non-defective condition.
- (F) *Floor condition/cleanliness.* Non-carpeted floor surfaces shall be made of non-absorbent material. All surfaces and tile grouting shall be maintained without cracks, rips, or missing elements.
- (G) *Wall condition/cleanliness.* Wall surfaces shall be maintained in a clean and sanitary condition.
- (H) *Mold/mildew.* All surfaces, including carpeting and flooring, and fixtures shall be free from mold and mildew.
- (I) *Electrical equipment.* For the purpose of this chapter, electrical equipment shall include furniture items installed by the owner, operator or manager, including air conditioners, televisions, lamps, etc. All electrical items must be properly maintained and be in operable condition.
- (J) *Furniture condition.* All furniture items shall be maintained in proper working condition, without structural defects.
- (K) *Window coverings.* Shades, draperies, or blinds shall be appropriately hung to cover all windows and appropriate light fixtures. All shades, draperies, blinds, shall be free of stains, holes, rips, or odors in excess of normal wear and tear, and be maintained in a sanitary, non-defective condition.
- (L) *Storage rooms.* No more than ten percent (10%) of the premises or guest rooms may be used for storage room purposes.
- (M) *Windows.* All windows designed to be opened shall be operable and have an operable window security or locking device. All windows shall be intact and free of cracks.
- (N) *Mirrors.* All mirrors shall be intact and free of cracks.
- (O) *Pest control.* All hotel premises shall be treated for insects at least once a year by an exterminator licensed by the state.

- (P) *Pest control maintenance.* All hotel premises shall be maintained so that they are free from rodents, insects, and vermin and free from conditions that encourage or harbor rodents, insects, and vermin.

Sec. 97.09 – Enforcement.

- (A) *Offense.* Each violation of this chapter shall constitute a separate offense.
- (B) *Culpable mental state.* Allegation and evidence of a culpable mental state is not required for proof of an offense defined by this chapter except where expressly required by this chapter.
- (C) *Imminently dangerous conditions.*
1. Any condition which is reasonably believed to be imminently dangerous to the life, limb, health, or safety of the occupants of the premises or to the public, may result in a court summons. Such conditions include, but are not limited to, non-functional smoke detectors, lack of or non-functional interior door locking devices, windows which do not open, or which open but fail to stay open, sewer leaks, inoperable telephones, or telephones that fail to connect to the emergency 911 telephone number.
 2. Upon reasonable notice provided to the owner, operator, or manager of a hotel, STR, or B&B, imminently dangerous conditions may be immediately abated by the DCO. Actions taken to abate the imminently dangerous conditions may include, but are not limited to, repair or removal of the condition creating the danger and/or the restriction from use of occupancy of the premises on which the dangerous condition exists or any other abatement action determined by the DCO to be necessary. In the event use of occupancy is restricted, the owner, operator or manager shall discontinue the use within the time prescribed by the DCO after receipt of such notice.
 3. If entry onto the premises and access to guest rooms constituting an imminently dangerous condition in violation of this chapter is denied to the DCO by the owner, operator, or manager of the premises, the DCO may seek a court order and/or inspection and abatement warrant from a court of competent jurisdiction to authorize the immediate abatement of the imminently dangerous conditions.
- (D) *Expenses recoverable.* Costs for any abatement performed by, or on behalf of the city, including the cost of police services provided and including the relocation of occupants of the premises shall be recoverable by the city.
- (E) *Lien on the premises.* Expenses incurred pursuant to this chapter shall be charged against the premises and attached as a lien on which the work is done, or improvements made and charged to the owner of the premises for the same.

- (F) *Time for compliance.* A hotel, STR, or B&B owner, operator, or manager will have thirty (30) calendar days to address and abate all other code violations not considered imminently dangerous as stated in this section or longer if the owner, operator, or manager is unable to remedy the code violation through no fault of its own.
- (G) *Reinspection.* At the time of reinspection by the DCO, the DCO will charge the hotel a base reinspection fee as set forth in sec. 31.01(D)(3)(a) of the City of Carrollton Code of Ordinances fee schedule, plus a \$13.00 fee for each guest room that has to be reinspected. Reinspection fees for STRs or B&Bs will be charged as set forth in sec. 31.01(D)(3)(b) of the City of Carrollton Code of Ordinances fee schedule.
- (H) *Non-renewal.* If the lodging license for a hotel, STR, or B&B use is not renewed, the owner shall discontinue the use no later than the date on which the existing permit or any extension thereof expires.
- (I) *Notices by the City.* A notice given by the city pursuant to this chapter is deemed to have been delivered by the city on the date that it is delivered in person; posted on or near the front door of the structure if personal delivery cannot be obtained; or delivered by certified mail to the owner, operator, or manager at the address provided by the registrant in the application for the lodging license. If notice is returned as “refused” or “unclaimed,” the validity of the notice is not affected, and the notice is considered delivered.
- (J) *Administrative adjudication hearing.* At the option of the city, the city may proceed under the alternative procedure set forth in Local Government Code, section 54.044 et seq., as it may be amended, and the remainder of Local Government Code, section 54.031, et seq., as amended. The hearing must be held within thirty (30) days after notice of the hearing and shall be conducted in accordance with the statute and sec. 39.03 of this Code. Each violation of this chapter shall constitute a separate violation for each day or part of a day during which the violation is committed, continued, or permitted, unless otherwise provided. The civil penalty for a violation of a provision of this chapter may not exceed \$1,000.00.
- (K) *Priority.* In the event of a conflict between the terms of this chapter 97 and any other chapter of Title IX of the City of Carrollton Code of Ordinances, the requirements set forth in this chapter shall control.

Sec. 97.10 – Hotel Occupancy Tax.

It shall be unlawful for the owner or operator of the premises to fail to remit payment of hotel occupancy taxes required under state law and Chapter 38 of the Carrollton Code of Ordinances. Upon request by the DCO or the Finance Department of the City of Carrollton, the owner or operator of the premises shall remit, within thirty (30) days, an accounting of all occupants who

rented the premises or guest room and the hotel occupancy taxes paid therefor. It shall be unlawful for an owner, operator, or manager to fail to provide said information requested in a timely manner.

97.11. – Penalty.

An operator, owner, manager, or responsible person who violates any provisions of this chapter may be found guilty of a misdemeanor, and upon conviction is punishable as set forth in sec. 10.99 for each act of violation and for each day or part of a day during which the violation is committed, continued, or licensed.

Subchapter II. – Hotels.

Sec. 97.15. – Application for lodging license - Hotel.

- (A) It shall be unlawful to operate a hotel without a lodging license.
- (B) An application for a lodging license shall be filed with the DCO on an annual basis by the owner or operator of the hotel in accordance with sec. 97.03. Applications must be submitted by the designated date established by the DCO.

Sec. 97.16 – Hotel Classification by CFS Room ratio.

- (A) Upon receipt of the lodging license application, the DCO shall determine the calls for service (CFS) room ratio of all hotels located within the City of Carrollton during the previous calendar year, or during actual operations if less than twelve (12) months during the previous calendar year.
- (B) Based upon the CFS room ratio determined by the DCO, all hotels shall be classified during that year according to the following tier system:
 - 1. *Tier 1.* Less than or equal to 1.0 CFS/room/year, or
 - 2. *Tier 2.* Greater than 1.0 CFS/room/year.
- (C) A hotel which has not previously operated in Carrollton shall be presumed to be a Tier I hotel until the next registration period or until the DCO classifies it.
- (D) Upon completion of the annual lodging license inspection and review of all calls for service, the DCO shall notify each hotel owner and/or operator within the city, in writing by personal service, certified mail or other method which provides confirmation of delivery, of the CFS room ratio which shall be used as the classification for that hotel for that ensuing lodging license year.
- (E) The city may monitor the CFS room ratio for each hotel on an ongoing basis. The city may change the status of any Tier 1 hotel during a calendar year upon notice in writing to the owner by personal service, certified mail or other method which provides confirmation of delivery that the CFS room ratio of such hotel has

increased proportionately such that the CFS room ratio, if annualized, would fall within the Tier 2 level. This notice shall include:

