ORDINANCE NO. 25 - 060

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING "THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED", CHAPTER 19, "LICENSES, PERMITS AND BUSINESS REGULATIONS", ARTICLE VI, "SHORT TERM RENTALS" IN ITS ENTIRETY TO PROVIDE CLARIFICATION OF REGULATIONS, DEFINITIONS AS APPLICABLE, FINES AND FEES AS APPLICABLE ; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Galveston City Council seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and,

WHEREAS, the explosive growth of the Short Term Rental (STR) industry has had an impact on the City of Galveston and, while many owners and operators attempt to ensure compliance with statutes and city code provisions, there are operators who require a more robust approach to comply with code provisions promulgated to preserve the public peace, cleanliness and orderly traffic and parking control through a system of enforcement; and,

WHEREAS, proper enforcement of City Code provisions must allow for the review and possible revocation of licenses under certain circumstances after affording appropriate substantive and procedural due process to errant holders of such licenses; and,

WHEREAS, at its Regular Meeting on December 12, 2024, City Council approved an ordinance creating a City Ad Hoc Committee to study STRs in the City of Galveston; and,

WHEREAS, the STR Ad Hoc committee was tasked by City Council to determine issues and problems associated with STRs, if any, to determine whether imposition of additional fees would be appropriate, and to determine what, if any, regulations of STRs may be appropriate and report to City Council their recommendations; and,

WHEREAS, the STR Ad Hoc Committee and city staff reviewed Chapter 19 of the City Code, and recommends amending Article VI "Short Term Rentals" in its entirety in order to provide additional clarification, definitions, regulations and to provide for applicable fees and fines; and,

WHEREAS, the City Council of the City of Galveston, Texas, deems it in the public interest to amend Chapter 19, "Licenses, Permits and Business Regulations", Article VI, "Short Term Rentals", as provided below.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The Code of the City of Galveston 1982, as amended, Chapter 19, "Licenses, Permits and Business Regulations", Article VI, "Short Term Rentals" is amended in its entirety to read and provide as follows:

ARTICLE VI. - SHORT TERM RENTALS

Sec. 19-113. - Definitions

For the purposes of this Article, the following definitions will apply:

Occupant. Any person(s) and the guest(s) of such person(s) who have lawfully obtained the exclusive use and possession of the short term rental property or portion thereof from its operator.

On Street Parking shall be considered to be parking that is not in violation of current city or state laws or codes, and shall not mean parking on any alley, sidewalk, or driveway of any residence other than the STR unit, or any street in such a way to impede travel by the public or emergency vehicles, and on any unimproved surface as that term is defined by the Galveston Land Development Regulations.

Operator. Means any person, who may be the owner, designated by the owner, or an agent or representative to comply with the requirements of this Article on behalf of the owner. A lessee of a Unit, when expressly permitted in writing by the Owner, may serve as an operator of a short term rental unit.

Owner. Means the person or entity that holds legal and/or equitable title to the private property.

Short Term Rental (STR) Unit. Means a residential dwelling unit or accessory building fit for human habitation, for any type of consideration on a temporary or transient basis, for a period less than thirty (30) consecutive days.

Short Term Rental. Means the **use** of a residential dwelling unit or accessory building fit for human habitation for any type of consideration on a temporary or transient basis, for a period less than thirty (30) consecutive days.

Short Term Rental Platform. A person or entity that: 1) provides an online means through which an owner/operator may offer a short term rental unit for rent by the public, and the consumer may lease the unit; and 2) receives a financial benefit as a result of the rental.

Sec. 19-114. - Short term rentals.

(a) The purpose of this Article is to:

(1) establish regulations for the use of residential dwelling units as short term rentals;

(2) ensure the collection and payment of hotel/motel occupancy taxes;

(3) ensure that operators of short term rental units comply and ensure the occupants of their short term rental units comply with all city ordinances and maintain the quality of life in neighborhoods throughout the City.

(b) An owner shall designate an operator, as defined herein. An operator's act or failure to act shall be imputed to the owner. An owner and an operator are jointly liable for any violation of the City Code arising out of the operation of the short term rental unit.

(c) The owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a short term rental unit, regardless of whether such noncompliance was committed by the owner, operator, or the occupants of the owner's short term rental unit or their guests.

(d) This Article is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants, or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short term rental purposes as defined in this Article.

(e) No owner may make available for a short term rental unit any building/property unless that building/property is licensed as a short term rental in accordance with this Article.

