

**An Ordinance of the City of Plano, Texas, amending Section 6-731, Definitions, Section 6-733, Applicability, administration and training, and Section 6-748, Offenses of Article XXIV, Registration of Short-term Rental Properties, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, to clarify definitions, remove ambiguity, delineate responsibilities to ensure appropriate enforcement, and set a deadline for nonconformity determinations; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, a publication clause, and an effective date.**

**WHEREAS**, the City of Plano has adopted procedures and requirements for registration issuance, suspension, revocation, and enforcement of short-term rentals; and

**WHEREAS**, removal of ambiguity, clarification of definitions, and delineation of responsibilities would assist with overall compliance and enforcement; and

**WHEREAS**, the City Council finds that the regulations relating to the procedures and requirements for registration issuance, suspension, revocation, and enforcement of short-term rentals should be updated to ensure increased understanding, compliance and enforceability of the short-term registration requirements within the City's corporate limits; and

**WHEREAS**, the City Council further finds that the updating of the City's Code of Ordinances relating to short-term rental registration is in the best interest of the City and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** Section 6-731, Definitions, of Article XXIV, Registration of Short-term Rental Properties, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano is hereby amended as follows:

**“Sec. 6-731. - Definitions.**

Any terms not defined in this article shall be defined as they are in the City of Plano Zoning Ordinance. Any terms not defined in this article or in the Zoning Ordinance shall have their ordinary accepted meanings. The following terms and phrases, as used in this article, are defined as follows:

*Advertise or Promote* means to offer an STR for rental in any medium, including but not limited to, newspaper, magazine, handbill, brochure, website, social media, or mobile application.

*Applicant* means a person applying for registration of an STR.

*Booking Service* means any reservation and/or payment service provided by a person or entity that facilitates an STR rental transaction between an owner

and a prospective occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation or payment services provided for the STR transaction.

*Criminal Conduct* means any violation of local, state, or federal law. Criminal conduct includes, but is not limited to, violations of the City of Plano Code of Ordinances, the City of Plano Zoning Ordinance, or state or federal law. Proof of criminal conduct may include, but does not require, criminal enforcement action, criminal prosecution, an adjudication of guilt, or a criminal defendant's plea of No Contest or Guilty.

*Designated Contact* means an individual designated to respond to a report or request regarding an emergency condition, property or building maintenance condition, nuisance or criminal conduct at an STR.

*Director* means the director of the department of the City of Plano designated by the City Manager to administer and enforce the provisions of this article and any person or persons designated by the Director to represent the department for this purpose.

*Hosting Platform* means a person or entity that participates in the STR business by providing, and collecting or receiving a fee for, booking services through which an owner may offer an STR. Hosting platforms usually, though not necessarily, provide booking services through an online platform that allows an owner to advertise the STR through a website provided by the hosting platform and the hosting platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be occupant pays rent directly to the owner or to the hosting platform.

*Noise monitoring device* means a device capable of all of the following (i) monitoring noise levels (ii) detecting exposure to noise levels that exceed an acceptable level for more than a continuous five-minute period (iii) sending real-time alerts to the subject short-term rental owner and operator, and (iv) being programmed to receive real-time alerts if noise levels continuously exceed an acceptable level for the five-minute period. The noise monitoring device shall comply with all laws, rules and regulations regarding privacy.

*Nuisance Incident* means an incident involving criminal conduct, as defined by city ordinance, state law, or federal law, committed at the premises of the STR by an occupant, guest or visitor of the STR, that tends to substantially interfere with the use or enjoyment of private or public property by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities attempting to use and enjoy their property, including, but not limited to, conduct involving assault, sexual misconduct, public order and decency, alcohol, drugs, weapons, noise, trash, and parking.

*Occupant* means any person lawfully living in, sleeping in or possessing an STR. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract or other legal document to be considered an occupant.

*Operate* means to do or allow any of the following for an STR: rent or lease; offer, advertise, or market to rent or lease; or enter into an agreement to rent or lease.

*Operator* means a natural person designated on the registration application as the operator. For live-in management STRs as defined by the City of Plano Zoning Ordinance, the Operator is the person who stays in the dwelling overnight whenever guests are present at the STR.

*Owner* means any person, agent, firm or trust who: (1) has a legal or equitable interest in the STR and their designee; (2) is recorded in the official records of the county as holding title to the STR; or (3) has control of the STR, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of the STR by a court.

*Person* means an individual, corporation, association, partnership or other entity acting as a group.

*Premises* means any parcel of real property together with all buildings and structures thereon used as an STR and any public property immediately adjacent to the STR that is used because of the use of the STR, such as the public right-of-way used for parking, or the sidewalk used to access the STR.

