



TOWN OF TROPHY CLUB
1 TROPHY WOOD DRIVE
TROPHY CLUB, TEXAS 76262
Ofc: 682-237-2900 / Fax: 682-237-2996
www.trophyclub.org

RESIDENCE LICENSE APPLICATION

Address: _____

Name: _____ **Mortgagee:** _____

Trade Name Of Non Resident owner: _____

Address: _____ **Email Address:** _____

Phone Number: _____ **Fax Number:** _____

Resident Manager: _____ **Zone Category:** _____

Property Manager: _____

Number Of Bedroom Units:

1 Bedroom:

2 Bedroom:

3 Bedroom:

4+ Bedroom:

Acknowledgment of the following:

- 1.) All licenses shall expire twelve (12) months from the date of issuance of the license.
- 2.) Receipt of a copy of the single-family residence licensing ordinance and agreement to abide by same as a condition to receiving and maintaining a license.

Please Initial _____

Signature of Applicant: _____ **Date:** _____

Title of Applicant: _____

CHAPTER 3 BUILDING REGULATIONS

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.001 Definitions

For the purpose of this article, the following words and phrases have the meanings respectively ascribed to them by this section:

Bedroom. A room used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, entryway, garage, patio or breezeway.

Building inspector. The chief building official of the town or his designated representative.

Dwelling unit. A structure, or that part of a structure, which may be used as a home, residence or sleeping place by one or more persons maintaining a common household to the exclusion of all others.

Family. Any number of individuals living together as a single housekeeping unit, in which not more than three (3) individuals are unrelated by blood, marriage or adoption. Foster children, for the purpose of this definition, shall be considered as being related to their foster parent or parents.

Landlord. Any owner, resident or nonresident, who leases or rents his single-family residence to another.

Lease or rent. Any agreement which gives rise to a relationship of landlord and tenant.

Nonresident owner. Any person who does not live, stay or dwell in a single-family residence which he/she owns.

Owner. A person claiming, or in whom is vested, the ownership, dominion or title of real property, including but not limited to:

- (1) A holder of fee simple title;
- (2) A holder of a life estate;
- (3) A holder of a leasehold estate for an initial term of five years or more;
- (4) The buyer in a contract for deed;
- (5) A mortgagee, receiver, executor or trustee in control of real property;

but not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Person. Includes an individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal or community entity.

Premises. A lot, plot or parcel of land, including any structure thereon, and furthermore including a dwelling unit, appurtenances thereto, grounds and facilities held out for the use of tenants generally and any other area or facility the use of which is promised to the tenant.

Property manager. A person who for compensation has managing control of a single-family residence for a nonresident owner.

Resident manager. A property manager or agent of a property manager who resides in the single-family residence.

Resident owner. Any person who lives, stays or dwells in a single-family residence which he/she owns.

Single-family residence. A single-family residence as referred to in this article shall include:

- (1) One-family dwelling (detached). A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract and occupied by one family.
- (2) One-family dwelling (attached). A dwelling which is joined to another dwelling at one or more sides by a party wall or abutting separate wall which is designed for occupancy by one family and is located on a platted separate lot, delineated by front, side and rear lot lines.
- (3) Two-family dwelling. A single structure designed and constructed with two dwelling units under a single roof for occupancy by two families, one in each unit.
- (4) Condominium. The separate ownership of single dwelling units in a multiple-unit structure or structures with common elements.

Single-family residence license. The license issued by the building inspector pursuant to this article and referred to as the "license" in this article.

Single location. Property held in common ownership that is compact and contiguous property separated only by public streets.

Tenant. Any person who occupies a dwelling unit for living or dwelling purposes with the landlord's consent.

(Ordinance 86-07, sec. II, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.01)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.002 Penalty

Any person willfully violating any of the provisions of this article shall be subject to a fine, upon conviction in the municipal court, of not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each and every day that the prohibited condition remains and restoration, if required, not accomplished, shall constitute a separate offense. Those fines shall be in addition to and cumulative of the provisions for the abatement of a nuisance and the obtaining of injunctive relief. (Ordinance 86-07, sec. X, adopted 2/10/86; Ordinance 98-28, sec. 7, adopted 10/20/98; 2006 Code, ch. 3, sec. 14.09)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.003 License required

(a) It shall be unlawful for any nonresident owner to lease or rent a single-family residence in the town without a current and valid license having been issued for said single-family residence. Any nonresident owner leasing or renting a single-family residence at more than one location shall obtain a license for each separate location.