(f) For the purposes of this article, it is prohibited to utilize recreational vehicles of any type, including mobile homes, campers, trailers, or similar forms of shelter as a short term rental unit. No similar form of shelter shall be registered as a short term rental unit in the city.

(1) Recreational vehicles (RVs) located in permanent RV parks are exempt from this prohibition.

(g) For the purposes of this Article, a short term rental unit does not include hotels or motels staffed by paid staff members, on a twenty-four hour a day basis, and guests use individual rented rooms separate and apart from other guests.

Sec. 19-114. – Registration and License.

(a) The City is the administrative agency for the registration of short term rental units. The City will provide an online listing of each registered short term rental unit within the City.

(b) Before operating a short term rental, the owner must obtain a license from the City of Galveston (city). An annual city license is valid for twelve months from January through December. The license is nontransferable.

If an owner sells a property being used as a short term rental unit, the new owner must obtain a new license prior to operating the property as a short term rental.

(c) The owner/operator shall obtain the required forms and any other required documents from the city in order to obtain a short term rental license.

(d) The owner/operator must include the following information and submit the completed forms as part of the registration process. All information must be correct and up to date. Inaccurate or out of date information at the time of the application for a short term rental license may result in denial of the license:

(1) The current name, address, email and telephone number of the owner of the subject short term rental unit;

(2) The current name, address, email and telephone number of any operator of the subject short term rental unit;

(3) The address of the existing structure proposed to be used as the short term rental unit;

(4) The current address, email and twenty-four (24) hour telephone number of the local contact person:

a. The local contact person is the person designated by the owner or the operator who shall be available twenty-four (24) hours per day, seven (7) days a week for the purpose of:

1. Responding in person or by telephone within one (1) hour to complaints regarding city code violations.

2. Taking remedial action to resolve any such complaints.

b. A signed acknowledgement statement of understanding that the failure of the person named as the local contact person to respond within one hour of being called shall be a violation of this Article and/or of the City Code.

c. A signed acknowledgement statement of understanding that the failure of the person named as the local contact person to resolve the complaints given to them within two (2) hours of being called may be a violation of this Article and/or of the City Code.

(5) Such other information as the city manager, or designee, deems reasonably necessary to administer this Article.

(e) License fee.

(1) Short term rentals owners must pay an annual registration fee as established by the city council to obtain a license to operate.

a. The annual short term rental registration fee is payable by December 31 preceding the license year.

b. The annual short term rental registration fee shall be two hundred fifty dollars ($250.00) (per rental unit) or as determined by City Council.

(2) All entities must register each individual short term rental unit separately, even if the tax payments are made under one (1) taxpayer identification number. Each separate short term rental unit shall be issued its own registration number.

(3) Except as provided herein:

a. Registration of a short term rental unit shall expire yearly on December 31 of each calendar year.

b. The registration of a short term rental unit which is filed after January 1 of a calendar year shall expire December 31 of that calendar year.

(1) There will be no pro rata reduction of the registration fee.

(2) The registration fee is non-refundable.

(3) Any owner failing to register by December 31 will be subject to a $500 late fee in addition to the registration fee.

The $500 late fee will not apply if the applicant acquired the property after the December 31 registration deadline.

c. Continuing to operate a short term rental unit after failure to pay the registration fee shall result in an immediate suspension of the registration of the short term rental unit and is a violation under this Article.

During the period of any suspension, the unit may not be advertised or utilized as a short term rental unit.

(f) Nonconformity.

A property established as a short term rental unit prior to a zoning change shall be considered a nonconformity in accordance with Article 11 of the Galveston Land Development Regulations. Continuation of a nonconformity shall not be allowed if the property is not registered as a short term rental unit in excess of three hundred sixty five (365) consecutive days from the date of its previous registration approval, or if the short term rental unit use was discontinued for a period of three hundred sixty five (365) days for any reason.

Sec. 19-115. - Minimum standards of conduct.

(a) The owner, agent or representative is responsible to ensure that clients and/or occupants who rent their short term rental units do not violate city or state laws, including; but not limited to, restrictions on parking, trash disposal, noise, discharge of firearms, use of fireworks, barking dogs, and/or any other conduct.

(b) Occupants of short term rental units shall comply with the parking regulations of the city code and state law and as further defined in this Article under "on street parking".

(c) Each failure of the occupants of a short term rental unit to adhere to the minimum standards of conduct may, in addition to any charges brought against the occupants, be considered a violation by the short term rental unit owner which may be used in the determination whether to revoke their license to operate the short term rental unit. Responding to and remediating any violations within the hour provided in this Article may be considered a defense to a violation under this Article.