1. The designation assigned to the hotel;
 2. As allowed by law, data specifying the types of CFS identified as having occurred on the property during the period reviewed, including the incident numbers assigned to such CFS, and the date and time of each call to allow the owner to understand the basis of the designation;
 3. The requirement of a mandatory inspection to be conducted by the DCO;
 4. The opportunity and procedures by which the owner may challenge the data provided to the owner pursuant to this subsection upon which the designation is based.
- (F) Upon such notice of initial classification or reclassification the owner or operator shall have ten calendar days from the date of notice to show proof to the DCO that the revised CFS room ratio is erroneous. After receipt of such information from the owner or operator, the DCO shall classify the hotel as a Tier 1 or Tier 2 within ten (10) calendar days of receipt of such information. The owner, operator, or manager may appeal the DCO's decision pursuant to sec. 97.06 .
- (G) The owner or operator shall have thirty (30) calendar days from the date of notice of tier classification or reclassification (or from the date of the decision of the appeal if there was an appeal) to implement completely the changes in operation required by the revised classification. Failure to comply with this provision may result in revocation of the lodging license.

Sec. 97.17. – Denial of lodging license – Hotel.

- (A) In addition to the grounds set forth in sec. 97.04, a lodging license for a hotel shall be denied for any of the following reasons the DCO may discover or deem advisable or necessary during the review of the application:
1. Tier 2 hotels may be denied a lodging license if their CFS room ratio fails to meet the Tier 1 CFS room ratio within 12 months of being notified of their Tier 2 standing; and
 2. Based on the initial CFS room ratio determined by the DCO directly after passage of the ordinance codified in this chapter, a hotel with CFS room ratio of 2.0 or greater shall be denied a lodging license.
- (B) The owner, operator, or manager may appeal the DCO's decision pursuant to sec. 97.06.
- (C) After the time allowed to appeal the decision of the DCO has elapsed without an appeal, the DCO shall file in the office of the County Clerk of the county where the premises is located a certificate describing the premises and the final action of the DCO.

Sec. 97.18. – Revocation of lodging license – Hotel.

- (A) A hotel's lodging license shall be revoked by the Board in accordance with the process set forth in sec. 97.06.
- (B) In addition to the grounds set forth in sec. 97.05, the lodging license for a hotel shall be revoked by the Board based on, but not limited to, the following:
 - 1. Calls for fire, police, emergency medical service, pursuant to sec. 97.16.
- (C) Upon confirmation and final decision issued by the Board, the DCO shall post on the hotel premises a copy or copies of the revocation of the lodging license.
- (D) A posted notice of the revocation of the lodging license may only be removed by an authorized DCO. Any removal, covering, defacing, altering, or tampering by unauthorized person(s) may be prosecuted as a misdemeanor violation of this chapter.

Sec. 97.19. – Limitation on continuous and cumulative occupancy in a hotel.

- (A) The guest rooms of a hotel shall be let only for the use of occupants for a temporary basis and shall not be used or occupied on any permanent basis, and no occupant shall be deemed to be a resident of a hotel.
- (B) It shall be unlawful for a Tier 1 hotel to let or otherwise provide any guest room therein to any occupant for more than 365 consecutive days.
- (C) It shall be unlawful for a Tier 2 hotel to let or otherwise provide any guest room therein to any occupant for more than 60 days in any 180 consecutive day period.
- (D) It shall be unlawful for the owner, operator, or manager to allow registration under a different name in order to avoid the continuous and cumulative occupancy restrictions set forth in this section.
- (E) Any property left in a guest room by an occupant that has checked out shall be removed by the owner, operator, or manager of the hotel, before the guest room may be occupied by another occupant and be stored or disposed of in accordance with applicable laws.

Sec. 97.20. – Requirements and restrictions for lodging license uses – Hotel.