(b) A nonresident owner, or the nonresident owner's authorized agent, of a single-family residence shall file with the building inspector any and all trade names under which he operates with respect to the leasing or renting of each single-family residence.

(Ordinance 86-07, sec. 111, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.02)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.004 Application for license; expiration; change of ownership or management

(a) An applicant for a license shall file with the building inspector a written application upon a form provided for that purpose, which shall be signed by the nonresident owner, or his agent, or the property manager or resident manager if there be such. Should an applicant own more than one single-family residence which he leases or rents, a separate application shall be filed for each location. The following information shall be required in the application:

- (1) Name, address, and telephone number of nonresident owner, property manager, resident manager, and mortgagee (if there is a mortgage against the property);
- (2) Trade name of the nonresident owner, and names and addresses of all registered agents in case the parties above named are corporations;
- (3) Zoning categories;
- (4) Number of bedrooms;
- (5) Acknowledgment of receipt of a copy of the single-family residence licensing ordinance and agreement to abide by same as a condition to receiving and maintaining a license.

(b) Nonresident owners currently leasing or renting a single-family residence shall apply for a license within 60 days of the effective date of this article.

(c) All licenses shall expire twelve (12) months from the date of issuance of the license.

(d) The building inspector may, at any time, require additional relevant information of the nonresident owner or property manager to clarify items on the application.

(e) Upon a change in ownership of the single-family residence, a new license shall be obtained within thirty (30) days of the change and a new annual period shall begin upon the issuance of the license. The nonresident owner shall notify the town within thirty (30) days of the change of ownership. The nonresident owner shall also notify the town of a change of property manager or resident manager within thirty (30) days of the date of such change.

(Ordinance 86-07, sec. IV, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.03)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.005 License fee

The annual fee for a license, including any reinstatement license renewal under section 3.11.008(e), is as set forth in the fee schedule in fu:mendix A of this code. (Ordinance 86-07, sec. V, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.04)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.006 Display of license; replacement license; transfer

(a) A copy of each license issued pursuant to this article for a single-family residence shall be given by the landlord to each head of household tenant to be maintained at all times at the single-family residence for which such license is issued. The copy shall have the word "Copy" stamped across its face.

(b) A replacement license may be issued for one lost, destroyed or mutilated upon application on the form provided by the building inspector. A replacement license shall have the word "Replacement" stamped across its face and shall bear the same number as the one it replaces.

(c) A single-family residence license is neither assignable nor transferable.

(d) The form of the license shall be prepared by the building inspector.

(Ordinance 86-07, sec. VI, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.05; Ordinance adopting Code)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.007 Licensing standards

(a) Continued maintenance and observance of the standards contained in this section are conditions that shall be complied with in order to retain a license and to obtain any renewal of a license.

(b) It shall be unlawful for any person to permit or allow more than one (1) family to reside in any single-family residence dwelling unit.

(c) All town building, electrical, plumbing, health, zoning and other applicable codes, including the minimum housing code, shall be complied with at all times.

(d) The licensee shall keep current records that reflect the following information:

- (1) Number of all tenants occupying each unit;
- (2) Head of household.

Said records shall be available for review by the building inspector of the town or his designated representative during regular working hours and upon receipt of reasonable notice.

(e) It shall be unlawful and a violation of this article for an owner, property manager or resident manager to knowingly permit or allow a violation of any of the terms of this section. It shall be unlawful for a tenant to violate any of the terms of this section or to permit or allow any persons to reside in the unit in violation of this section.

(f) The requirements of subsection (b) of this section shall not be applicable to a family residing in a dwelling unit on the effective date of this article nor during the time said family continues to reside in the same dwelling unit. This exception does not apply to, permit or allow any additional unrelated parties to reside in said occupied dwelling unit.

