

**ORDINANCE O2025-05**

**AN ORDINANCE OF THE CITY OF WEATHERFORD, TEXAS, AMENDING TITLE V “BUSINESS REGULATIONS,” OF THE OFFICIAL CITY CODE OF THE CITY OF WEATHERFORD, TO CREATE A NEW CHAPTER 15 DEFINING AND GOVERNING THE STANDARDS AND REQUIREMENTS FOR SHORT-TERM RENTALS; AMENDING THE CITY OF WEATHERFORD FEE SCHEDULE TO PROVIDE FOR ADMINISTRATIVE FEES ASSOCIATED WITH THE PERMITTING AND INSPECTION OF SHORT-TERM RENTAL PROPERTIES; AMENDING TITLE XII, “ZONING ORDINANCE,” TO IDENTIFY SHORT-TERM RENTALS AS A PERMITTED USE IN RESIDENTIAL DISTRICTS, SUBJECT TO CERTAIN CONDITIONS, AND TO REVISE DEFINITIONS AND REGULATIONS PERTAINING TO SHORT-TERM RENTALS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Weatherford, Texas (the “City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council of the City (“City Council”) recognizes the City’s proximity to tourist destinations in the Dallas-Fort Worth Metroplex and the City’s own desirability as a destination; and

**WHEREAS**, in the City and elsewhere, the increase in the number of persons or entities desiring to rent their residential properties has led to the proliferation of transient and vacation rental uses within neighborhoods previously planned, approved, and constructed for solely residential use; and

**WHEREAS**, the use of residential properties by individuals for short periods of time may negatively impact the original residential character of neighborhoods that was an inducement for owners to buy their homes in such neighborhood due, in part, to substituting permanent residents with transient visitors and thereby reducing or eliminating common goals, cohesiveness, communication, and accountability between permanent residents; and

**WHEREAS**, the regulation of the use and operation of such “short-term rental” property is intended to prevent the further erosion of pre-existing and stable neighborhoods, and further advance the City Council's commitment to preserving the residential character of its neighborhoods; and

**WHEREAS**, the rise of substitute land uses for residential property contributes to the shortage of income-appropriate homes for both homeowners and long-term renters; and

**WHEREAS**, the proliferation of unregulated short-term rentals presents fire and structural safety concerns that are not applicable to structures used for permanent occupancy but are deemed necessary to accommodate guests who, as visitors to the City, will rely on City emergency services in the event of a crisis; and

**WHEREAS**, the City has observed an increase in the number of properties operating as short-term rentals and seeks to proactively address residents' concerns with such increase while balancing the rights of private property owners to continue operating their short-term rental properties; and

**WHEREAS**, the purpose of the regulations set forth herein is 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 cause adverse impacts to residential neighborhoods due to the intensive nature of the use creating excessive traffic, noise, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions; and

**WHEREAS**, the City Council has reviewed data and information from other cities' experiences with short-term rentals and used this data and information to develop a regulatory structure suitable for the circumstances within the City; and

**WHEREAS**, the City Council finds and determines that regulations related to short-term rental uses should be adopted to define short-term rentals, establish standards for operation and appropriate review processes applicable to short-term rentals, and establish commensurate permitting and inspection fees; and

**WHEREAS**, the Planning and Zoning Commission of the City held a public hearing on January 8<sup>th</sup>, 2024, and the City Council held a public hearing on January 28<sup>th</sup>, 2024, with respect to the short-term rental regulations described herein; and

**WHEREAS**, the City Council finds that regulating the short-term rental of residential property as provided herein is necessary for promoting the health, safety, and welfare of the general public, ensuring consistency in land uses and development, and protecting the rights of property owners, residents, and visitors in the City.

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

### **SECTION 1.**

Title V "Business Regulations," of the Official City Code of the City of Weatherford is hereby amended by adding a new Chapter 15 to read as follows:

## **“CHAPTER 15. - SHORT-TERM RENTAL**

### **Sec. 5-15-1. - Purpose.**

The purpose of the regulations set forth herein is 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, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions.

### **Sec. 5-15-2. - Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bathroom.* An enclosed space containing one (1) or more bathtubs, showers, or both, as well as one (1) or more toilets, lavatories or fixtures serving similar purposes.

*Bedroom.* A room used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, entry way, garage, patio or breezeway.

*Block.* A tract of land bounded by streets, or a combination of streets, public parks, railroad rights-of-way, shorelines of waterways or corporate limits.