In addition to the conditions set forth in sec. 97.07, the following requirements and restrictions shall apply:

- (A) *Rates.* Guest room rates shall be posted in a prominent location in all guest rooms. Occupants shall not be charged in excess of posted rates. A range of rates is acceptable in the posting.
1. Consistent with state law, an owner, operator, or manager shall post a card or sign in a conspicuous place in each guest room stating:
 - (a) The daily room rate; and
 - (b) The date the card or sign was posted.
 2. An increase in the daily room rate is not effective until the 30th day after the date a card or sign with the increased rate is posted.
 3. The owner, operator, or manager of a hotel having twenty (20) or more rooms shall give an occupant assigned a guest room a ticket showing the daily room rate being charged for the room. The room rate on the ticket must conform with the rate posted under subsection (1).
- (B) *Complaints.* For hotel occupant complaints the telephone number and address for the DCO shall be posted in a prominent location in all guest rooms and public reception area.
- (C) *24-Hour Accessibility.* A representative of the owner, operator, or manager of a hotel shall be present and accessible to the DCO in person, on a 24-hour basis.
- (D) *Tier 2 Requirements.*
1. Owners, operators, or managers shall require any occupant to whom any guest room is let to provide evidence of his or her identity and address of residence, and, in addition thereto, the full and true name and address of each member of his party.
 2. 24-hour on-site security provided by commissioned security officers.
 3. All commissioned security officers must be in uniform and must be registered with the Private Security Bureau of the Texas Department of Public Safety.
 4. Commissioned security officers must have a Class 8 security contractor license issued from the Private Security Bureau of the Texas Department of Public Safety.
 5. Shall maintain records of the correct license or registration number, state of registration, and make/model of any vehicle or mode of transportation for any occupant at the hotel.
- (E) *Posted rules.* The hotel shall post rules and include such rules in material provided to an occupant or posted in each guest room to the effect that if any criminal activity in a room occurs or if an occupant engages in criminal activity on the grounds, such occupant will be immediately evicted. Such rules shall be strictly enforced.
- (F) *Parking restrictions.* It shall be unlawful for the owner, operator, or manager of a hotel to allow an occupant to occupy a motor home, recreational vehicle, boat,

commercial vehicle or otherwise prohibited motor vehicle on the premises of a hotel.

- (G) *Occupancy restrictions.* It shall be unlawful for the owner, operator, or manager of a hotel to rent, let, allow, provide, or advertise for more adult guests which exceed the occupancy load requirements found in the table below:

Hotel Room Size (square feet)	Maximum Number of Adults
200 - 299	2
300 - 374	3
375 - 449	4
450 - 524	5
525 - 599	6
600 - 675	7
675 and up	8

Sec. 97.21. – Minimum premises conditions and standards - Hotel.

In addition to the conditions set forth in sec. 97.08, the following premise conditions and standards shall apply:

- (A) *Bathroom cleanliness.* Floors shall be washed with water and a sanitizer at change of occupancy or at least once a week when occupancy does not change. Daily cleaning schedules shall be maintained in the owner's, operator's, or manager's office.
- (B) *Minimum occupancy.* A minimum of ninety percent (90%) of all guest rooms must be available or in use for occupancy at all times.
- (C) *Exterior lighting.* The exterior of the hotel premises, including adjacent public sidewalks and parking lots under the control of the owner, operator, or manager shall be illuminated at least between one hour after sundown and one-half hour before sunrise. Illumination shall be a minimum of one-tenth of one foot-candle throughout the premises and shall not exceed four-tenths of one foot-candle of light measured at the property line.
- (D) *Premises inspections.* The hotel shall maintain a detailed list of required duties for premises inspection, the employee or position responsible for such inspection and a schedule for performance and a record of compliance. Such list shall include a requirement for at least weekly inspection of the entire premises for operational safety devices, fire extinguishers, and damage to the exterior of the hotel and related parking areas and daily inspection and cleanup of the grounds, including trash and garbage containers for trash and debris not placed within such containers and records shall note the date and time of compliance and the signature or initials of the person carrying out such duties.