(Ordinance 86-07, sec. VII, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.06)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.008 Inspections; cancellation of license

(a) InsP-ections generally.. The nonresident owner, property manager and resident manager, as a condition to the issuance of the license required by this article, shall consent and agree to permit and allow the town's building inspector to make the following inspections of the single-family residence when and as needed to ensure compliance with this article:

- (1) Right and access to inspect all portions of the premises and structures located on the premises that are not dwelling units. This includes all storage areas, community buildings, swimming pools, athletic facilities, club rooms, equipment rooms and all other portions of the facilities not constructed as dwelling units, upon reasonable advance notice being given to the nonresident owner, property [manager] or resident manager.
- (2) Right and access to inspect all unoccupied dwelling units upon giving reasonable notice to the nonresident owner, resident or property manager.

(3) Right and access to inspect all occupied dwelling units when, upon receipt of reliable information, the building inspector has reason to believe that violations of the Code of Ordinances of the town or state law exist that involve serious threats to life, safety, health and property.

(4) Annually, the nonresident owner, resident manager or property manager shall make all dwelling units in the single-family residence available for inspection by the building inspector. The building inspector and the nonresident owner, resident manager and property manager shall agree on a reasonable date and time for each annual inspection. In the event the parties cannot agree on an inspection time, said annual inspection shall occur within fourteen (14) days of the anniversary date of the application for the license.

(b) InsRection of OCCUP-ied units. The building inspector, or his agent, may enforce the provisions of this article, upon presentation of proper identification to the occupant in charge of any unit, and may enter, with the occupant's permission, any unit between the hours of 8:00 a.m. and 5:00 p.m.; provided, however, that in cases of emergency where extreme hazards are known to exist which may involve imminent injury to persons, loss of life or severe property damage, the building inspector may enter the aforementioned dwellings at any time and the requirement for presentation of identification and the occupant's permission shall not apply. Whenever the building inspector is denied admission to inspect any premises under this provision, inspection shall be made only under authority of a warrant issued by a magistrate authorizing the inspection. In applying for such a warrant, the building inspector shall submit to the magistrate an affidavit setting forth his belief that a violation of this article exists with respect to the place and the name of the person believed to be the occupant thereof. If the magistrate finds that probable cause exists for an inspection of the premises in question, he may issue a warrant authorizing the inspection, such warrant describing the premises with sufficient certainty to identify the same. Any warrants issued will constitute authority for the building inspector to enter upon and inspect the premises described herein.

(c) ReinsRection fee. In the event any of the inspections authorized in this article require a second reinspection due to noted violations, a reinspection fee as set forth in the fee schedule in QP-Rendix A of this code shall be paid prior to the second reinspection.

(d) Withdrawal of certificate of occuRancY, and cancellation of license. Where the nonresident owner, his agency, or property or resident manager fails to comply with the terms of this article within thirty (30) days after receipt of written notice of the violation from the building inspector setting out the violations and the time allowed to rectify the violations, the nonresident owner's certificate of occupancy may be withdrawn and the license authorized by this article may be cancelled. Such failure to comply shall result in the nonresident owner being cited to municipal court as provided in section 3.11.002. Additionally, the building inspector may notify all public utility companies serving the single-family residence that the certificate of occupancy has been withdrawn and request that all public utility services be discontinued.

(e) Reinstatement of certificate of occuRancY.. Any person requesting a reinstatement or reissuance of the certificate of occupancy shall be required to apply for and receive a new license issued under this article as a condition precedent to the reissuance or reinstatement of the certificate of occupancy.

(Ordinance 86-07, sec. VIII, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.07)

ARTICLE 3.11 SINGLE-FAMILY RESIDENCE LICENSING

Sec. 3.11.009 Appeals

(a) The nonresident owner, property [manager] or resident manager for such property may appeal any decision or order of the building inspector to the town council by filing at the office of the town secretary, within five (5) working days (Monday through Friday) after such decision or order, during regular business hours, a written appeal of such decision or order to the town council on a form to be supplied by the town secretary.

(b) As soon as practicable after receiving the written appeal, the town secretary shall fix a date, time and place for the hearing of the appeal by the town council. Written notice of such date, time and place of the hearing shall be given to each appellant by the town secretary, either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his/her address shown on the written appeal.

(c) Failure of any person to file an appeal in accordance with the provisions of this article shall constitute a waiver of his right to a hearing by the town council and the building inspector's decision shall be final.

(d) Orders of the building inspector are stayed pending appeal.

(Ordinance 86-07, sec. IX, adopted 2/10/86; 2006 Code, ch. 3, sec. 14.08)