*Registrant* means a person who has applied for and been approved for registration and operation of an STR.

*Registration* means approval by the Director of an application to operate an STR.

*Serious Incident* means an incident involving criminal conduct, as defined by city ordinance, state law, or federal law, committed at the premises of the STR by an occupant, guest or visitor of the STR that substantially interferes with the use or enjoyment of private or public property and is reasonably likely to induce fear in persons of ordinary sensibilities, including but not limited to, conduct involving child abuse, sexual offenses, discharge of firearms, and offenses causing serious bodily injury or death.

*Short-term Rental (STR)* means any portion, or all, of a dwelling unit offered or used for transient lodging, in exchange for compensation, for less than thirty (30) consecutive days. This definition of Short-term Rental includes all uses

defined as short-term rentals in the City of Plano Zoning Ordinance, but does not include Temporary Accessory Housing Shelter.

*Video Monitoring Device* means an outdoor camera or other device, which captures, records or broadcasts video.

**Section II.** Section 6-733, Applicability, administration, and training, of Article XXIV, Registration of Short-term Rental Properties, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano is hereby amended as follows:

**“Sec. 6-733. – Applicability, administration, and training.**

- (a) This article shall apply to STRs located in the city. The Director is authorized to administer and enforce the provisions of this article.
- (b) Registration of a short-term rental with the City of Plano does not supersede any prohibition or requirement placed upon a short-term rental owner by a lease, private contract, or property covenant, such as a deed restriction or binding HOA rules.
- (c) The Director may provide training to be completed by an owner, operator or applicant for STR registration. The Director establishes the training and shall include at least the following: requirements of this ordinance, noise regulations, parking requirements, trash pickup, human trafficking awareness and prevention, and property maintenance requirements. The Director may discount the initial registration up to a maximum of \$100.00 for completion of this training.

**Section III.** Section 6-748, Offenses, of Article XXIV, Registration of Short-term Rental Properties, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano is hereby amended as follows:

**“Sec. 6-748. – Offenses.**

- (a) It shall be an offense for any person to operate an STR and:
  - (1) Fail to have a valid registration for the STR;
  - (2) Fail to pay registration fees as required in this article;
  - (3) Fail to comply with self-inspection requirements or record-retention as required in this article;
  - (4) Fail to provide information as required in Section 6-743;
  - (5) Advertise, promote, or allow the use of an STR that is not in compliance with the STR registration, this article or other law. The owner, operator or registrant is presumed to have allowed an advertisement or promotion on a hosting platform identified pursuant to Section 6-735(d)(2)(viii);

- (6) Operate the STR using a registration number not assigned to the owner, operator, or registrant, or to a different address, or to a different dwelling unit;
  - (7) Operate the STR without current, valid insurance in compliance with this article;
  - (8) Fail to provide within thirty (30) days following a request by the Director an accounting of payment of hotel occupancy taxes and history of occupants as required in this article;
  - (9) Fail to designate a contact as required by 6-736(a);
  - (10) Fail to ensure the designated contact(s) is/are available and authorized to act as described in section 6-736(a) above during all periods of guest occupancy, including nights and weekends, to facilitate compliance with this article;
  - (11) Fail to provide complete and accurate information in an application for registration or renewal of registration of an STR; or
  - (12) Fail to notify the Director within seventy-two (72) hours after information in an application or approved STR registration becomes inaccurate, excluding information regarding the change in the ownership of the STR.
- (b) It shall be an offense for a person to operate an STR and intentionally, knowingly, or recklessly allow the use of the STR:
- (1) To promote or engage in an illegal activity;
  - (2) By one or more persons in violation of the Residency Restrictions for Child Predator Offenders as set forth in Sec. 14-123 of this Code or in violation of Registration Requirements in Chapter 62 of the Texas Code of Criminal Procedure;
  - (3) To promote or engage in illegal distribution or possession with intent to distribute marijuana, a dangerous drug, or any controlled substance, as defined by the Texas Health and Safety Code;
  - (4) To promote or engage in selling alcohol or another activity that requires a permit or license under the Texas Alcoholic Beverage Code;
  - (5) To operate as a sexually oriented business as defined in Sec. 17.5-2 of this Code; or
  - (6) As an “assembly hall” as defined in the City of Plano Zoning Ordinance unless the short-term rental is located in a district where assembly hall use is permitted.

**Section IV.** All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section V.** 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 or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

**Section VI.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

**Section VII.** Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City of Plano Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section VIII.** This ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED** on the 27th day of July, 2026.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY