

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING 13-108(u) SHORT TERM RENTAL FEE; ADDING ARTICLE XXXV SHORT TERM RENTALS, SECTIONS 13-3500 THROUGH 13-3508; ADDING PURPOSE, GENERAL CONDITIONS, LICENSE APPLICATION REQUIREMENTS, ISSUANCE OF LICENSE REQUIREMENTS, COVENANTS; DEED RESTRICTIONS; OVERLAY REQUIREMENTS, FEES, REQUIRED INFORMATION TO BE POSTED AND PROVIDED TO GUESTS, LICENSE RENEWAL, LICENSE DENIAL, SUSPENSION OR REVOCATION; AMENDING THE FOLLOWING SECTIONS IN ARTICLE XIV OF CHAPTER 22 (ZONING ORDINANCE), 420.1 (A-1, GENERAL AGRICULTURAL DISTRICT), 420.2 (A-2, RURAL AGRICULTURAL DISTRICT), 420.3 (RE, RESIDENTIAL ESTATE DWELLING DISTRICT), 421.1 (R-1, SINGLE-FAMILY DWELLING DISTRICT), 422.2 (RM-4, MOBILE HOME PARK DISTRICT), 422.9 (O-1, OFFICE-INSTITUTIONAL DISTRICT), 423.1 (CO, SUBURBAN OFFICE COMMERCIAL DISTRICT), 424.2 (TC, TOURIST COMMERCIAL DISTRICT), 429, (MUD, MIXED USE DEVELOPMENT DISTRICT); ADDING SECTION 431.11, SHORT-TERM RENTALS; AND AMENDING SECTION 450 (DEFINITIONS) ALL IN ORDER TO UPDATE CITY CODE LICENSING PROVISIONS AND THE ZONING ORDINANCE TO ALLOW FOR SHORT TERM RENTALS, AND TO ADD DEFINITIONS AND OTHER RELATED PROVISIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

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§ 1. That Section 13-108 of Chapter 13 shall be amended to read as follows:

SEC. 13-108 – Fee schedules for licenses and permits and occupational taxes.

(u) Short-Term Rentals \$150 license fee; \$50 inspection fee

§ 2. That Article XXXV shall be added to Chapter 13 of the Code of the City of Norman and be titled as follows;

ARTICLE XXXV – SHORT TERM RENTALS

- § 3. That Sections 13-3500 through 13-3508 of Chapter 13 of the Licenses and Occupations of the City of Norman shall be added to read as follows:

Sec. 13-3500. Purpose.

A Short-Term Rental is defined as the rental of an existing or otherwise permitted dwelling structure or any portion thereof, for a period of not more than thirty (30) days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. An annual Short-Term Rental license may be issued to eligible Applicants by the City Clerk. A Short-Term Rental license is a privilege, not a right, and may be denied, suspended, revoked or not renewed. This definition shall not be interpreted to alter, add to, or in any way supersede existing zoning uses allowed in zoning districts, particularly provisions regarding the allowance, or not, of accessory dwelling structures. (See Chapter 22 – Sections 420.1 A-1, 420.2 A-2, 420.3 RE, 421.1 R-1, 422.2 RM-4, 422.9 O-1, 423.1 CO, 424.2 TC, 429 MUD, 423.11 Additional District Provisions, 450 Definitions.)

Sec. 13-3501. General Conditions.

- (1) No person shall manage or operate a Short-Term Rental without a license and appropriate fees paid as provided herein.
- (2) An Applicant may be issued up to four (4) Short-Term Rental license(s); unless the Applicant complies with Sec. 434.1 – Special Uses;
- (3) Only one party of guests are permitted per Short-Term Rental and anyone under the age of 18 is prohibited from renting the Short-Term Rental;
- (4) Use of the Short-Term Rental for any commercial or social events is prohibited;
- (5) The Short-Term Rental shall outwardly appear as a residential dwelling;
- (6) Short-Term Rentals shall not adversely affect the residential character of the neighborhood nor shall the use generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of his or her residence;
- (7) A licensee or guest of a Short-Term Rental shall not use or allow use of sound equipment, amplified music and musical instruments;
- (8) A licensee or guest of a Short-Term Rental shall not violate any parking ordinances of the Norman City Code;
- (9) A licensee of a Short-Term Rental who does not reside within the Norman metro area must identify an individual or individuals to serve as a local contact to respond to emergency conditions;

- (10) A local contact designated in the License Application must be present within the Norman metro area and be available to respond within one hour after being notified of an emergency by a guest of the Short-Term Rental, by a City employee, or by an individual;
- (11) If there is a change related to a local contact, the licensee must provide updated or new information to the City Clerk in writing within three business days;
- (12) The license holder shall provide the valid license number on any listing advertising or soliciting the property for use as a Short-Term Rental. The license holder shall only advertise the Short-Term Rental as allowed by their Short-Term Rental license. An owner, or a person in control of a dwelling, may not advertise or promote, or allow another to advertise or promote, the dwelling as a Short-Term Rental if the dwelling is not licensed by the City as a Short-Term Rental; and
- (13) If a building permit prohibiting occupancy of the structure is active, no person may occupy, for sleeping or living purposes, the structure until final inspections have been passed, the building permit is closed, and a certificate of occupancy granted.