- (E) *Housekeeping schedules.* The hotel shall maintain a detailed list of duties for housekeeping personnel and a schedule and log for cleaning guest rooms, replacing linens, inspecting for damage, and other housekeeping duties. Such list and schedule shall conform to other requirements of this chapter, and the log shall state the date and time of compliance and the initials of the housekeeping staff person who carried out such duties. Guest room inspections shall occur at least once a week for any guest rooms occupied by occupants staying in excess of ten (10) days.
- (F) *Guest room inspections.* The hotel shall maintain a list of duties for inspection of guest rooms and repair of damage or replacement of damaged items and a schedule for inspection by maintenance personnel which shall be at least weekly and in any event before occupancy by a new occupant. If not included in the duties of housekeeping personnel, such list shall include inspection to ensure that smoke alarm devices and telephones are operational as well as air conditioning units, plumbing, and door locks being operational and in good repair. A log shall be maintained noting date and time of such inspection and listing defects and repairs or replacements.

Subchapter III. – Short-Term Rentals and Bed and Breakfasts.

Sec. 97.25. –Application for lodging license – STR and B&B.

- (A) It shall be unlawful to operate a STR or B&B without a lodging license.
- (B) An application for a lodging license shall be filed with the DCO on an annual basis by the owner or operator of each STR or B&B in accordance with sec. 97.03. The lodging license shall be issued or denied within sixty (60) days upon receipt of the completed application. Applications must be submitted by the designated date established by the DCO.
- (C) In addition to the requirements set forth in sec. 97.03, the application for a lodging license shall contain the following information:
 - 1. A copy of the proposed host rules for the occupants of the STR or B&B;
 - 2. A parking plan for the premises identifying and illustrating the location of parking spaces to be used in conjunction with the STR or B&B;
 - 3. A dimensioned floor plan of the proposed STR or B&B identifying bedrooms, windows, other living spaces and emergency evacuation routes. The plan shall include a window schedule with the window height, width, base dimensions and whether it is operable;
 - 4. Proof of insurance evidencing host protection or other liability insurance commensurate with the operations of the STR or B&B that provides coverage up to \$1,000,000 (\$1 million dollars) per occurrence. A certificate of insurance must be on file with the DCO. Proof of insurance shall be required at the time of application and every renewal period and

notice of cancellation of insurance must be made to the DCO within 30 days;

5. The name and contact information for the STR or B&B's property owner's homeowners association (HOA), if any, of which the premises are covered by the dedicatory instruments;
6. The owner, operator, or manager of a STR or B&B must provide the name and website link to all internet platforms that host advertisements or take reservations for lodging at the STR or B&B at any time during a 12-month period from the date of application.

(D) The application for a lodging license hereunder shall constitute the consent of the applicant and owner to an inspection of the entire premises at reasonable times by the Code Enforcement Officers, Building Inspectors, Sanitarian Inspectors, Fire Inspectors, and other authorized departments of the City of Carrollton for the purpose of determining whether there is any violation on the premises of any ordinances of the City of Carrollton or any law of the State of Texas. Any inspection of the premises or occupied guest rooms at the time of the annual inspection for the lodging license shall not occur before 9:00 a.m. nor later than 7:00 p.m.

(E) Prior to approval of a lodging license, the DCO must inspect:

1. The interior of the STR or B&B, including all guest rooms, to determine whether they are uninhabitable, dangerous, or otherwise in violation of applicable laws. If occupied, the occupant and any representative of the STR or B&B shall be permitted to be present, but may not hinder or interfere, with said inspection;
2. The exterior of the premises and all of the common grounds of the STR or B&B;
3. Any or all storage areas, community buildings, swimming pools, athletic facilities, club rooms, equipment rooms, and all other portions of the STR or B&B premises;
4. In the event the DCO is denied entry by the owner, operator, manager, or occupant, that denial is a violation of this chapter and the DCO may use the authority provided by law to gain entry.

(F) The owner shall provide each adjoining property within two hundred (200) feet of the STR or B&B property, including properties located across alleys and streets, and the Homeowners Association or Neighborhood Association, when applicable, with written notice on an annual basis that the premises will be used as a short-term rental.