(d) Citizens who wish to report violations of City Code pertaining to noise, trash, parking, or standards of conduct by occupants of short term rentals may contact the City Short Term Rental Hotline.

(e) The owner or operators shall provide a brochure or other alternative publication to occupants of short term rental units, with information which shall provide basic, minimum standards of conduct during their visit to the city.

(f) Additionally, owners or operators can direct occupants to the City's website, www.galvestontx.gov, access the Business tab, and navigate to Short Term Rental Owner for additional resources and a list of rules and regulations pertaining to the City Code.

(g) Occupant indoor notification.

(1) The owner or manager of the property shall post in a conspicuous location of the short term rental unit the following minimum information:

a. maximum number of occupants

b. location of off street parking, other available parking and prohibitions as described above

c. quiet hours and noise restrictions as defined in City Code Chapter 24

d. 24 hour local contact person and phone number

e. flooding hazards and evacuation routes

f. emergency numbers, including numbers to call in order to receive weather related updates and notices

g. notice that the failure to conform to City Code ordinances relating to public safety, trash, noise, or parking can result in a citation.

Section 19-116. - Hotel Occupancy Tax (HOT) Compliance and Reporting.

The owner is required to ensure all Hotel Occupancy Taxes are collected and submitted as set forth in City Code Chapter 33. Pursuant to Section, 33-89 (or as amended), - "Availability of records, reports and payments". The owner or operator shall submit a monthly report to the city on the appropriate "hotel occupancy tax collection report" form, even if the short term rental unit was not rented during any such month.

Sec. 19-117. - Compliance—Penalty provision.

(a) The owner or operator shall comply with all applicable laws, rules and regulations pertaining to the use and occupancy of short term rentals, including, but not limited to:

(1) this Article,

(2) Chapter 23, "Nuisance Abatement",

(3) Chapter 24, "Offenses, Miscellaneous",

(4) Chapter 33, Article III. "Hotel Occupancy Tax".

(b) Failure to comply.

(1) Notice of violation. The city shall issue a notice of violation to any occupant, owner(s) or operator, if there is any violation of this Article committed, caused or maintained by the owner, operator or occupant.

(2) Failure to respond and resolve.

a. Failure of the person designated by the owner/operator to respond within one (1) hour to complaints regarding the condition, operation, or conduct of occupants of the short term rental unit shall be considered a violation of this Article.

b. Failure of the person designated by the owner/operator to resolve the complaints within two (2) hours of contact shall be considered a violation of this Article.

c. The hour(s) long time period(s) above shall be measured from the notification by the Short Term Rental Hotline to the designated local contact.

(3) Citation. As allowed by law, the city may issue citations for violations of this Article and any other applicable state or local law.

(c) Penalty.

(1) A violation under this section is a class C misdemeanor offense punishable upon conviction by a fine not to exceed five hundred dollars ($500.00) per offense. In the instance of continuing conduct, each day shall constitute a separate offense.

(2) Pursuant to state law and this Code, the maximum penalty for offenses arising under such code or ordinance of the city governing fire safety, zoning, public health and sanitation, shall not exceed the sum of two thousand dollars ($2,000.00).

(3) If such maximum penalty provided for by this Code or any such offense is greater than the maximum penalty provided for the same or a similar offense under the laws of the state, then the maximum penalty for violation as provided by state statute shall be the maximum penalty under this Code.

(4) Penalties provided for are in addition to any other enforcement remedies that the city may have under city ordinances and state law.

Sec. 19-118. Creation of short term rental licensing ("STRL") board. Revocation of license.

(a) A Short Term Rental Licensing Board (STRL Board) is hereby created to monitor the operation of short term rentals within the City of Galveston and make recommendations to the City Council related to the revocation of STR licenses. The Board shall be composed of three to five city staff members as designated by the City Manager

(b) Revocation of License.

(1) A license for the operation of a short term rental is subject to revocation upon a showing to the STRL Board that three (3) violations of the city code have occurred within the preceding 12 months, as documented through the Short Term Rental Hotline. Violations may also be made by internal city departments. The owner shall receive notice of each violation as it occurs.

(2) At three (3) violations, the City Manager or their designee will give written notice to the owner of the contemplated revocation action and hearing schedule.

a. The notice shall identify each violation relied upon to support the recommendation of revocation.

b. The owner may rebut any of the identified violations with such relevant information they may choose to present.