Sec. 13-3502. License Application Requirements.

To obtain a license, the owner of a Short-Term Rental must submit an Application in a format approved by the City Clerk. The Applicant must attest to the following and furnish any necessary documentation upon request of the City:

- (1) The name, street address, mailing address, and telephone number of the owner of the Short-Term Rental, which includes the owner's primary physical address, a mailing address, cell phone number and email address;
- (2) The name, street address, mailing address, and telephone number, which includes the primary physical address, a mailing address, cell phone number and email address, of the local contact available to be reached 24 hours per day and seven (7) days per week;
- (3) A certification by the property owner and, if applicable, property manager, that the property is not subject to outstanding City Code or state law violations;
- (4) Proof of current, valid property insurance;
- (5) Proof of payment of transient guest room tax due as of the date of submission of the Application;
- (6) The number of bedrooms and the proposed occupancy limits;

- (7) A diagram showing the proposed layout of the property use and any on-site parking available, including a floor plan indicating fire exits and escape routes;
- (8) All required egress windows in bedrooms must be operational;
- (9) Has operational smoke detectors and carbon monoxide detectors as required by the Building Code and fire extinguishers as required by the Fire Code;
- (10) That the property is in compliance with applicable provisions of the City's minimum property maintenance, building, electrical, mechanical and plumbing codes;
- (11) An annual inspection;
- (12) Notification of affected property owners: All recorded property owners immediately adjacent to or directly across the street or alley in any direction from the subject property shall be notified of an Application for a Short Term Rental. This notice, as provided by the City Clerk's Office with the Application, shall contain the name, address, phone number, email of the property owner and the required local contact person, along with contact information for City offices, such as Code Enforcement, the Norman Police Department, Parking Services and any other necessary contact information;
- (13) Any other information requested by the City; and
- (14) Any fraud, material misrepresentation, or false statements contained in the attestations, required documentations, or correlating application material shall be grounds for immediate revocation of Short-Term Rental license. Furthermore, all requirements herein, shall be continuously maintained throughout the duration of the permit.

Sec. 13-3503. Issuance of License Requirements.

Upon satisfactory submission of the required attestations and requested documentation, the City may issue an annual Short-Term Rental license. The license shall contain the following information:

- (1) Street address of the Short-Term Rental;
- (2) License holder's name;
- (3) License number and rental limitations, including bedroom limit and guest occupancy limit;
- (4) Contact information (name, cell phone, email) of local contact able to respond to on-premises complaints;

- (5) Proof of payment of transient guest room tax as of the date of submission of the Application;
- (6) Dates license is valid;
- (7) The structure has a valid certificate of occupancy or compliance, as required by Chapter 5 of the City Code, issued no more than ten years before the date the application is submitted to the City (or the structure has been determined by the city code official not to pose a hazard to life, health, or public safety, based on a minimum life-safety inspection); and
- (8) The property is not subject to outstanding City Code or state law violations. A violation of any provision of the City Code or other applicable law is grounds to deny, suspend, or revoke a license.

Sec. 13-3504. Covenants; deed restrictions; overlay requirements

This section or any section therein is not intended to be construed in derogation of or in conflict with any restrictive covenant, deed restriction or lease agreement that may be applicable. This section or any section therein shall be subject to any applicable overlay district or provision thereof or any zoning restriction unique to a particular area or parcel.

Sec. 13-3505. Fees.

Annual fees for the initial issuance and renewal of the Short-Term Rental license shall be \$150 for the Short Term Rental license and \$50 for an annual inspection.

Sec. 13-3506. Required Information to be Posted and Provided to Guests.