*Block face.* The portion of a block abutting one side of a street and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and another boundary such as a railroad right-of-way, unsubdivided land, watercourse, or municipal boundary. A corner lot shall be part of the block face parallel to the lot's front lot line.

*Building official.* The officer or other designated authority (or their designee) charged with administration and enforcement of the Building Code.

*Code or city code.* The Official City Code of the City of Weatherford.

*Department.* The development and neighborhood services department of the city.

*Fire marshal.* The fire marshal of the city or their designated representative.

*Occupant.* The person(s) who have lawfully obtained the exclusive use and possession of the short-term rental premises from the owner and/or operator, and the guest(s) of such person(s).

*Operator.* The owner or local responsible party tasked with managing a property operating as a short-term rental on behalf of the owner.

*Owner.* The individual or entity that owns a property operating as a short-term rental.

*Permit.* The permit issued pursuant to the terms of this article authorizing the operation of a short-term rental.

*Planning Director.* The Director of Development & Neighborhood Services or other person appointed by the City Manager to administer the provisions of this title. Unless otherwise indicated, references to the Planning Director also include staff designated by the Planning Director to carry out the responsibilities stated herein.

*Short-term rental.* The rental for compensation, of any residence or residential structure, or a portion of a residence or residential structure, located within a zoning district where the residential use is lawful, for the purpose of overnight lodging for a period of less than thirty (30) days. A short-term rental shall not include a hotel or motel.

**Sec. 5-15-3. - Short-term rental permit application.**

It shall be unlawful for any owner, operator, or other person to advertise, offer to rent or rent, lease, sublease, license, or sublicense a residential property within the city as a short-term rental for which a permit application has not been properly made and filed with the department, and a permit issued. All permit applications shall be subject to the review and final determination of the planning director. Each permit term shall be for a period of two (2) years as further described in section 5-15-5 herein. A permit application shall be made upon forms furnished by the city for such purpose, shall be accompanied by the application permit fee identified in the City of Weatherford Fee Schedule, and shall specifically require the following minimum information:

- (1) The name, address, contact information, and signature of the owner of the premises (or signed owner authorization, on a form provided by the city);
- (2) The name, address, and phone number of a twenty-four (24)-hour contact;
- (3) Proof of registration with both the city and the state for payment of hotel occupancy tax as required by section 5-15-4(m), below;
- (4) A parking plan of the premises identifying the location and quantity of parking spaces to be used in conjunction with the short-term rental, in relation to the residence;
- (5) A dimensioned floor plan of the proposed short-term rental identifying the proposed maximum number of occupants, bedrooms, other living spaces, location of safety features, and emergency evacuation routes;

- (6) Proof of liability insurance, which shall meet the following minimum requirements:
  - a. The city, its officials, employees, agents and officers shall be named as an “additional insured” on all policies;
  - b. The policy should provide a minimum liability coverage of \$1,000,000 (one million dollars); and
  - c. Each policy shall be endorsed to provide the city with a minimum of a thirty (30)-day notice of cancellation, non-renewal, and/or material change in policy terms or coverage; provided, however, that a minimum ten (10)-days’ notice shall be required in the event of non-payment of premium;
- (7) A current tax certificate(s) indicating all taxes for the subject property have been paid through the current year (available from Parker County Appraisal District). Tax statements printed from the Parker County website in PDF form are acceptable in lieu of the original certificate(s);
- (8) A copy of the proposed host rules for the short-term rental, including a statement identifying the description and location of safety features described in section 5-15-4 (e); and
- (9) A certification statement that the owner of the short-term rental complies with and will continue to comply with the standards and other requirements of this article, as well as all applicable standards and other requirements of the Code.

**Sec. 5-15-4. - Regulations.**

- (a) Maximum stay; minimum stay. It shall be unlawful for an owner to rent or lease a short-term rental for a period of more than twenty-nine (29) days or less than twenty-four (24) hours.
- (b) Occupancy. The maximum number of persons permitted to stay in a short-term rental is limited to two (2) persons per bedroom, plus two (2) additional persons.
- (c) Parking restrictions. It shall be unlawful for an occupant to park a motor vehicle on any surface that is not an approved all-weather surface adequate to support the anticipated loads and traffic for the intended use, or for an owner and/or operator to permit such parking, in accordance with section 12-4-105 of the City Code.
- (d) Access to basic sanitation. Each bedroom of a residence or portion of a residence used as a short-term rental must provide interior access to a bathroom, such that

an occupant shall have access to a bathroom without exiting the residence, regardless of whether such bathroom is private or shared.

