



47           **WHEREAS**, all public notices have been posted, published and all required  
48 hearings on this matter have been held in accordance with the Comprehensive Zoning  
49 Ordinance and law; now, therefore,  
50

51           **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK,**  
52 **STATE OF TEXAS:**  
53

54           **SECTION 1. FINDINGS OF FACT.**  
55

56           That the facts and matters set forth in the preamble of this Ordinance are hereby  
57 found to be true and correct.  
58

59           **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE OF**  
60 **ORDINANCES, CHAPTER 18, “BUILDINGS AND BUILDING REGULATIONS”**  
61

62           The Code of Ordinances of the City of Seabrook, Chapter 18, “Building and  
63 Building Regulations”, Article VIII. “Requirements for Owners of Residential properties  
64 Used as Short-Term Rentals”, Section 18-603 “Short-Term Rental Permit Application”,  
65 Subsection (C) is hereby amended as follows:  
66

67           **“Sec. 18-603. Short-Term Rental Permit Application**  
68

69           (a) Application for a Short-Term Rental Permit shall include the following  
70 information, along with a non- refundable application fee in the amount of three hundred  
71 dollars (\$300.00):  
72

73                   (1) A list of all owners, operators and agents (if applicable) of the Short-  
74 Term Rental, including names, addresses and current email addresses and telephone  
75 numbers of each such person;  
76

77                   (2) The name, address and 24-hour telephone number of a contact person  
78 who is the owner, operator or designated agent and who shall be responsible and  
79 authorized to respond to complaints concerning the Short-Term Rental;  
80

81                   (3) An acknowledgement that any permit granted under this Article does  
82 not supersede any property-specific restrictions against Short-Term Rentals that may  
83 exist under law, agreement, lease, covenant or deed restriction;  
84

85                   (4) A depiction of the floor plan that identifies sleeping areas, proposed  
86 maximum number of guests, evacuation routes and location of all fire extinguishers and  
87 smoke alarms;  
88

89 (5) All floors with an enclosed space of any kind must have a minimum of  
90 one (1) Class 2A:10B:C type fire extinguisher (standard 5lb. fire extinguisher) mounted  
91 so as to be conspicuous and convenient for the occupants.

92  
93 (6) The guest safety information required by Section 18-606.; and  
94

95 (7) A sworn statement that the owner has met and will continue to comply  
96 with all requirements of this Article including, but not limited to, obtaining annual  
97 inspections of required fire extinguishers in compliance with this Article, along with the  
98 City's current Fire Code.  
99

100 (b) Applications shall be considered complete when all documentation required  
101 under this Article has been submitted and all permit fees have been paid. Incomplete  
102 applications will not be accepted.  
103

104 ~~[(c) Any existing Short-Term Rental shall have ninety (90) days from adoption of  
105 this ordinance to complete the required registration and obtain their Short-Term Rental  
106 permit.]~~  
107

108 **(c) Any existing Short-Term Rental shall have until January 1, 2023 to**  
109 **complete the required registration and obtain their Short-Term Rental permit.**  
110

111 (d) Transferability. A Short-Term Rental Permit is not transferable to a new  
112 property owner. A new owner must apply for a Short-Term Rental Permit within sixty  
113 (60) days from the closing date of the purchase or any other conveyance of ownership.  
114 Failure of a new property owner to apply for permit within sixty (60) days from the  
115 closing date may result in the revocation or non-renewal of an existing Short-Term  
116 Rental Permit or the denial of a new Short-Term Rental registration.  
117

118 (e) Any property owner delinquent and/or owing City of Seabrook fees, to  
119 include, but not limited to, hotel occupancy tax, sanitation or water service fees will be  
120 prohibited from registering a Short-Term Rental until such time as payment or acceptable  
121 resolution is approved by the City of Seabrook finance department.  
122