The license holder shall post the following information in a prominent location in the interior, clearly visible to guests and provide a packet of the information, summarizing the restrictions applicable to Short-Term Rental use, including:

- (1) The license registration, which includes license number;
- (2) Operator's name and number and property manager, if applicable, name and number;
- (3) Local contact person name and number;
- (4) The location of any on-site and off-site parking spaces available for guests;
- (5) Occupancy limits;

- (6) Noise restrictions, including prohibition on the use of sound equipment, amplified music and musical instruments;
- (7) Parking restrictions;
- (8) Information on relevant burn bans;
- (9) Information on relevant water restrictions;
- (10) Trash and recycling collection rules and dates;
- (11) Prohibition on the use of the Short-Term Rental for commercial or social events;
and
- (12) Floor plan with fire exit and escape routes.

Sec. 13-3507. License Renewal.

Except as otherwise provided, a license may be renewed annually if:

- (1) The licensee pays the renewal fee as established herein;
- (2) The licensee provides documentation showing the transient guest room tax has been paid for the licensed unit as required;
- (3) The licensee provides updates of any changes to the information required;
- (4) The property is not the subject of outstanding City Code or state law violations;
- (5) The City may deny an application to renew a license if the Applicant does not provide all information necessary to determine that the dwelling unit meets all requirements for the issuance or renewal of a license;
- (6) A violation of any provision of the City Code or other applicable law is grounds to deny, suspend, or revoke a license;

Sec. 13-3508. License Denial, Suspension or Revocation.

- (1) If the licensee fails to comply with any conditions of the Short-Term Rental requirements; the City may deny, suspend or revoke the Short-Term Rental license;
- (2) If a property is the subject of violations of the City Code or state law during a 24-month period prior to submitting the Application, the City may deny, suspend or revoke an application for a Short-Term Rental license based on the following:
 - (a) The frequency of any repeated violations;
 - (b) Whether a violation was committed intentionally or knowingly; or

(c) Any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare.

(3) If an Application is denied, suspended or revoked, and an Applicant desires to submit a new Application, the Applicant must comply with Sec. 434.2 – Special Uses.

* * * * *

§ 4. That Article XI of Chapter 22, Zoning Ordinance, of the City of Norman shall be amended to read as follows:

SEC. 420.1 – A-1, GENERAL AGRICULTURAL DISTRICT

* * *

2. Uses permitted. Property and buildings in an A-1, General Agricultural District shall be used only for the following purposes:

* * *

(j) Medical Marijuana Education Facility (cultivation activities only), as allowed by state law.

(k) Short-term rentals.

* * *

SEC. 420.2 – A-2, RURAL AGRICULTURAL DISTRICT

* * *

2. Uses permitted. Property and buildings in an A-2, Rural Agricultural District shall be used only for the following purposes:

* * *

(j) Medical Marijuana Education Facility (cultivation activities only), as allowed by state law.

(k) Short-term rentals.

* * *

SEC. 420.3 – RE – RESIDENTIAL ESTATE DWELLING DISTRICT

* * *

2. Uses permitted. Property and buildings in an RE, Residential Estate Dwelling District shall be used only for the following purposes:

* * *

- (e) Accessory buildings, including barns, sheds and other farm buildings which are not a part of the main building. One guest house may be utilized provided (a) it is clearly secondary to the larger main dwelling; (b) the structure is not rented or leased, nor used as a permanent dwelling; (c) is not a mobile home.
- (f) Short-term rentals.

* * *

SEC. 421.1 – R-1, SINGLE FAMILY DWELLING DISTRICT

1. Uses permitted. Property and buildings in an R-1, Single Family Dwelling District, shall be used only for the following purposes:

* * *

- (h) Model Home, subject to a one hundred dollar (\$100.00) annual permit, as provided in Sec. 22:450 (84) for no more than four (4) years.
- (i) Short-term rentals.

* * *

SEC. 422.2 – RM-4, MOBILE HOME PARK DISTRICT

* * *

2. Uses permitted. Property and buildings in the RM-4 District shall be used only for the following purposes:

* * *

- (c) Mobile home subdivision.
- (d) Short-term rentals.

* * *

SEC. 422.9 – O-1, OFFICE-INSTITUTIONAL DISTRICT

* * *

2. Uses permitted. Property and buildings in O-1, Office-Institutional District, shall be used only for the following purposes:

* * *

- (d) Buildings and structures and uses customarily incidental to the above uses.
- (e) Short-term rentals.

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SEC. 423.1 – CO, SUBURBAN OFFICE COMMERCIAL DISTRICT

* * *

2. Uses permitted. Property and buildings in a CO, Suburban Office Commercial District, shall be used only for the following purposes:

- (a) Any of the following uses:
 - (1) Apartment Hotel.

* * *

- (12) Child Care Center, as specified in Section 438.3.
- (13) Short-term rentals.