(e) Life safety.

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

- a. Working smoke alarms, meeting the requirements of Section 92.254 and 92.255 of the Texas Property Code, with a minimum of one (1) on each floor or level and one (1) in each room used as a bedroom; and
- b. A minimum of one (1) working carbon monoxide detector on each floor or level if the premises are equipped with natural gas, propane, and/or an attached garage; and
- c. A minimum of one (1) 2A:10B:C type fire extinguisher (a standard five-pound extinguisher) available on each floor, inspected annually in accordance with the International Fire Code and tagged by a third-party inspector.

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

(3) Each room used as a bedroom must have at least one (1) means of egress opening directly to the outdoors.

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

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

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

- (1) Conduct involving the use of unreasonably loud noise, improper noise, or other disturbances prohibited by title VI of the Code, including, but not limited to, in the following outside areas: decks, portals, porches, balconies, patios, hot tubs, pools, saunas, or spas;
- (2) Sleeping outdoors;

- (3) Placing, or allowing to be placed, waste or recycling receptacles at the designated pickup location prior to 6:00 p.m. on the day prior to the scheduled pickup or failing to remove waste and recycling receptacles by 7:00 a.m. on the day following the scheduled pickup for that location (pursuant to section 8-2-32 of the Code);
  - (4) Advertising, promoting, or operating a special event, or permitting the advertising, promotion, or operation of a special event (including, but not limited to, a banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or similar activity that would assemble large numbers of invitees) to be held on the premises; and
- (g) Signage. On-premise signage advertising or identifying the short-term rental shall not be permitted.
  - (h) Advertising. The owner and/or operator shall not advertise or promote, or allow another to advertise or promote, the short-term rental without including the occupancy limits, parking standards, and city permit number for the listing.
  - (i) Local contact. An owner and/or operator must designate the name and contact information of a representative who shall be the local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available in person or by phone at all times while occupants are on the premises of the short-term rental. If called, said individual must be able to, and shall, be present at the premises within one (1) hour of receiving a call from the planning director. A local contact must be authorized to make decisions regarding the premises and its occupants.
  - (j) Occupant notification packet. The owner and/or operator shall post in a conspicuous location of the short-term rental premises a packet containing, at a minimum, the following information:
    - (1) Maximum number of occupants;
    - (2) Location of required off-street parking, other available parking and prohibition of parking on landscaped areas or on the street;
    - (3) Quiet hours and noise restrictions;
    - (4) List of HOA rules, if applicable;
    - (5) Twenty-four (24)-hour local contact person and phone number;
    - (6) Waste disposal requirements, including location of waste and recycling receptacles;

- (7) Flooding hazards and evacuation routes, as well as information on the emergency siren system and other safety features;
  - (8) Emergency and non-emergency numbers; and
  - (9) Notice that failure to conform to the occupancy and parking requirements constitutes a violation of the Code and an occupant or visitor may be cited.
- (k) Rental agreement notification. The rental agreement between the owner and/or operator of the short-term rental and the occupant shall include all of the information provided in the occupant notification packet.
- (l) Changes in ownership. The purchaser of a short-term rental shall provide the planning director with current application materials required by section 5-15-3, revised to include any new information associated with the change in ownership, within thirty (30) days of the closing date for the purchase of the short-term rental. Since a permit is non-transferable pursuant to section 5-15-5, the purchaser shall also remit a permit renewal fee as described in the City of Weatherford Fee Schedule.
- (m) Hotel occupancy taxes. The owner and/or operator of the short-term rental property shall register with the city finance department to pay hotel occupancy taxes prior to the date that the short-term rental permit application is submitted, and the owner and/or operator must remit all applicable hotel occupancy taxes in accordance with local and state laws governing payment schedules and procedures.
- (n) Request for occupancy history. Upon request of the planning director, the owner of a premises used as a short-term rental shall remit, within thirty (30) days, an accounting of all rental activity and the hotel occupancy taxes paid therefor.
- (o) Right to inspect premises.
- (1) Inspections. The fire marshal shall perform periodic inspections of each short-term rental property to ensure compliance with this article and other applicable laws. For the purpose of performing inspections, the fire marshal may enter, examine, and survey, at all reasonable times, all buildings, dwelling units, guest rooms, and the premises used as a short-term rental property. An owner and/or operator may refuse to consent to an inspection conducted by the fire marshal. If consent is refused, the fire marshal may seek an administrative search warrant authorized by Article 18 of the Texas Code of Criminal Procedure and the City Code. No permit for operating a short-term rental shall be issued until the premises successfully passes such inspection.
  - (2) Types of inspections. The city may perform the following inspections:

- a. Initial and renewal inspections. The fire marshal or building inspector may perform an initial inspection of the short-term rental property upon application for a permit, as well as inspections of the short-term rental property upon application for permit renewal.
  - b. Repeat inspections. If, upon completion of an inspection, the premises are found to be in violation of one (1) or more provisions of this section, the city shall provide written notice of such violation and shall set a reinspection date. If a property fails to pass an inspection or if a reinspection of the property is needed for any other reason, a reinspection fee will be charged in accordance with section 4-2-12 of the City Code. A property cannot be occupied as a short-term rental while its status is noted as being in violation.
  - c. Fire extinguishers. The owner and/or operator is responsible for obtaining annual independent inspections of all fire extinguishers in compliance with the city regulations.
  - d. Change in ownership inspection. As part of the change in ownership process for a short-term rental, the fire marshal or building official shall conduct an inspection to verify compliance with this article.
- (p) Density limitations for short-term rental properties.
- (1) Limitation. Short-term rentals shall be limited to no more than one-quarter (25 percent) of the total number of residential units on the block face. Notwithstanding the foregoing, at least one (1) short-term rental shall be permitted per block face, regardless of density.
  - (2) Special exception available. In order to obtain a permit for a short-term rental that would exceed the density limitation of this section, a property owner may apply to the zoning board of adjustment for a special exception in accordance with section 2-5-6 of the Code. In addition to other factors authorized by law or ordinance, the board may consider factors such as the following:
    - a. Whether operation as a short-term rental in excess of the density limitation will not adversely impact the residential quality of the neighborhood in which the property is located;
    - b. Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);

- c. Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;
  - d. Whether the applicant seeks to operate an entire residence as a short-term rental or whether the short-term rental use is limited to a portion of the residence;
  - e. Whether the applicant occupies the premises as their primary residence or uses it as an investment property; and
  - f. Whether other short-term rentals in excess of the density limitation are already operating on that block.
- (3) Nonconforming uses. A short-term rental that was lawfully in existence on the effective date of this article shall be considered a nonconforming use and shall not be subject to the density limitations set forth in this subsection. A short-term rental shall be considered lawfully in existence on the effective date of this article if the owner provides written confirmation from the city finance department indicating that (1) prior to August 25, 2020, the property was registered for payment of hotel occupancy tax as required by chapter 6, section 5-6-2 of the Code, the tax account was not in arrears, and the property operated as an active short-term rental, or (2) prior to the effective date of this article, the property was registered for payment of hotel occupancy tax as required by chapter 6, section 5-6-2 of the Code, the tax account was not in arrears, and the property owner either operated as a lawful short-term rental or obtained a conditional use permit for lawful short-term rental operations in accordance with section 12-3-300 of the Code.
- (q) Lake lots. No provision of this chapter shall constitute authority for the licensee of a lake lot licensed by the Board of Trustees of the Weatherford Municipal Utility System (the “licensor”) to sublease a property as a short-term rental or to seek a permit to operate a short-term rental. Any sublease of a licensed lake lot must comply with the terms of the applicable lake lot license agreement. A lake lot licensee seeking to obtain a permit to operate a short-term rental must obtain the licensor’s consent in accordance with the lake lot license agreement and shall provide proof of such consent with the required permit application.

**Sec. 5-15-5. - Permit term and renewal; fees; non-transferability; public information designation.**

- (a) All permits issued under this article shall be valid from the date of issuance until June 1 of the following even-numbered year, at which time all permits must be renewed. Applications submitted between permitting periods will be subject to a prorated fee amount based on six (6)-month increments to align with the subsequent mandatory renewal date.

- (b) A nonrefundable fee for administration of the application shall be charged as established in the City of Weatherford Fee Schedule. Such fee shall be paid at the time the application is made and shall not be returned to the applicant, regardless of whether a permit is issued.
- (c) A permit holder shall apply for renewal before the mandatory renewal date on a form provided by the planning director. The fee for the renewal of a permit to operate a short-term rental shall be charged as established in the City of Weatherford Fee Schedule. The permit holder shall either update the information required under section 5-15-3 or submit a statement affirming that the information previously submitted is still accurate. A complete application for renewal received after the expiration of a current permit shall be treated as an application for a new permit in accordance with section 5-15-3.
- (d) A permit to operate a short-term rental is not transferable to another owner, operator, or location.
- (e) All permits issued under this article constitute public information, subject to the terms of the Public Information Act. Information regarding permitted short-term rentals shall be made publicly available and shall identify, at minimum, the property address, permit number, and permit date of each short-term rental permitted to operate in the city.