1. The notice shall contain:
 - (a) The full name of the owner or property manager;
 - (b) The telephone number of the landline of the premises; and

- (c) The telephone number of the local agent or person required to monitor a telephone associated with the management of the premises.
- 2. Notice shall be deemed to have been given if mailed to each property owner by certified or registered mail on the third business day after the date on which it is mailed.
- 3. The owner shall attach the certified mail return receipts, or USPS tracking information, as proof of proper notice to neighbors to the lodging license application.

Sec. 97.26. – Denial of lodging license – STR and B&B.

- (A) In addition to the grounds set forth in sec. 97.04, a lodging license shall be denied for a STR or B&B for any of the following reasons the DCO may discover or deem advisable or necessary in the course of the review of the application:
 - 1. The owner, operator, manager, or occupant of the STR or B&B refused to permit the mandatory inspection of the premises as required prior to issuing a lodging license;
 - 2. The owner, operator, or manager has previously been convicted of three (3) or more citations for violations of this chapter or any other provisions of the Code of Ordinances relating to the STR or B&B use within the preceding 12-month time period;
 - 3. If the owner, operator, or manager previously let the STR or B&B to an occupant who is a registered sex offender in premises located within a child safety zone, as defined in sec. 130.24 of the Code of Ordinances;
 - 4. If a lodging license for a STR or B&B has been revoked or denied for the premises within the past 12 months.
- (B) The owner, operator, or manager of the STR or B&B may appeal the DCO's decision pursuant to sec. 97.06.

Sec. 97.27 - Revocation of lodging license – STR and B&B.

- (A) A STR's or B&B's lodging license shall be revoked by the Board in accordance with the process set forth in sec. 97.06.
- (B) In addition to the grounds set forth in sec. 97.05, a STR or B&B lodging license shall be revoked by the Board based on, but not limited to, the following:
 - 1. The owner, operator, manager, or occupant of the STR or B&B has prohibited the mandatory inspection of the premises;
 - 2. The owner, operator, or manager has received and been convicted of three (3) or more citations for violations of this chapter or any other provisions of the Code of Ordinances relating to the STR or B&B use within the preceding 12-month time period;

3. An occupant of the STR or B&B is a registered sex offender and the premises is within a child safety zone, as defined in sec. 130.24 of this Code;
 4. An occupant of the STR or B&B sells alcohol or performs any other activity that requires a permit or license under the Texas Alcoholic Beverage Code on the premises; or
 5. An occupant has been convicted of operating an Adult Entertainment Establishment, as set forth in Article XXIII, of the Carrollton Comprehensive Zoning Ordinance, on the premises.
- (C) In the event a STR or B&B has its lodging license revoked by the Board, a lodging license shall not be issued for a STR or B&B for the premises for a period of one (1) year from the date the license was revoked and may not operate as a STR or B&B without a lodging license.

Sec. 97.28. – Limitation on continuous occupancy in a STR and B&B.

- (A) The premises or guest rooms, as applicable, of a STR or B&B shall be let only for the use of transient occupants for a period of less than thirty (30) consecutive days, and shall not be used or occupied on a permanent basis, and no such occupant shall be deemed to be a permanent resident of the STR or B&B.
- (B) It shall be unlawful for a STR or B&B to advertise, let, allow, or otherwise provide the premises or any guest room to any person for more than thirty (30) consecutive days.
- (C) It shall be unlawful for the owner, operator, or manager to allow registration under a different name in order to avoid the continuous occupancy restrictions set forth in this section.
- (D) It shall be unlawful for a STR to allow, advertise, and/or let bedrooms within the premises as a guest room to separate occupants.
- (E) Any property left in a guest room or at the premises, as applicable, by an occupant that has checked out shall be removed by the owner, operator, or manager of the STR or B&B before the guest room or premises may be occupied by another occupant and be stored or disposed of in accordance with applicable laws.

Sec. 97.29. – Minimum premises conditions and standards – STR and B&B.

In addition to the conditions and requirements set forth in sec. 97.08, the following premise conditions and standards shall apply:

- (A) *Bathroom cleanliness.* Floors shall be washed with water and a sanitizer at change of occupancy or at least once a week when occupancy does not change.