(3) In determining whether a violation has occurred, the STRL Board may consider:

a. ticket(s) or warning(s) were issued - (no conviction is necessary);

b. a recording of the violation as it occurred;

c. statements of witnesses, law enforcement reports or any other evidence deemed relevant by the STRL Board.

(4) At the conclusion of the hearing, the STRL Board will make a recommendation whether to revoke the license or allow continued operation. The STRL Board may condition continued operation of the short term rental, for as long as no further violations occur.

a. In the event of a further violation, the panel will reconvene to consider further action related to the license.

(5) The first time a license is revoked, the length of revocation will be for a period not to exceed six months as recommended by the STRL Board.

(6) Recommendations by the STRL board will be forwarded to the City Manager for his or her review. The recommendations of the STRL board will then be referred to the City Council for final action.

If the City Council revokes the license, a new license will be required to resume operation.

(7) Permanent Revocation.

a. A license for the operation of a short term rental unit is subject to permanent revocation if:

(1) a short term rental has received one (1) or more revocations of its license; and/or

(2) Upon a showing to the STRL Board that three (3) violations of the city code occurred since the restoration of a prior revoked short term rental license.

(8) It shall be the responsibility of the owner or operator of an STR to ensure the STR is delisted by all platforms during the duration of the license

revocation. Continued listing on an online platform of an STR with a revoked license shall constitute a violation of this Article.

(c) The decision to revoke an operating license, either on a temporary or permanent basis, shall be made by the City Council at a scheduled Council meeting. The City Council may affirm, deny or modify the recommendation of the STRL board or the terms thereof. The decision of the City Council is a final action.

Sec. 19-119. Advertisement of short term rental units.

(a) In this section, the term "advertisement" shall refer to any communication made by the owner/operator of a short term rental unit notifying the public that a short term rental unit is available for rent by the reader.

(b) In this section, the term "medium" shall refer to any publication such as newspapers, signs, magazines, websites, social media, or television advertisements, which conveys to the reader the availability of the unit for rental on a short term basis.

(c) An owner/operator of a short term rental unit in the city who uses any medium to market their short term rental unit in the city must include on the advertisement the registration number.

(d) Failure to comply with this Article shall be an offense punishable in accordance with the regulations set forth herein. Each day of advertisement shall constitute a separate offense. In the event multiple mediums are utilized, each advertisement in a single medium is a separate offense.

(e) Signage: the following signage standards shall apply in residential zoning districts:

(1) signs are not to exceed 22 inches by 33 inches and may include the name of the establishment, logo, date of establishment and designation as a short term rental unit.

(2) the signage shall be attached to either the structure, fence surrounding the structure, signpost, or private lamp pos.t

(3) the overall height of the entire sign, including the signpost, shall not exceed 5 feet.

(4) the signage shall be compatible with the style and detailing of the house.

(5) illumination of the sign, in any manner, shall be prohibited.

(6) all signage for the property located in a historic district shall comply with applicable standards in Article 10, Overlay District Standards, of the Galveston Land Development Regulations.

(7) excluding historic districts, signs may be permitted in zoning districts as set forth in Article 5, Sign Regulations, of the Galveston Land Development Regulations.

Sec. 19-120. - Short term rental platforms.

(a) A short term rental platform that displays listings of short term rental units located in the city shall require an owner/operator using the platform to include the property's registration number in any listing for a short term rental on the platform. The registration number must be displayed on the listing. No short term rental shall be listed on the platform which does not include the registration number.

(b) A short term rental platform shall remove any listing for a short term rental unit from the platform after notification by the City that the registration number associated with a short term rental unit listing is invalid, expired, or has been revoked. The notification must identify the listing(s) to be removed and state the reason for removal. The platform shall remove the listing as soon as practicable.

(c) A short term rental platform that collects state hotel occupancy tax shall collect city hotel occupancy tax for owners/operators and remit to the city the applicable city hotel occupancy tax, as calculated on the amount the short term rental guest pays to the short term rental unit owner/operator for rent. To effectuate this provision, the city hotel occupancy tax code, chapter 33, Article III shall apply to short term rental platforms.

(d) A short term rental platform that fails to comply with the requirements in this article is subject to the applicable penalty provisions of the city hotel occupancy tax code, chapter 33, Article III.

(e) Nothing in this ordinance will absolve the owner/operator from any duties or obligations which arise under chapter 19 or chapter 33 of the City Municipal Code. Notwithstanding any other provision of this ordinance, payment of hotel occupancy tax is the responsibility of the short-term rental unit owner/operator.

