

RESOLUTION R-26-07

ESTABLISHING A LIMIT ON THE NUMBER OF SHORT TERM RENTALS PERMITTED ON CITY-OWNED LOTS AROUND LAKE GLADEWATER.

WHEREAS, the City of Gladewater is a home rule municipality with all of the powers and duties set forth in State Law and its City Charter; and

WHEREAS, the City owns numerous lots around Lake Gladewater; and

WHEREAS, the lessees of several of the tracts owned by the City of Gladewater have expressed a desire to lease their lots and residences on a short term basis; and

WHEREAS, the City Council seeks to keep the number of short-term rentals around Lake Gladewater at a reasonable level.

Now, therefore, it is hereby resolved that:

1. No more than 10% of the City-owned lots around Lake Gladewater may be leased as short-term rentals; and
2. The attached Exhibit 1 shall be signed by the lessees of the lots before the lot may be leased on a short-term basis.

Effective date: This resolution shall be effective 30-days following its adoption. Passed and approved this _____ day of _____, 2026.

Brandi Flanagan, Mayor

ATTEST:

APPROVED AS TO FORM:

Judy Van Houten, City Secretary

Ronald D. Stutes, City Attorney

LAKE GLADEWATER SHORT-TERM RENTAL ADDENDUM

1. Notwithstanding Section 11 of the Lake Gladewater Rules and Regulations, which were made part of every lease of lots owned by the City of Gladewater, the short-term rental of lots at Lake Gladewater is permitted for Lot _____, under the following rules.
2. Definitions.
 - a. Bedroom. An area of a dwelling unit intended primarily as sleeping quarters. The term does not include a kitchen, dining room, bathroom, living room, utility room, closet or storage area of a dwelling.
 - b. Dwelling. A building or portion of a building arranged, occupied, or intended to be occupied as a residential unit designed to accommodate one household for living, sleeping, eating, cooking, and sanitation.
 - c. Hosting platform. A business or person that provides a means through which an owner or operator may offer a dwelling unit, or portion thereof, for short-term rentals. A hosting platform is usually, though not necessarily, provided through an internet-based platform. It generally allows a property owner or operator to advertise the dwelling unit through a website provided by the hosting platform and provides a means for potential short-term rental renters to book the short-term rental, whether renter pays rent directly to the operator or to the hosting platform.
 - d. Owner. Any individual or entity who is the original lessee of a lot.
 - e. Short-term rental (STR). Any dwelling unit or accessory structure, or any portion of any dwelling unit, which is occupied or offered or designed for transient or temporary human occupancy for less than 30 consecutive days for dwelling, lodging, or sleeping purposes for compensation. This includes, but is not limited to, houses, garage apartments, guest houses, cabins, or other dwelling units, or portions of any of these dwelling units. The term short-term rental excludes all recreational vehicles.
3. The lessee of the lot must request permission to lease the property on a short term basis. The request for permission to lease on short term must be accompanied by a nonrefundable application fee of \$200. The request must be accompanied by:
 - a. Written consent from all lessees of the lot to use the lot as a short-term rental.
 - b. Acceptance of the terms of this Addendum by all lessees, and acknowledgement that it is the responsibility of the lessees to ensure that renters follow the requirements of this addendum.

- c. A statement of the number of bedrooms in the dwelling that is to be rented on a short term.
 - d. A statement that the property has room to park one vehicle for every occupant on improved surfaces within the boundaries of the property.
 - e. Proof of insurance in the amount of \$100,000 combined single limit covering liability for personal injury and property damage, with an addendum or language indicating that the property may be a short-term rental. The proof must indicate that the City of Gladewater is an additional insured.
 - f. Designation of a 24-hour, 7 day per week, representative who shall be in a position to respond to complaints within 2 hours. Designation shall include a mobile phone number, and email address, and a physical address.
4. Permission will be granted through the following process:
- a. Notice of the application shall be given by US Mail within 10 calendar days of submitting the application;
 - b. The notice of the application shall include the address for submitting protests of the application within 14 calendar days of mailing of the application;
 - c. The request may be denied upon a showing at a public hearing of the Planning & Zoning Commission that the applicant has violated city or state ordinances, or was a nuisance to the applicant's neighbors, in the applicant's operation of a short-term rental within the City of Gladewater, or upon showing that one or more of the other requirements of this addendum have not been followed.
 - d. The maximum number of STR's at Lake Gladewater is 8. If there are no openings, the applicant will be placed on a waiting list.
 - e. Other than the reasons listed in subsection c, the request will be granted.
5. After permission is granted, the lessee of the lot shall observe the following rules:
- a. A copy of the rental agreement to be used shall be submitted to the City.
 - b. The maximum occupancy of a short term rental will be twice the number of bedrooms in the dwelling, plus 2.
 - c. On-premise parking by renters or their guests shall be a minimum of 2 vehicles, plus 1 additional vehicle space for every 2 persons more than 4 that the STR is

