

ORDINANCE NO. 27,742

AN ORDINANCE RELATING TO BUSINESSES, AMENDING CHAPTER 13 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2020, BY AMENDING ARTICLE XIII - HOME SHARING, DIVISION 1 - GENERALLY, BY AMENDING SECTION 13-500 – DEFINITIONS; AND DIVISION 2 - LICENSE, SECTIONS 13-510 - LICENSE REQUIRED; RESTRICTIONS ON ISSUANCE, 13-511 - APPLICATION REQUIRED AND 13-514 – SUSPENSION, REVOCATION, DENIAL; AND BY ENACTING SECTIONS 13-516 – OCCUPANCY LIMITS FOR HOME SHARING ACCOMMODATIONS AND 13-517 - COVENANTS; DEED RESTRICTIONS; OVERLAY REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. That Chapter 13, Article XIII, Division 1, Section 13-500 of the Oklahoma City Municipal Code, 2020, as amended, is hereby amended to read as follows:

CHAPTER 13

BUSINESSES

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ARTICLE XIII. - HOME SHARING/SHORT TERM RENTAL

DIVISION 1. - GENERALLY

§ 13-500. - 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. The provisions contained in other articles in this chapter do not apply to this article.

- (1) *Home sharing/short term rental or home sharing/short term rental accommodation* means lodging-accommodations ~~that are~~ provided in a dwelling unit or room(s) in a dwelling unit for rent for a temporary period of time ~~less not to exceed more~~ than 30 consecutive days per guest, and the dwelling unit is the host's primary residence; provided if the dwelling unit is located within a Historic Preservation District or said dwelling unit is not the primary residence of the host, a special exception must be obtained from the Board of Adjustment. (See Chapter 59 - § 59-9350.38.1). This term does not include a "bed and breakfast", "hotel", or other facility specifically defined in this Code.

- (2) *Guest* means a person who rents a home sharing/short term rental accommodation.
- (3) *Host* means a property owner, or a tenant with the written authorization of the property owner, who is engaged in providing home sharing accommodations.
- (4) *Rent* means all payments, except deposits and damages, to be made to the host under the rental agreement or contract for temporary occupancy.
- (5) Primary residence means the dwelling unit where a host physically resides the majority of the year as established by at least three methods of identification, such as a driver’s license, automobile registration, voter registration, homestead exemption, utility bills, tax/banking documents, etc.
- (6) Dwelling unit means a single unit providing complete, independent living facilities, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- (7) Parcel means a lot, or contiguous group of lots in single ownership or under single control, usually considered a unit for purpose of development or rezoning.

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SECTION 2. That Chapter 13, Article XIII, Division 2, amending Sections 13-510, 13-511 and 13-514 and enacting Sections 13-516 and 13-517, of the Oklahoma City Municipal Code, 2020, as amended, is hereby amended to read as follows:

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ARTICLE XIII. - HOME SHARING/SHORT TERM RENTAL

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DIVISION 2. - LICENSE

§ 13-510. - License required; restrictions on issuance.

- (a) No person shall manage/operate a home sharing/short term rental accommodation without a license, as provided herein, issued by the Supervisor of Licenses. Said license shall expire one year from the date of issuance. Licenses may be renewed on an annual basis upon filing a renewal application with the Supervisor of Licenses.
- (b) No license shall be issued or renewed to any home sharing/short term rental accommodation where taxes levied pursuant to Chapter 52 of the Code are delinquent and are owed by the operator of the home sharing/short term rental accommodation.
~~property.~~

(c) No person shall offer or engage in home sharing/short term rental in or on any part of the parcel ~~property~~ not approved for residential occupancy, including but not limited to, a vehicle parked on the parcel, ~~property~~, a storage shed, trailer or garage or any temporary structure such as a tent.

(d) No person shall offer or engage in home sharing/short term rental without complying with applicable building or fire codes adopted by the City.

