

AN ORDINANCE OF THE CITY OF BAYTOWN, TEXAS, AMENDING THE CODE OF ORDINANCES, BAYTOWN, TEXAS, CHAPTER 111 “UNIFIED LAND DEVELOPMENT CODE,” ARTICLE 2 “ZONING DISTRICTS AND DIMENSIONAL STANDARDS,” DIVISION 2.3 “USE STANDARDS,” SEC. 2.31, “CONSOLIDATED USE TABLE,” TABLE 2.31-1, “LAND USE TABLE;” SEC. 2.33, “USE SPECIFIC STANDARDS,” SUBSEC. 2.33-3, “RESIDENTIAL USES;” AND ARTICLE 10, “WORD USAGE,” DIVISION 10.2, “DEFINITIONS,” TO AUTHORIZE THE PERMITTING AND INSPECTION OF SHORT-TERM RENTALS AND AMEND THE DEFINITION THEREOF; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That Chapter 111, “Unified Land Development Code,” Article 2 “Zoning Districts and Dimensional Standards,” Division 2.3, “Use Standards,” Sec. 2.31 “Consolidated Use Table,” is hereby amended as follows:

CHAPTER 111. UNIFIED LAND DEVELOPMENT CODE

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ARTICLE 2. ZONING DISTRICTS AND DIMENSIONAL STANDARDS

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Division 2.3. Use Standards

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Section 2.31 Consolidated Use Table

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Table 2.31-1 Land Use Table

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Use Category	Specific Uses	Zoning Districts														Use Standards				
		Residential						Mixed-Use					Non-Residential							
		ER	SR	MR	UR	AR	MUN	DTA	SJ					NC	GC		FC	LI	HI	OR
		CV	CV	CS	CV	CV	IF			MS	FLX	MS	FLX	SJ-3						
RESIDENTIAL USES																				

RESIDENTIAL USES

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Overnight Accomodations	Short-Term Rental	L	L	L	L	L	L	L	L	L	L	L	L	L	-	-	-	-	-	-	2.33-3
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Section 2: That Chapter 111, “Unified Land Development Code,” Article 2 “Zoning Districts and Dimensional Standards,” Division 2.3, “Use Standards,” Sec. 2.33 “Use Specific Standards,” Subsec. 2.33-3, “Residential Uses,” is hereby amended as follows:

CHAPTER 111. UNIFIED LAND DEVELOPMENT CODE

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ARTICLE 2. ZONING DISTRICTS AND DIMENSIONAL STANDARDS

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Division 2.3. Use Standards

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Section 2.31 Consolidated Use Table

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Subsec. 2.33-3 Residential Uses

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G. Short-Term Rental.

1. The City of Baytown will not enforce community deed restrictions or covenants associated with short-term rentals.
2. Tenure. The use may be rented for a period of up to, but not exceeding, 30 days.
3. Hotel-Motel Occupancy Tax: The City's Hotel-Motel Occupancy Tax requirements are applicable; (See Chapter 90, Article III, Hotel Occupancy Tax, of the City's Code of Ordinances).
4. A permit is required:
 - a. No person shall advertise, offer to rent, rent, or lease a residential property, or any portion thereof, within the City as a short-term rental without first obtaining a permit from the City.
 - b. The permit application shall include the name and contact information of the property owner, the address of the property, the number of bedrooms to be offered for rent, the number of available parking spaces, the designation and contact information of a twenty-four (24) hour local contact person, and any other information required by the City.
 - i. The “local contact person” shall be within 50 miles of the short-term rental.
 - c. A permit shall not be transferrable.

