**Ordinance**

Version 2.9 released on 9/5/19

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.

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**Primary Details**

<table>
<thead>
<tr>
<th>Dept. Tracking No.</th>
<th>Board Approval</th>
<th>Other Board Name</th>
<th>City Council Approval</th>
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<td>Yes</td>
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<tr>
<td>Department</td>
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<td>Mayors Office</td>
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<tr>
<td>Subject (Description)</td>
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<tr>
<td>Short-Term Rental Licenses</td>
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**Section**

<table>
<thead>
<tr>
<th>Township</th>
<th>Lot</th>
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**Block**

<table>
<thead>
<tr>
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**Amending Ord. No.**

<table>
<thead>
<tr>
<th>TRO Title No.</th>
<th>TRO Subtitle</th>
<th>Property/Non-Property</th>
<th>Planning District</th>
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<tr>
<td>e.g. 43</td>
<td>e.g. G</td>
<td>Non-Property</td>
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**Council District**

<table>
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<th>Zoning No.</th>
<th>PUD No.</th>
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**Budget**

Funding Source(s)

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**TOTAL:**

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-$10.00) or Project Sting-Amount (144104:AbstrTitle5413102.8901-4043122-541102-$30,000.01)

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**Approvals**

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<tr>
<th>Department</th>
<th>Legal</th>
<th>Board</th>
<th>Mayor</th>
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Date: 2/18/2020

Date: 2/18/2020

Date: 2/18/2020

Date: Feb 19 2020
Policy Statement

Background Information
This ordinance amends Title 21, "Licenses," by adding a new chapter providing definitions, licensing requirements, responsibilities, license revocation, and penalties for Short-Term Rentals. The ordinance provides a definition for principal and accessory use short-term rentals; requires an Operator and Local Contact Person to be designated for each short-term rental; requires an annual license for each short-term rental; establishes application criteria; the Operator's and Local Contact Person's responsibilities; annual fees for both the License Fee and Implementation and Compliance Fee; license revocation and criminal penalty provisions; and an effective date of July 1, 2020.

Provide background information on the requested action.

Summation of the Requested Action
Request approval by the City Council and Mayor.

Summarize the pertinent details of the requested action.

Emergency Clause? Yes No
Reason for Emergency Clause

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing
☐ Mail vendor copy (add'l signature copies attached)
☐ Must be filed with other governmental entity
☐ Add'l governmental entity approval(s) required

Additional Routing and Processing Details
ORDINANCE NO. ________________

AN ORDINANCE AMENDING TITLE 21 TULSA REVISED ORDINANCES, TITLED "LICENSES," BY ADDING A NEW CHAPTER, CHAPTER 26, ENTITLED "SHORT-TERM RENTAL"; PROVIDING DEFINITIONS; SETTING FORTH REQUIREMENTS FOR A LICENSE; SETTING FORTH REQUIREMENTS FOR THE LICENSE APPLICATION; SETTING FORTH THE RESPONSIBILITIES OF AN OPERATOR OF A SHORT-TERM RENTAL; SETTING FORTH FEES; PROVIDING FOR LICENSE REVOCATION; SETTING FORTH PENALTIES; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND ESTABLISHING THE EFFECTIVE DATE OF CHAPTER 26.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 21, Tulsa Revised Ordinances be and the same is hereby amended by adding a new Chapter 26, to read as follows:

CHAPTER 26: SHORT-TERM RENTAL

Section 2600 – Definitions.
Section 2601 – License Required.
Section 2602 – Application Required.
Section 2603 – Operator’s Responsibilities.
Section 2604 – Annual Fees.
Section 2605 – Revocation.
Section 2606 – Penalty.

Section 2600 – Definitions

A. Short-Term Rental Defined

1. Short-Term Rental (principal use). A dwelling unit which is not the primary residence of a household, in which temporary lodging in all or part of the dwelling unit is offered for compensation, limited to a maximum occupancy of 8 persons at any one time.
2. **Short-Term Rental (accessory use).** A dwelling unit which is the primary residence of a household, in which temporary lodging in all or part of the dwelling unit is offered for compensation, limited to a maximum occupancy of 8 persons—including the dwelling’s residents, if present—at any one time.

B. Other Definitions

1. **Dwelling Unit.** A room or group of rooms arranged, intended, or designed as a habitable unit, containing kitchen, bath and sleeping facilities, for not more than one household living independently of any other household.

2. **Household.** One or more persons who inhabit a single dwelling unit, as a single housekeeping unit, that is (1) traditionally characterized by matrimonial or parent-child relationship, provided that all such persons are related by blood, marriage, adoption, fosterage, or guardianship and no more than 2 unrelated inhabitants are included in the housekeeping unit; or (2) predominantly characterized by voluntary association, communal relationships, provided that no more than 8 inhabitants are included in the housekeeping unit.

3. **Local Contact Person.** A resident of the City or County of Tulsa (can include the Operator if a resident) to be contacted by the City regarding violations by the Short-Term Rental property or the guests.

4. **Operator.** A person or entity that offers a dwelling unit or portion thereof for rent as a Short-Term Rental. An Operator may be owner of, or person authorized by the owner of the dwelling unit.

5. **Temporary Lodging.** Rental of a dwelling unit for a period of less than 30 consecutive days, where rents are charged by the day or by the week.

**Section 2601 – License Required**

A. No dwelling unit or portion thereof shall be rented, advertised or offered for rent as a Short-Term Rental unless the City has first issued a Short-Term Rental license to the Operator.

B. A Short-Term Rental license shall expire June 30 of each year. Annual renewal of said license is possible upon application. Application fees shall be pro-rated for a first-time applicant that applies after July 2.

C. A Short-Term Rental license is granted to a specific Operator for a specific dwelling unit or portion thereof and the license shall not be sold or otherwise transferred. A new Short-Term Rental license is required when the dwelling unit is sold or conveyed or when the Operator ceases to have a legal right to occupy the dwelling unit.
D. A Short-Term Rental license is not required for operation of a “Bed and Breakfast,” which is a separate use category in the City of Tulsa zoning code.

Section 2602 – Application Required

The application for a Short-Term Rental license shall be on a form to be supplied by the Finance Department, which shall contain, at a minimum, the following information:

A. Information about the dwelling unit:
   1. Address
   2. Legal description
   3. Dwelling unit details (list the number and type of rooms)
   4. Type of Short-Term Rental (principal use or accessory use)

B. Information about the Operator of the Short-Term Rental
   1. Name, address, phone number and email address of the Operator of the Short-Term Rental.
   2. Name, address, phone number and email address of the owner of the dwelling unit.
   3. Written consent to the license by the owner of the dwelling unit, if the Operator is not the owner.

C. Information about the Local Contact Person
   1. Name, address, phone number and email address of the Local Contact Person.

D. Additional information required for a Short-Term Rental (accessory use)
   1. Proof that the dwelling unit is the primary residence of the Operator
   2. Acceptable proof includes, but is not limited to, a copy of the Operator’s driver’s license, motor vehicle registration, utility bill, tax documents, or voter registration card.

E. Information regarding the website address for any and all platforms or advertisements in which the property will be offered for rent.
F. The Operator and the owner of the dwelling unit shall acknowledge in writing that the Short-Term Rental is subject to all Short-Term Rental regulations and policies of the City of Tulsa.

Section 2603 – Operator’s Responsibilities

A. The Operator shall include the City-issued Short-Term Rental license number in a visible location on all material (including but not limited to print, digital, electronic) advertising a Short-Term Rental (principal use or accessory use) or offering it for rent.

B. The Operator shall display the Short-Term Rental license within the premises near the main entry in a noticeable location so that the license may be readily seen at any time by a person entering the premises.

C. The Operator shall cause the Short-Term Rental to comply with the laws of the State of Oklahoma, federal laws and regulations, and the ordinances and policies of the City of Tulsa, including but not limited to Tulsa Revised Ordinances Title 24 “Nuisances”, Title 42 “Zoning Code”, and Title 44 “City of Tulsa Hotel Tax”.

D. The Operator shall cause the Local Contact Person to be available to be contacted by the City at all times, twenty-four hours per day, seven days per week. Failure of the Local Contact Person to be available at all times for contact by the City constitutes an instance of non-compliance as described in Section 2605. When the Local Contact Person is notified by the City by phone or email that the guests at a Short-Term Rental are violating City ordinances or policies, the Local Contact Person shall communicate with the Operator within the hour, and the Operator shall immediately commence remedial action and cause the violation(s) to cease.

