

AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS

ORDINANCE NO. 2019-03

AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 11 "TAXATION", ARTICLE 11.04 'HOTEL OCCUPANCY', SECTION 11.04.001 'DEFINITIONS'; AMENDING THE DEFINITION OF 'HOTEL' AND PROVIDING FOR A NEW DEFINITION FOR 'SHORT TERM RENTALS/TOURIST HOMES'; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Argyle Code of Ordinances provides regulations for Short Term Rentals and/or Tourist Homes; and

WHEREAS, the Town of Argyle desires to add the definition of 'Short Term Rentals / Tourist Homes' to the Code of Ordinances; and

WHEREAS, the Town of Argyle finds that the Short Term Rentals / Tourist Homes should be updated and further defined so as to protect the public health, safety, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS:

SECTION 1. That Chapter 11, 'Taxation', Article 11.04 'Hotel Occupancy', Section 11.04.001 'Definitions' of the Argyle Code of Ordinances, is hereby amended by amending the definition for 'Hotel' and by adding a new definition for "Short Term Rentals/Tourist Homes", which shall herein read as follows:

"CHAPTER 11 – TAXATION

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ARTICLE 11.04 – HOTEL OCCUPANCY TAX

Sec. 11.04.001- Definitions.

....

Hotel. Any building or buildings, trailer, railroad Pullman not being utilized for the transportation of travelers or any other facility in which the public may, for a

consideration, obtain sleeping accommodations. The term shall include hotels, motels, short term rentals, tourist homes, houses or courts

.....

Quarterly period.

Short Term Rentals / Tourist homes. shall mean the rental of any residence or residential structure, or a portion of a residence or residential structure for a period of less than 30 days". The term does not include:

- (1) a unit that is used for a nonresidential purpose, including an educational, health care, retail, restaurant, banquet space, or event center purpose or another similar use;
- (2) a bed and breakfast; or
- (3) a hotel/residence hotel.

Town council.

.....”

SECTION 2. That all provisions of the Code of Ordinances of the Town of Argyle, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

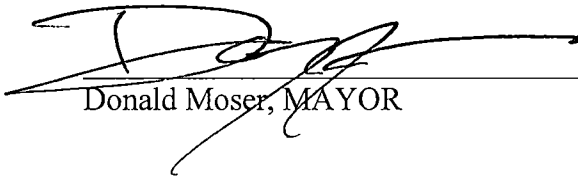
SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances, as amended hereby, shall be guilty of a misdemeanor

and upon conviction in the Municipal Court of the Town of Argyle, Texas, shall be subjected to a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the Town Council of the Town of Argyle, Texas, this the 26 day of February, 2019.

APPROVED:

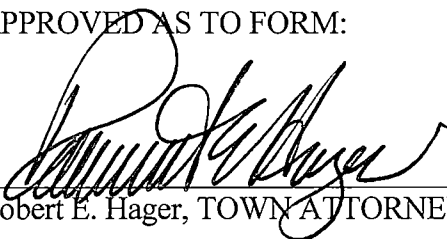

Donald Moser, MAYOR



ATTEST:


Erika McComis, TOWN SECRETARY

APPROVED AS TO FORM:


Robert E. Hager, TOWN ATTORNEY