permitted to have pursuant to subsection (b) of this Section. All hosting platforms for the short-term rental must include the occupancy and parking limitations.

- d. The lessor shall keep the 24-hour contact information up to date with the City.
 - e. If the lot has lake frontage, the lessor shall provide life-saving equipment, shall provide proof of ownership of all watercraft, current state registration if required, a current Lake Gladewater permit, state-required safety equipment, instructions on how to use equipment, and Lake Gladewater boating rules.
 - f. Notifications to STR occupants. The following information shall be reviewed with each tenant and displayed at a prominent location in the STR:
 - i. The maximum number of occupants to be allowed on the premises at any given time;
 - ii. The parking limitations on the premises, including a description of where motor vehicle parking is allowed;
 - iii. Contact information of the property owner and the 24-hour contact, including email or phone numbers;
 - iv. Contact information for the fire department, police, and city office;
 - v. Details of these noise, nuisance, and littering standards; and
 - vi. A statement that renters and occupants take full responsibility for the property and may be subject to fines.
6. Permission is granted for a one-year period. Renewal of the permission shall be requested within 60 days of the expiration of the permission, and shall be accompanied by as renewal fee of \$100. The lessor shall present an updated STR fire, safety, and health inspection at time of permit renewal. Permission may be denied if there is more than one substantiated complaint.
7. Complaints
- a. Any resident or employee of the city may submit a written complaint to the City Secretary regarding a STR.
 - b. The City Secretary shall notify the lessor in writing within ten business days of any substantiated complaint and request corrective action within 14 calendar days of day being notified. If no corrective action is taken, the STR permit is suspended, and subject to penalties.

- c. If the City Secretary finds that a lessor has received three separate substantiated cumulative complaints in one 12 month period, the STR permit shall be suspended, and the planning and zoning commission will be notified. The lessor shall receive written notification of the third substantiated complaint and the suspension. A public hearing will be held with the planning and zoning commission, with the planning and zoning commission making a determination as to whether to recommend to city council to revoke the STR specific use permit. The lessor may not rent their property during the period of suspension.
 - d. After a public hearing and recommendation from the planning and zoning commission, the city council, after public notice and a public hearing, may revoke any specific use permit for substantiated violation of any of the standards, conditions, and limitations applicable to the specific use permit, the failure to rectify a problem as requested by the City, or any activities that are detrimental to the public's health and safety;
8. Properties operating a short-term rental without the permit required by this article will be notified of such in writing by the City Secretary.
- a. The owner, to avoid penalties, shall:
 - i. File an application for a STR specific use permit within 14 calendar days of the date of notification;
 - ii. Immediately cease illegal operation of the short-term rental, including advertising, until all requirements of this article are satisfied; and
 - b. If no applications are received within the required time frame, the owner is subject to penalties as detailed in §156.014 and loses the right to apply for an STR specific use permit for a period of one year.

CITY OF GLADEWATER, TEXAS

Brandy J. Flanagan -- Mayor, LESSOR

ATTEST:

Judy Van Houten -- City Secretary

 LESSEE –

 LESSEE –

STATE OF TEXAS
COUNTY OF GREGG

The above and foregoing instrument was acknowledged before me on _____ by **Brandy J. Flanagan**, Mayor of the City of Gladewater, Texas, a municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF _____

The above and foregoing instrument was acknowledged before me on _____ by _____, Lessee.

Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF _____

The above and foregoing instrument was acknowledged before me on _____ by _____, Lessee.

Notary Public, State of Texas