E. The Operator of a Short-Term Rental must update information in the City’s license records throughout the year regarding (1) the websites on which the Short-Term Rental is offered for rent and (2) the name, address, phone number and email address of the Local Contact Person.

F. Whether the dwelling unit offered for rent is principal use, accessory use or a combination thereof, the Operator shall ensure that the Short-Term Rental does not exceed a maximum occupancy of 8 persons at any one time.

Section 2604 – Annual Fees

A. The application for a Short-Term Rental license or the annual renewal thereof shall be filed with the Finance Department. It shall be accompanied by a license fee of Seventy-Five Dollars ($75.00).
B. At the time of application for, or renewal of, a Short-Term Rental license, an Operator shall also pay the City an annual Implementation and Compliance Fee of Three Hundred Dollars ($300.00). The Implementation and Compliance Fee is intended to provide funding to defray costs associated with monitoring or compliance with City ordinances governing Short-Term Rental license, Short-Term Rental use and Nuisances.

Section 2605 – Revocation

A Short-Term Rental license shall be subject to revocation by the duly authorized officer upon the occurrence during twelve consecutive months of three or more instances of non-compliance by the Operator or the Short Term Rental with any ordinance or policy of the City of Tulsa, including, but not limited to, Tulsa Revised Ordinances Title 21 “Licenses” Chapter 26 “Short-Term Rental”; Title 24 “Nuisances”, Title 42 “Zoning Code”, and Title 44 “City of Tulsa Hotel Tax”. The duly authorized officer shall mean the Mayor or the Mayor’s authorized representative. The duly authorized officer shall give notice of each instance of non-compliance by personal service on or by mail to the Operator at the address given on the application or license.

Notwithstanding the above, the Short-Term Rental license may be subject to immediate revocation if the Short-Term Rental is operated in violation of the laws of the State of Oklahoma or in violation of any federal law or regulation.

The duly authorized officer shall give, by personal service or by mail to the Operator at the address given on the application or license, notice of the revocation of the license. Such license shall stand revoked from the time of giving of the notice. The Operator may appeal to the City Council from such decision within ten days after the giving of the notice, by filing a written notice of appeal with the City Clerk.

Upon the timely filing of a notice of appeal, a hearing shall be held by City Council at its next regular meeting. Upon a preponderance of the evidence, the Council may affirm, modify or vacate the order of revocation.

Section 2606 – Penalty

A. Any Operator, person, firm, corporation, association, partner, manager, employee, or member thereof who shall violate any of the provisions of this chapter requiring the licensing of a Short-Term Rental, shall be guilty of an offense and, upon conviction thereof, shall be punished by a fine, excluding costs, and/or by imprisonment in the City jail. For a first offense, the punishment shall be a fine of not more than Two Hundred Fifty Dollars ($250.00), excluding costs. For second and subsequent offenses, the punishment shall be a fine of not more than Five Hundred Dollars ($500.00), excluding costs, and/or by imprisonment in the City jail for a period not to exceed ninety (90) days. Each day of violation shall constitute a separate offense.
B. In addition to the criminal penalty provided herein, any Operator, person, firm, corporation, association, partner, manager, employee, or member thereof who violates this Chapter shall cease to operate the Short-Term Rental until such time there is a valid Short-Term Rental license for that dwelling unit, and the City Attorney may apply for a court order restraining the operation of the Short-Term Rental until such time as a valid license is obtained.

Section 2. SEVERABILITY CLAUSE. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 4. EFFECTIVE DATE. That this Ordinance shall take effect and be put in full force and effect from and after July 1, 2020.

ADOPTED by the Council: ___________________________.

Date

__________________________
Chair of the Council

ADOPTED as an emergency measure: ___________________________.

Date

__________________________
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: ___________________________, at ___________________________.

Date Time

G. T. Bynum, Mayor

By ___________________________
Secretary

ADB
ADB

2-18-20
APPROVED by the Mayor of the City of Tulsa, Oklahoma: ________________

Date

__________________________

Time

City Clerk

G.T. Bynum, Mayor

APPROVED:

________________________

City Attorney  ADB

ATTEST:

ADB  ADB

2-18-20