(e) Notwithstanding any other provision of this Article, where said dwelling unit: premises are ~~1) is not the host's primary residence; or 2) is the host's primary residence but the host engages in home sharing/short term rental for more than ten (10) nights in a calendar month; or 3) where said premises are~~ is located within the boundaries of a Historic Preservation District, no license shall be issued for home sharing/short term rental without a current, valid special exception; provided, property owners who have, prior to January 15, 2019, provided lodging accommodations in a dwelling unit or room(s) in a dwelling unit for rent for a temporary period of time less than not exceeding 30 consecutive days per guest shall be eligible for a license after providing sufficient proof, such as a prior temporary rental agreement or other such evidence, of the existing prior use to the Supervisor of Licenses.

(f) In accordance with Chapter 26, Section 3 of the Code, a separate license shall be required for each dwelling unit ~~property~~ being offered for home sharing/short term rental.

§ 13-511. - Application required.

Applicants for a license under this Article shall file with the Supervisor of Licenses a verified application in writing on a form to be furnished by the Supervisor of Licenses, which shall contain the following information:

(1) The name, street address, mailing address, and telephone number of the host of the home sharing/short term rental accommodation; ~~property;~~

(2) Number of bedrooms being offered for rent;

(3) The name, street address, mailing address, and telephone number of a local contact if the host lives outside of the City or State;

(4) Verification that the dwelling unit being offered for home sharing/short term rental, and the parcel on which the dwelling unit is located, are ~~property is~~ in compliance with the City's minimum property maintenance, building, electrical, mechanical and plumbing codes;

(5) Verification that the dwelling unit being offered for home sharing/short term rental has working smoke detectors as required by City codes, a working carbon monoxide detector and a functioning fire extinguisher;

(6) Proof of ownership of the property;

- (7) Proof that the dwelling unit being offered for home sharing/short term rental property is the primary residence of the host, ~~such as driver's license, automobile registration, or voter registration~~;
- (8) Proof of authorization from the property owner, if applicant is a tenant;
- (9) The Uniform Resource Locator (URL), (i.e. the web site address) for any and all advertisements of the rental;
- (10) Any other information requested by the Supervisor of Licenses.

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§ 13-514. - Suspension, revocation, denial.

If any licensee shall be delinquent in the payment of taxes as required by Chapter 52 of this Code, or have two or more convictions, entered two or more pleas of nolo contendere, or entered two or more pleas of guilty for violations of the Code in any way relating to the home sharing/short term rental accommodation, or the parcel on which it is located, subject property within a twenty-four month period, or violate any of the provisions of this article, or engage in any of the causes for suspension or revocation found in Chapter 26- 19 of the Code, the Supervisor of Licenses shall investigate the matter, following the procedures provided in Chapter 26 of this Code, which may cause the license to be suspended, revoked or denied. If the license is suspended, revoked, or denied pursuant to this Section, the Supervisor of Licenses shall not approve a home sharing/short term rental license for the same property address for a period of one (1) year.

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§ 13-516. - Occupancy limits for home sharing accommodations.

The maximum occupancy of any home sharing/short term rental accommodation at any time shall be no more than the number of bedrooms multiplied by two plus two additional occupants or no more than the number of occupants allowed pursuant to a special exception granted by the Board of Adjustment; provided however that under no circumstance shall the total maximum occupancy exceed sixteen occupants. This occupancy limit shall apply to the entire site of the home sharing/short term rental accommodation, including any outdoor areas. For purposes of this section, "bedroom" is any room intended to be used for sleeping purposes and meets the requirements of the International Residential Code or the International Building Code as applicable and adopted by the City.

§ 13-517. - Covenants; deed restrictions; overlay requirements.

Nothing in this Article is intended to invalidate or supersede any restrictive covenant, deed restriction, or lease agreement which may be applicable. This Article shall be subject to any applicable overlay district or any provision thereof or any zoning restriction unique to a particular area or parcel.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect in 60 days, on the 16th day of February, 2025.

INTRODUCED AND READ in open meeting of the Council of The City of Oklahoma City, Oklahoma this 19th day of November, 2024.

PASSED by the Council and **SIGNED** by the Mayor of The City of Oklahoma City, Oklahoma, on the 17th day of December, 2024.

s/b David Holt, Mayor

ATTEST:

Amy K. Simpson, City Clerk