* * *

SEC. 424.2 – TC, TOURIST COMMERCIAL DISTRICT

* * *

2. Uses permitted.

- (a) Any of the following uses:
 - (1) Amusement enterprises.

* * *

- (20) Child Care Center, as specified in Section 438.3.
- (21) Short-term rentals.

* * *

SEC. 429 – MUD, MIXED USE DEVELOPMENT DISTRICT

* * *

2. Uses Permitted.

- (a) Residential uses.

* * *

- (j) Self-service laundry.
- (k) Short-term rentals.
- (l) Studios and shops of artists and artisans (including sales).

(m) Any use which, in the opinion of the City Council, would be similar in character to those enumerated above and is not more obnoxious or detrimental to the area in which it is located by reason of noise, offensive odor, smoke, dust, vibration, traffic congestion, or danger to life and property.

* * *

§ 5. That Article XII – ADDITIONAL DISTRICT PROVISIONS, Section 431.11 of Chapter 22, Zoning Ordinance, shall be added to read as follows:

SEC. 431.11 – SHORT TERM RENTALS (See Chapter 13 – Licenses and Occupations, Sections 13-3500 through 13-3508)

- (1) No person shall manage or operate a Short-Term Rental without a license and appropriate fees paid as provided in Chapter 13-Licenses and Occupations, Section 13-3505;
- (2) An Applicant may be issued up to four (4) Short-Term Rental license(s); unless the Applicant complies with Sec. 434.1 – Special Uses;
- (3) Only one party of guests are permitted per Short-Term Rental and anyone under the age of 18 is prohibited from renting the Short-Term Rental;
- (4) Use of the Short-Term Rental for any commercial or social events is prohibited;
- (5) The Short-Term Rental shall outwardly appear as a residential dwelling;
- (6) Short-Term Rentals shall not adversely affect the residential character of the neighborhood nor shall the use generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of his or her residence;
- (7) A licensee or guest of a Short-Term Rental shall not use or allow use of sound equipment, amplified music and musical instruments;
- (8) A licensee or guest of a Short-Term Rental shall not violate any parking ordinances of the Norman City Code;
- (9) A licensee of a Short-Term Rental who does not reside within the Norman metro area must identify an individual or individuals to serve as a local contact to respond to emergency conditions;
- (10) A local contact designated in the License Application must be present within the Norman metro area and be available to respond within one hour after being notified of an emergency by a guest of the Short-Term Rental, by a City employee, or by an individual;

- (11) If there is a change related to a local contact, the licensee must provide updated or new information to the City Clerk in writing within three business days;
- (12) The license holder shall provide the valid license number on any listing advertising or soliciting the property for use as a Short-Term Rental. The license holder shall only advertise the Short-Term Rental as allowed by their Short-Term Rental license. An owner, or a person in control of a dwelling, may not advertise or promote, or allow another to advertise or promote, the dwelling as a Short-Term Rental if the dwelling is not licensed by the City as a Short-Term Rental; and
- (13) If a building permit prohibiting occupancy of the structure is active, no person may occupy, for sleeping or living purposes, the structure until final inspections have been passed, the building permit is closed, and a certificate of occupancy granted.

* * *

§ 6. That Article XIV, DEFINITIONS, Section 450 shall be amended as follows:

SEC. 450 – DEFINITIONS

* * *

(121) SHOPPING CENTER. One or more commercial buildings which are planned, developed, owned, or managed as a unit, which provide shared facilities, including parking. Although typically utilized for retail sale of goods and merchandise, offices, theaters, and food service tenants are authorized uses. Food service establishments are those which exclusively provide for on-premise consumption of prepared food.

(121.1) SHORT-TERM RENTALS. A Short-Term Rental is defined as the rental of an existing or otherwise permitted dwelling structure, or any portion thereof, for a period of not more than thirty (30) days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. An annual Short-Term Rental license may be issued to eligible Applicants by the City Clerk. A Short-Term Rental license is a privilege, not a right, and may be denied, suspended, revoked or not renewed. This definition shall not be interpreted to alter, add to, or in any way supersede existing zoning uses allowed in zoning districts, particularly provisions regarding the allowance, or not, of accessory dwelling structures. (See Chapter 13 – Licenses and Occupations, Sections 13-3500 through 13-3508.)

* * *

§ 7. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance,

except that the effective date provision shall not be severable from the operative provisions of the ordinance.

§ 8. Effective date. The effective date of the Ordinance shall be _____, 2020.

ADOPTED this _____ day
of _____, 2020.

NOT ADOPTED this _____ day
of _____, 2020.

Breea Clark, Mayor

Breea Clark, Mayor

ATTEST:

Ellen Usry, Deputy City Clerk