**Sec. 5-15-6. - Repeat offenses.**

- (a) If the planning director finds that the owner, operator, or any occupant of a short-term rental failed to comply with any requirement of this article three (3) or more times within a twelve (12)-month period, the planning director may revoke an existing permit or may deny an application to renew a permit. No new permit may be sought for the subject property for a period of twelve (12) months following a denial or revocation pursuant to this section.
- (b) If a property is the subject of three (3) or more violations of federal law, state law, or the other provisions of the City Code outside of this article within the previous twenty four (24)-month period, the planning director may revoke an existing permit; may deny an application for an original permit; or may deny an application to renew a permit, based on: (1) the frequency of any repeated violations; (2) whether a violation was committed intentionally or knowingly; and (3) any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare. No new permit may be sought for the subject property for a period of twelve (12) months following the denial or revocation pursuant to this section.
- (c) A permit applicant may appeal the planning director's decision to revoke an existing permit or deny an application, in accordance with the process set forth in section 5-15-7 of this article.

### **Sec. 5-15-7. - Appeals.**

- (a) The planning director's revocation of a permit or denial of an application for a permit to operate a short-term rental may be appealed to the city manager in accordance with the provisions of this section.
- (b) An appeal filed under this section must be filed with the planning director no later than the twentieth (20<sup>th</sup>) day following the date on which the permit was revoked or denied. The appeal must be sworn and must identify each alleged point of error, facts, and evidence supporting the appeal, and reasons why the action of the planning director should be modified or reversed.
- (c) The city manager or a designee shall, not later than the tenth (10<sup>th</sup>) day after the date the notice of appeal is filed, review the appeal, and may affirm, modify, or reverse a permit revocation or application denial.
- (d) The city manager or designee shall give written notice of a decision on an appeal to the appellant.
- (e) An appellant who seeks judicial review of the city manager's review on appeal must file a petition with a court of competent jurisdiction not later than the thirtieth (30<sup>th</sup>) day after issuance of the notice of the decision.

### **Sec. 5-15-8. - Enforcement.**

- (a) If the owner, operator, or any occupant of the short-term rental property fails or refuses to comply with the standards and requirements contained herein, the city may initiate enforcement action against the owner, operator, or any occupant, including, but not limited to, the immediate issuance of a citation.
- (b) Failure to timely remit applicable hotel occupancy tax is a violation under this article and shall result in permit revocation if all applicable tax is not paid within ninety (90) days of the issuance of a delinquency notice.
- (c) Any advertisement, whether it be online or in print, promoting the availability of a property within the city for rent for a period of thirty (30) days or less, shall constitute prima facie evidence of the property's use as a short-term rental.

### **Sec. 5-15-9. - Discontinuance of operations.**

- (a) The owner and/or operator of a property used as a short-term rental that was registered with the city for collecting and remitting hotel occupancy tax prior to the effective date of this article, and who is unable, fails, or refuses to obtain a permit for operation as a short-term rental following the effective date of this article, shall discontinue the short-term rental use within ninety (90) days of the effective date of this article or the notice of permit denial, whichever is later. The density

limitation of section 5-15-4(p) shall not bar such owner and/or operator from obtaining a permit if all other requirements and standards of section 5-15-4 are met.

- (b) The owner and/or operator of a property used as a short-term rental that was not registered with the city for collecting hotel occupancy tax prior to the effective date of this article shall discontinue the short-term rental use within thirty (30) days of the effective date of this article. Such property shall not be resumed as a short-term rental until a permit has been applied for and has been issued pursuant to section 5-15-3.