~~Sec. 19-113. - Short term rentals.~~

~~(a) The purpose of this article is to establish regulations for the use of residential dwelling units as short term rentals and to ensure the collection and payment of hotel/motel occupancy taxes.~~

(b) For purposes of this article, a short term rental (STR), is defined as the use of a residential dwelling unit, fit for human habitation, on a temporary or transient basis. A short term rental shall include a residential dwelling unit used as a short term vacation rental, for any period less than thirty (30) consecutive days.

(c) For purposes of this article: An owner shall designate the owner, or an agent or a representative to comply with the requirements of this section on behalf of the owner. The owner or designated agent or representative is referred to as "operator" herein.

(d) The owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a short term rental unit, regardless of whether such noncompliance was committed by the owner's authorized agent or representative or the occupants of the owner's short term rental unit or their guests.

(e) This article is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants, and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short term rental purposes as defined in this section.

(f) No owner may make available for a short term rental any building/property unless that building/property is registered as a short term rental in accordance with section 19-114 below.

(g) It is prohibited to utilize recreational vehicles of any type, including mobile homes, campers, trailers, or similar forms of shelter as a short term rental. No such similar form of shelter shall be registered as a short term rental in the city.

(1) Recreational vehicles (RVs), located in permitted RV parks, are exempt from this prohibition.

Sec. 19-114. - Registration.

(a) The park board of trustees (park board) of the city is the administrative agency for the registration of short term rentals and collection of rental registration fees.

(b) The owner/operator shall obtain short term rental registration forms and any other required documents from the park board of trustees of the city located at 601 Tremont Street, Galveston, Texas, 77550. The park board office may be contacted at 409-797-5000 for additional information.

(c) The owner/operator must include the following information and submit the completed forms to the park board:

(1) The name, address, email and telephone number of the owner/operator of the subject short term rental unit;

(2) The name, address, email and twenty-four (24) hour telephone number of the local contact person;

a. The local contact person is the person designated by the owner or the operator who shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of:

1. Responding in person within one (1) hour to complaints regarding the condition, operation, or conduct of occupants of the short term rental unit; and

2. Taking remedial action to resolve any such complaints.

(3) The address of the existing structure proposed to be used as the short term rental unit;

(4) The number of bedrooms and the applicable overnight and daytime occupancy limit of the proposed short term rental unit;

(5) Such other information as the city manager, or designee, deems reasonably necessary to administer this section.

(d) *Registration fee.*

(1) Short term rentals are subject to a registration fee as established by the city council.

a. The annual short term rental registration fee shall be two hundred fifty dollars ($250.00) (per rental unit).

(2) All entities must register each individual short term rental, even if the tax payments are made under one (1) tax payer identification number.

(3) Each individual property utilized by an owner as a short term rental shall be registered separately.

(4) Each individual short term rental shall be issued a registration number.

(5) Except as provided herein:

a. Registrations of short term rentals shall expire yearly on December 31 of each calendar year.

b. The registration of a short term rental which is filed after January 1 of a calendar year shall expire in December of that calendar year and there will be no pro rate reduction of the registration fee.

c. Failure to pay the registration fee shall result in an immediate suspension of the registration of the short term rental unit. During the period of any suspension, the unit may not be utilized as a short term rental.

(6) Nonconformity. A property established as a short term rental prior to a zoning change shall be considered a nonconformity in accordance with Article 11 of the Galveston Land Development Regulations. Continuation of a nonconformity shall not be allowed if the property is not registered as a short term rental in excess of a period of three hundred sixty-five (365) consecutive days from the date of its previous registration approval, or if the use a short term rental was discontinued for a period of three hundred sixty-five (365) consecutive days for any reason.

(e) *Violation and penalty.*

(1) Renting a short term rental (STR) which does not have a current registration is a violation of this chapter and will be punishable by a fine of up to five hundred dollars ($500.00). Each day of any rental is a separate violation and shall constitute a separate offense.

Sec. 19-115. - Minimum standards of conduct.

(1) The owner, agent or representative shall provide a brochure or other alternative publication to renters, of short term vacation rentals, with information which shall provide basic, minimum, standards of conduct during their visit to the city. An example of such brochure, created by the Short Term Rental Owners Association of Galveston, can be found at http://stroag.org.

(2) Additionally, renters can be directed to the city's website, www.cityofgalveston.org, and access the "Community" tab for additional resources and/or list of rules and regulations pertaining to the city.