- (B) *Fire safety.* An STR or B&B owner, operator, or manager shall provide all necessary smoke/fire alarms required by state and city codes and must ensure they are placed in required areas and are operable. The owner, operator, or manager must also provide a five (5) pound ABC fire extinguisher on site for emergency use.
- (C) *Renovations.* An owner, operator, or manager of a STR or B&B may not convert a garage into a living space or bedroom. Nor shall the owner, operator, or manager remodel, renovate, enlarge, or otherwise modify the premises to add additional bedrooms for the STR or B&B use.
- (D) *Paving of premises.* An owner, operator, or manager of a STR or B&B may not pave or otherwise cover pervious soil to create additional on-premises parking without approval from the DCO.
- (E) *Sound equipment.* The owner, operator, manager, or occupant of a STR or B&B shall not use or allow the use of amplified sound equipment that produces sound audible beyond the property line of the premises between the hours of 10:00 p.m. and 7:00 a.m.
- (F) *On-premises curfew.* The owner, operator, manager, or occupant of a STR or B&B shall not allow the congregation of occupants outside of the premises between the hours of 10:00 p.m. and 7:00 a.m.
- (G) *Trash.* The owner, operator, manager, or occupant of a STR or B&B shall not place, or allow to be placed, trash for collection on the premises before the evening prior to the scheduled trash collection day, nor on a day not scheduled for collection by the city or its authorized solid waste vendor.
- (H) *Noise Monitoring.* The STR or B&B shall install and maintain noise-monitoring devices to alert the owner, operator, company, or manager of excessive noise levels occurring on the premises.

Sec. 97.30. –Requirements and restrictions for lodging license uses - STR and B&B.

In addition to the conditions set forth in sec. 97.07, the following requirements and restrictions shall apply:

- (A) *License required.* It shall be unlawful to operate a STR or B&B without a lodging license. Effective December 2, 2025, only renewal lodging licenses will be issued for STRs and B&Bs. No lodging licenses will be issued to premises that were not operating in compliance with city ordinances within the city prior to December 2, 2025.
- (B) *Signage prohibited.* Both a STR and B&B are prohibited from placing any signage on the premises indicating a STR or B&B is operating on the premises.

- (C) *License non-transferable.* The lodging license shall not be transferable or assignable from one person, firm, partnership, corporation, or entity to another person, firm, partnership, corporation, or entity; provided, however, a change in an operator or manager by an owner shall not require a new license as long as the required information provided to the city is updated and the new operator or manager is not ineligible for licensing under this chapter.
- (D) *Ownership changes.* Whenever a change in the owner occurs at an existing STR or B&B, the new owner shall apply for a lodging license within ten (10) business days after closing on the sale of the premises.
- (E) *Display of license.* The owner, operator, or manager shall display the lodging license in the STR or B&B in an open and conspicuous public place in the interior of the premises near the entry way to the STR or to the doorway entry area of the guest room in a B&B.
- (F) *Parking restrictions.*
1. It shall be unlawful for the owner, operator, manager, or occupant of a STR or B&B, to occupy a motor home, recreational vehicle, bus, boat, commercial vehicle, or otherwise prohibited motor vehicle on the premises of a STR or B&B or on a residential street or on parking dedicated for use at a public park.
 2. It shall be unlawful for the owner, operator, or manager of a STR or B&B to permit, allow, or advise occupants to park more vehicles on the premises than the available off-street parking spaces, or to suffer or permit parking of vehicles on an unapproved surface.
 3. The maximum amount of motor vehicles allowed to be parked at a STR or B&B shall be limited to the number of available off-street parking spaces.
 4. It shall be unlawful for owner, operator, or manager of a B&B to permit, allow, suffer, or advise occupants to park a motor vehicle on a residential street or on parking dedicated for use at a public park.
 5. It shall be unlawful for owner, operator, or manager of a STR to permit, allow, suffer, or advise occupants to park a motor vehicle on a residential street or on parking dedicated for use at a public park.
- (G) *Occupancy restrictions.* It shall be unlawful for an owner, operator, or manager of a STR or B&B to let, rent, allow, provide, or advertise occupancy limits which exceed the occupancy load found in this subsection.
1. A STR or B&B shall not be occupied by more than four (4) individuals who are unrelated by blood, marriage, or adoption. The maximum occupancy of a STR or B&B for adult occupants 18 years of age or older is:

Finished Area of a STR or B&B (in square feet)	Maximum Number of Adult Occupants
up to 1,200	4 Adult Occupants
1,201 to 1,750	5 Adult Occupants
1,751 to 2,400	6 Adult Occupants
2,401 to 3,150	7 Adult Occupants
3,151 to 4,000	8 Adult Occupants
4,001 to 4,500	9 Adult Occupants
4,501 to 5,000	10 Adult Occupants

**Square footage used is based on the information provided by the county appraisal districts information on the premises as recorded.*

2. Bedrooms in a STR or B&B shall not be occupied by more individuals than listed in the following table. The number of occupants includes both adults and children.

Bedroom Size (square feet)	Maximum Number of Occupants per Room
70 to 119	1
120 to 169	2
170 to 219	3
220 to 269	4
270 to 319	5
320 and up	6

(H) *Special events prohibited.*

1. It shall be unlawful for an owner, operator, manager, or occupant of a STR or B&B to advertise or promote a special event or allow the advertising and promotion of a special event (e.g., banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or any similar activity that would assemble large numbers of invitees) to be held on the premises (i.e., utilize the premises as a “banquet hall”).
2. It shall be unlawful for the owner, operator, manager, or occupant of a STR or B&B to allow, suffer, or permit a banquet hall or special event as described to be held on the premises.

- (I) *Notice to occupants.* An owner, operator, or manager of a STR or B&B shall post a notice of instructions (also known as “host rules”) to occupants staying at the premises in a form developed by the DCO. The notice shall instruct the occupants as to all applicable city regulations pertaining to a STR or B&B. These include, but are not limited to, occupancy restrictions, limits on parking, trash pickup, prohibitions on special events, limits on amplified sound, and curfew times, and any criminal activity on the premises by an occupant will result in immediate eviction.

1. For a STR the notice of instructions must be posted near or by the front entry door to the premises and must be observable at all times and may not be obstructed in any manner.
2. For a B&B the notice of instructions must be posted in each guest room being let near the guest room entry door and must be observable at all times and may not be obstructed in any manner.

(J) *Age restriction.* It is unlawful to let to a person who is under the age of twenty-one (21).

(K) *Background checks.*

1. For each rental contract submitted for occupancy, the owner or operator shall, no later than twenty-four (24) hours prior to the start of the booking:
 - (a) Perform a sex-offender registry check of the booking guest and any additional adults in the booking group;
 - (b) Confirm that the online hosting platform used to advertise the short-term rental has conducted such a check and provides documented verification to the owner or operator.
2. The owner or operator shall retain a copy of the background check or platform verification for a minimum period of twelve (12) months after the booking date and shall provide the information to the DCO upon request.

(L) *Guest Identification.*

1. The owner or operator shall verify a government-issued photo identification for the booking guest and any other adult occupant prior to check-in. The ID verification shall include name, date of birth, and photo matching the guest, and the information shall be recorded.
2. The owner or operator shall retain a copy of the guest's ID verification for a minimum of twelve (12) months following the guest's check-out date and shall produce such records to the City upon request.

(M) *Anti-trafficking training.*

1. The owner or operator must receive annual training on how to identify human trafficking activities and victims and how to report human trafficking.
2. Each person receiving training shall maintain a record of completion for a minimum period of twelve (12) months after the training date and shall provide the information to the DCO upon request.”

SECTION 3.

Any person violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

SECTION 4.

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

SECTION 5.

All other provisions of the Carrollton Code of Ordinances not expressly amended as stated herein shall remain in full force and effect.

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with provisions of such ordinances and such codes, in which event the conflicting provisions of such ordinances and such codes are hereby repealed.

SECTION 7.

This Ordinance shall become effective on and after its adoption and publication.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 2nd day of December 2025.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith Ladd,
City Attorney

Cory Heiple,
Environmental Services Director