123 (f) Unless revoked by the Director earlier pursuant to this Article, The initial  
124 Short-Term Rental Permit expires twenty-four (24) months from the date of issuance.  
125 Subsequent renewal of a Short-Term Rental permits will be on an annual calendar year.  
126 A permit holder shall apply for renewal prior to December 31<sup>st</sup> on a form provided by the  
127 Director or designee. The permit holder shall update the information contained in the  
128 original permit application required under this section or any subsequent renewals under  
129 this section, if any of the information has changed. The permit holder shall sign a  
130 statement affirming that there is either no change in the information contained on the  
131 original permit application and any subsequent renewal applications, or that any  
132 information that has been updated is accurate and complete. Complete applications for

133 renewal received after the expiration of a current permit shall be treated as applications  
134 for a new permit. The amount of the non-refundable fee for renewal of a Short-Term  
135 Rental Permit is three hundred dollars (\$300.00).

136

137 (g) Upon receipt of a complete application for renewal of a Short-Term Rental  
138 Permit, the Director or designee may deny the renewal of a Short-Term Rental Permit if it  
139 is determined that the permit was issued in error or on the basis of incorrect information  
140 supplied by the applicant or if:

141

142 (1) The permit holder has pleaded no contest to or been convicted of a  
143 violation of any ordinance of the City, or any state or federal law, related to operation of  
144 a Short-Term Rental on the premises or has permitted such a violation on the premises by  
145 any other person. Such violation may include, but is not limited to, parking, noise,  
146 littering, destruction of property, disorderly conduct or failure to pay hotel occupancy  
147 taxes; or

148

149 (2) There are grounds for suspension, revocation or other registration  
sanctions as provided for in this Article.

150

151 (h) A permit to operate a Short-Term Rental is not transferable to another owner,  
152 operator or location.”

153

154

155 **SECTION 3. INCORPORATION INTO THE CODE, PENALTY**  
156 **CLAUSE.**

157

158 This Ordinance is hereby incorporated and made a part of the Code of the City of  
159 Seabrook. Violation of this Ordinance is subject to the penalty section of said Code of  
160 Ordinance, Section 1-15 “General penalty; continuing violations” which provides that  
161 any person who shall violate any provision of this Ordinance shall be deemed guilty of a  
162 misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00.  
163 Each day of violation shall constitute a separate offense.

164

165 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**

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167 All ordinances or parts of ordinances in conflict or inconsistent with this  
168 Ordinance are hereby expressly repealed.

169

170

171 **SECTION 5. SEVERABILITY.**

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173 In the event any clause phrase, provision, sentence, or part of this Ordinance or  
174 the application of the same to any person or circumstances shall for any reason be  
175 adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not  
176 affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof

177 other than the part declared to be invalid or unconstitutional; and the City Council of the  
178 City of Seabrook, Texas, declares that it would have passed each and every part of the  
179 same notwithstanding the omission of any such part thus declared to be invalid or  
180 unconstitutional, whether there be one or more parts.

181

182 **SECTION 6. NOTICE.**

183

184 The City Secretary shall give notice of the enactment of this Ordinance by  
185 promptly publishing it or its descriptive caption and penalty after final passage in the  
186 official newspaper of the City; the Ordinance to take effect upon publication.

187

188 **PASSED AND APPROVED** on first reading with a quorum present, by an affirmative  
189 vote of a majority of Councilmembers present, in accordance with Seabrook City Charter  
190 Section 2.10 on this 18<sup>th</sup> day of October, 2022.

191

192 **PASSED, APPROVED, AND ADOPTED** on final reading with a quorum present, by  
193 an affirmative vote of a majority of Councilmembers present, in accordance with  
194 Seabrook City Charter Section 2.10 on this 1<sup>st</sup> day of November, 2022.

195

196

197

198

199

BY: \_\_\_\_\_  
Thomas G. Kolupski, Mayor

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201

202 ATTEST:

203

204

205 By: \_\_\_\_\_

206 Robin Lenio, TRMC

207 City Secretary

208

209

210 APPROVED AS TO FORM:

211

212 \_\_\_\_\_

213 Steven L. Weathered

214 City Attorney