**Secs. 5-15-10 through 5-15-14 - Reserved.”**

**SECTION 2.**

Subsection “Planning & Zoning,” of Section “Development and Neighborhood Services,” of the City of Weatherford Fee Schedule, as amended, is hereby amended by adding a new section to be inserted alphabetically and to read as follows:

“

<b>Planning &amp; Zoning</b>	
<b>Short-Term Rental Fees</b>	Application for initial two-year permit: \$400
	Permit renewal (every two (2) years): \$400
	Application for special exception: see “Appeal to Board of Adjustment”
	Reinspection: \$150

”

**SECTION 3.**

Section 12-6-100 “Definitions,” of Chapter 6 “Interpretation,” Title XII “Zoning Ordinance,” of the Official City Code of the City of Weatherford is hereby amended by amending the definition for short-term rentals and adding a definition of boarding/rooming houses, to be inserted alphabetically and to read as follows:

*“Boarding/rooming house.* A single-family dwelling where two (2) or more rooms are provided for lodging in exchange for compensation to separate tenants or groups of tenants for terms of thirty (30) or more days. Meals may or may not be provided, but no meals are provided to outside guests.

*Short-term rental.* The rental for compensation of any single-family detached residence or residential structure, or portion thereof, located within a residential zoning district, or of any second-story commercial residential unit, or portion thereof, within the CN Central Neighborhood and CBD Central Business District zoning districts, for the purpose of overnight lodging for a period of less than thirty (30) days. A short-term rental shall not

include a hotel/motel, bed and breakfast inn, or boarding or rooming house. A short-term rental is further subject to the provisions of chapter 15 of title V of the Official City Code of the City of Weatherford.”

#### **SECTION 4.**

Section 12-3-200, “RE Residential Estate”; Section 12-3-201, “SF 8.5 Single-Family 8.5 Residential”; Section 12-3-202, “SF 7.5 Single-Family 7.5 Residential”; Section 12-3-203, “R1 One-Family Residential”; Section 12-3-204, “R2 Two-Family Residential”; Section 12-3-205, “R3 Multifamily Residential”; Section 12-3-300, “CBD Central Business District”; and Section 12-3-301, “CN Central Neighborhood,” of Chapter 3, “Zoning Districts,” of Title XII “Zoning Ordinance,” of the Official City Code of the City of Weatherford are hereby amended by adding the operation of a short-term rental as a permitted use, to be inserted alphabetically in each section’s “Permitted Uses” table to read as follows:

“Short-term rental, subject to section 12-5-108.”

#### **SECTION 5.**

Chapter 5 “Supplemental Use Requirements,” of Title XII “Zoning Ordinance,” of the Official City Code of the City of Weatherford is hereby amended by adding a new section 12-5-108 to read as follows:

##### **“Sec. 12-5-108. – Short-term rentals.**

All short-term rentals shall comply with the standards and requirements of chapter 15 of title V of the Official City Code of the City of Weatherford. Short-term rentals are permitted in any single-family detached residence or residential structure, or portion thereof, located within a residential zoning district in which short-term rentals are a permitted use, or in any second-story commercial residential unit, or portion thereof, within the CN Central Neighborhood and CBD Central Business District zoning districts. A property in a planned development zoning district may obtain a permit to operate as a short-term rental only if the planned development district explicitly permits the operation of short-term rentals.”

#### **SECTION 6.**

Section 12-3-300, “CBD Central Business District,” and Section 12-3-301, “CN Central Neighborhood,” are hereby amended by deleting “Short-term Rental – 2nd story and above” from each section’s “Permitted Uses” table and by deleting “Short-term Rental – 1st story” from each section’s “Conditional Uses” table.

#### **SECTION 7.**

Section 12-5-103, “Home occupations,” of Chapter 5, “Supplemental Use Requirements,” of Title XII, “Zoning Ordinance,” of the Official City Code of the City of

Weatherford is hereby amended by revising subsection 12-5-103(b)(2)(m) to read as follows:

“ \* \* \*

m. Reserved;

\* \* \* ”

#### **SECTION 8.**

This Ordinance shall be cumulative of all provisions of ordinances and of the Official City Code of the City of Weatherford, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

#### **SECTION 9.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

#### **SECTION 10.**

Any person, firm, or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-3-1 of the Official City Code of the City of Weatherford. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

#### **SECTION 11.**

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Official City Code of the City of Weatherford, as amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 12.**

The City Secretary is hereby directed to publish the caption and penalty clause of this Ordinance in the official newspaper of the City as required by Article VII, Section 18 of the City Charter.

**SECTION 13.**

This Ordinance shall be in full force and effect from and after June 1, 2025 as provided by the City Charter and the laws of the State of Texas.

**PASSED AND APPROVED ON THIS 28TH DAY OF JANUARY, 2025.**

CITY OF WEATHERFORD, TEXAS

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Paul Paschall, Mayor

ATTEST:

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Andrea McDonald, City Secretary

APPROVED AS TO FORM:

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Robert M. Allibon, City Attorney