Sec. 19-116. - Compliance - Penalty provision.

(a) The owner or operator shall comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short term rental unit, including, but not limited to, Chapter 23, "Public Nuisances", Chapter 24, "Noise" and Chapter 33, Article III "Hotel Occupancy Tax". Pursuant to Section 33-89, the owner or operator shall, submit a monthly report to the city, on the appropriate "hotel occupancy tax collection report" form, even if the short term rental unit was not rented during any such month.

(b) Failure to comply.

(1) *Notice of violation*. The city may issue a notice of violation to any occupant, owner(s) or operator, if there is any violation of this article committed, caused or maintained by the owner, operator or occupant.

(2) *Citation*. As allowed by law, the city may issue citations for violations of this article and any other applicable state or local law.

(c) Penalty.

(1) A violation under this section is a class C misdemeanor offense punishable upon conviction by a fine not to exceed five hundred dollars ($500.00) per offense. Each day shall constitute a separate offense.

(2) Pursuant to state law and this Code, the maximum penalty for offenses arising under such code or ordinance of the city governing fire safety, zoning, public health and sanitation, shall not exceed the sum of two thousand dollars ($2,000.00).

(3) If such maximum penalty provided for by this Code or any such offense is greater than the maximum penalty provided for the same or a similar offense under the laws of the state, then the maximum penalty for violation as provided by state statute shall be the maximum penalty under this Code.

(4) Penalties provided for are in addition to any other enforcement remedies that the city may have under city ordinances and state law.

Sec. 19-117. - Advertisement of short term rental units.

(a) In this section, the term "advertisement" shall refer to any communication made by the owner/operator of a short term rental notifying the public that a short term rental is available for rent by the reader.

~~(b) In this section, the term "medium" shall refer to any publication such as newspapers, signs, magazines, websites, television advertisements, which conveys to the reader the availability of the unit for rental on a short term basis.~~

~~(c) An owner/operator of a short term rental in the city who uses any medium to market their short term rental in the city must include on the advertisement the registration number obtained from the park board of trustees.~~

~~(d) Failure to comply with this section shall be an offense punishable in accordance with section 19-116. Each day of advertisement shall constitute a separate offense. In the event multiple mediums are utilized, each advertisement in a single medium is a separate offense.~~

~~Sec. 19-118. - Short term rental platforms.~~

~~(a) A short term rental platform is a person or entity that: 1) provides an online means through which an owner/operator may offer a short term rental unit for rent by the public and the consumer may lease the unit; and 2) receives a financial benefit as a result of the rental.~~

~~(b) A short term rental platform that displays listings of short term rentals located in the city shall require an owner/operator using the platform to include the property's registration number in any listing for a short term rental on the platform. The registration number must be displayed on the listing. No short term rental shall be listed on the platform which does not include the registration number.~~

~~(c) A short term rental platform shall remove any listing for a short term rental from the platform after notification by the park board of trustees that the registration number associated with a short term rental listing is invalid, expired, or has been revoked. The notification must identify the listing(s) to be removed and state the reason for removal. The platform shall remove the listing as soon as practicable.~~

~~(d) A short term rental platform that collects state hotel occupancy tax shall collect city hotel occupancy tax for owners/operators and remit to the city, the applicable city hotel occupancy tax, as calculated on the amount the short term rental guest pays to the short term rental owner/operator for rent. To effectuate this provision, the city hotel occupancy tax code, chapter 33, article III shall apply to short term rental platforms.~~

~~(e) A short term rental platform that fails to comply with the requirements in this article is subject to the applicable penalty provisions of the city hotel occupancy tax code, chapter 33, article III.~~

~~(f) Nothing in this ordinance will absolve the owner/operator from any duties or obligations which arise under chapter 19 or chapter 33 of the City Municipal Code. Notwithstanding any other provision of this ordinance, payment of hotel occupancy tax is the responsibility of the short term rental owner/operator.~~

SECTION 3. 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 phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 5. All Ordinances of general and permanent nature, and amendments to such Ordinances, hereinafter adopted by the City Council, shall be drafted, so far as possible, as specific amendments of, or additions to, this Code. Amendments to this Code are intended for publication to the Galveston City Code. The Codifier is authorized pursuant to the Galveston City Code to make non-substantive changes to the Ordinance prior to publishing.

SECTION 6. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 7. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:

_____
XOCHITL VANDIVER-GASKIN
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular meeting held on November 13, 2025, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 14th day of November, 2025.

_____
Secretary for the City Council
of the City of Galveston