- d. A permit expires one (1) year after its date of issuance, and shall be renewed by the owner or applicant.
 - e. Each owner or applicant of a short-term rental shall post a copy of the city-issued permit at a visible location inside the dwelling near the primary entrance.
5. Inspection is required:
- a. Initial inspection: Upon submission of an application for a permit, and prior to the occupancy of a short-term rental by guests, the applicant shall schedule an initial inspection of the residential structure with the City Fire Marshal's Office or its designee to determine compliance with minimum occupancy standards, including but not limited to: the number of bedrooms offered for rent; the number of parking spaces provided; the presence of an accessible fire extinguisher; working smoke detectors in bedrooms and hallways; and a carbon monoxide detector.
 - b. Re-inspection: If, upon completion of the initial inspection, the premises are found to be deficient in one (1) or more provisions of this section, the city shall provide written notice of such deficiencies. It shall be the responsibility of the applicant to schedule a re-inspection of the premises, and a permit shall not be issued until the premises passes inspection. An inspection fee will be required.
 - c. Renewal certification: The subject property will be subject to an inspection each time the applicant submits for permit renewal.
 - d. Additional inspections authorized: The City or its authorized representative may, at its sole discretion, conduct additional inspections of a permitted short-term rental upon a report or suspicion of a violation of this Article.
6. Principal Use. The principal use of the short-term rental shall be a residential dwelling unit.
7. Residential Character. The use shall be conducted so that it does not unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence. The property owner, and/or property management must comply with the following rules:
- a. Parking: the owner must provide evidence of one parking space per bedroom listed for rent plus one additional parking space.
 - b. Number of occupants: two persons per bedroom is allowed plus two additional persons. The total number of occupants shall not exceed ten persons at any given time.
 - c. Party venue: the owner shall not advertise the property as party or entertainment venue; or any commercial/nonresidential use that violates the City's zoning regulations.
 - d. The property owner is responsible for complying with all applicable rules, covenants, and restrictions of any

- Homeowners' Association (HOA) or similar subdivision management organization.
- e. The minimum stay for a short-term rental shall be one (1) continuous twenty-four (24) hour period.
 - f. A twenty-four (24) hour local contact person shall be designated to respond to emergencies or neighborhood complaints. The contact person shall be available at all times and, if requested by the Police or Fire Department, shall be present on-site within one (1) hour of notification.
 - g. The use of interior sound monitoring devices is encouraged to help ensure compliance with applicable noise regulations.
 - h. Property rules and the contact information for the local contact person shall be posted inside the property in a visible location and near the primary entrance of the property.
8. Revocation or Suspension of a Short- Term Rental Permit:
- a. The owner of the property and the operator of the STR shall be responsible for compliance with all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject STR, including prohibition of public nuisances and unreasonable noise. Violations of any applicable law, rule, or regulation, may result in the revocation or denial of a short-term rental permit.
 - b. Revocation or Suspension Due to False Information: The Director of Planning and Development Services is authorized to suspend or revoke a short-term rental permit issued under the provisions of this Article if the property owner fails to pay hotel occupancy tax, or if it is determined that the property owner or applicant of a short-term rental permit made a false statement of material fact on an application for the permit.
 - c. Revocation Due to Violation: The Director of Planning and Development Services is authorized to revoke a short-term rental permit after three (3) violations have occurred in any consecutive 12-month period or when a property owner fails to correct a violation within the specified time period. For the purposes of this section, a violation shall be defined as any violation of the requirements of this Article or the City Code of Ordinances.
 - d. Revocation Process: upon a determination to revoke a short-term rental permit, the Director of Planning and Development Services shall notify the property owner of the decision to revoke and the effective date of the revocation in writing within ten (10) days of the determination.
 - e. Reapplication After Revocation: if a Short-Term Rental Permit is revoked, the property owner may not submit a new application for a short-term rental permit for the same property for a period of 12-months from the date of revocation.

- f. Appeals: If the Director of Planning and Development Services denies the issuance or renewal of a short-term rental permit or revokes or suspends an existing short-term rental permit issued under this Article, the property owner may appeal the decision to the Board of Adjustments (BOA) in accordance with Unified Land Development Code (ULDC), Article 7 Development Review Procedures, Sec. 7.53 Appeal of Administrative Decision.
- 9. Penalties: Any person who knowingly or intentionally violates any subsection of this article shall be punishable in accordance with Article 9 Enforcement, Violations and Penalties of the City Code of Ordinances.

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Section 3: That Chapter 111, "Unified Land Development Code," Article 10, "Word Usage," Division 10.2, "Definitions," is hereby amended as follows:

CHAPTER 111. UNIFIED LAND DEVELOPMENT CODE

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ARTICLE 10. WORD USAGE

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Division 10.2 Definitions

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Short-Term Rental means the rental of all or part of a residential dwelling unit that is rented out for compensation for a duration of occupancy period of less than 30 consecutive days.

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Section 4: Any person who fails to comply with any provision contained in Sections 1-8 of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each act of violation and each day upon which such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency,

and in all other respects, this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6: If any provision, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void, or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances; and to this end, all provisions of this ordinance are declared to be severable.

Section 7: This ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Baytown at least twice within ten (10) days after passage of this ordinance.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 9th day of July 2026.

CHARLES JOHNSON, Mayor

ATTEST:

ANGELA JACKSON, City Clerk

APPROVED AS TO FORM:

SCOTT LEMON, City Attorney