

1 occupied by permanent residents, and all other facilities where rooms or sleeping facilities
2 or space are furnished for consideration.

3
4 (2) The term "hotel" does not include:

5
6 a. Hospitals, sanitariums, or nursing homes; or

7
8 b. A dormitory or other housing facility owned or leased and operated by an institution of
9 higher education or a private or independent institution of higher education, as those
10 terms are defined by V.T.C.A., Education Code § 61.003, used by the institution for the
11 purpose of providing sleeping accommodations for persons engaged in an educational
12 program or activity at the institution; or

13
14 c. An oilfield portable unit, as defined by V.T.C.A., Tax Code § 152.001.

15
16 *Occupancy* means the use or possession, or the right to the use or possession, of any room in a
17 hotel if the room is one ordinarily used for sleeping and if the occupant is other than a permanent resident
18 as hereinafter defined.

19
20 *Occupant* means anyone who, for a consideration, uses, possesses, or has a right to use or
21 possess any room in a hotel under any lease, concession, permit, right of access, license, contract or
22 agreement, other than a permanent resident as hereinafter defined.

23
24 *Permanent resident* means any occupant who has or shall have the right to occupancy of any room
25 in a hotel for at least 30 consecutive days, so long as there is no interruption of payment for the period.

26 *Person* means any individual, company, corporation, or association owning, operating, managing, or
27 controlling any hotel.

28
29 *Permit* means an initial registration and annual renewal of registration for properties defined as a
30 hotel in this section 38-76 and section 38-100.

31
32 *Short term rental* means private homes, condos, apartments, or any other individual units leased
33 for short periods of time for sleeping accommodations and is a "hotel" as defined in this section 38-76 and
34 section 38-100.

35
36 *Quarter* means the regular calendar quarters of the year, the first quarter being composed of the
37 months of January, February and March; the second quarter being the months of April, May and June; the
38 third quarter being the months of July, August and September; and the fourth quarter being the months of
39 October, November and December. The municipal fiscal quarters are composed of the same months, but
40 the first quarter is composed of the months of October, November and December.

41 42 II.

43 That Chapter 38, Article IV, Section 38-78, Code of Ordinances (2018 Edition),
44 City of Round Rock, Texas, is hereby amended as follows:

45 Sec. 38-78. - Collection of tax.

46
47 (a) Every person, owning, operating, managing, or controlling any hotel shall collect the tax
48 levied by [section 38-77](#) for the city.

- 1 (b) The hotel operator shall be entitled to one percent of the hotel occupancy tax revenues
2 collected if monthly remittance is less than \$25,000.00 as reimbursement for the operator's
3 administrative costs for collecting the tax. However, as hereinbelow provided, this
4 reimbursement may be forfeited at the discretion of the city if the hotel operator fails to
5 timely pay over the tax or timely file a report as required by the city, or files a false report
6 with the city.
7

8 III.

9 That Chapter 38, Article IV, Section 38-80, Code of Ordinances (2018 Edition),
10 City of Round Rock, Texas, is hereby amended as follows:

11 **Sec. 38-80. - Monthly reports to the director.**

12 On or before the last day of each month, every person required to collect the tax imposed by this
13 article IV shall file a report with the director for the preceding month, showing the price paid for all room
14 occupancies in the preceding month, the amount of tax collected on such occupancies, and any other
15 information the director may reasonably require. Such person shall pay the tax due on such occupancies
16 at the time of filing such report. The report shall be in a form prescribed by the director. The director is
17 hereby authorized and directed to do all such things necessary or convenient to carry out the terms of this
18 article IV. The director shall have the authority to request and receive within a reasonable time
19 documentation of information contained in the report. Reports and payments may be made in person, by
20 mail, or through an online portal on the city's website.

21 IV.

22 That Chapter 38, Article IV, Section 38-88, Code of Ordinances (2018 Edition),
23 City of Round Rock, Texas, is hereby added to read as follows:

24 **Sec. 38-88. – Permit application.**

- 25 (a) An owner/operator of a hotel as defined in section 38-76 and 38-100 shall obtain a permit
26 from the city for any hotel property located within the city limits.
- 27 (b) Application for a permit shall be in a form provided by the director of finance or the director
28 of finance's designee and shall include the following information:
- 29
- 30 (1) The name, address, email and telephone number of each owner/operator of the hotel;
- 31
- 32 (2) The name, address, email and a twenty-four hour telephone number of the local
33 contact person designated by the owner or the operator who is available twenty-four
34 (24) hours per day, seven (7) days per week for the purpose of: (1) responding in
35 person within one hour to complaints regarding the condition, operation, or conduct of
36 occupants, and (2) taking remedial action to resolve any such complaints;
- 37
- 38 (3) The name and address of the hotel;
- 39
- 40 (4) The number of bedrooms and the applicable overnight and daytime occupancy limit of
41 the hotel; and
42

(5) Such other information as the city manager, or designee, deems reasonably necessary to administer this article.

(c) The application shall be filed with the director of finance or the director of finance's designee.

(d) An owner/operator of a hotel that is paying hotel occupancy taxes as of October 1, 2025, shall be exempt from filing an initial permit application and shall be automatically classified as initially permitted by the city.

V.

That Chapter 38, Article IV, Section 38-89, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby added to read as follows:

Sec. 38-89. – Initial hotel permit and fee.

(a) The owner/operator of a hotel shall pay an initial permit fee of \$35. The initial permit fee is waived for any hotel that is paying hotel occupancy taxes to the city as of October 1, 2025, and is automatically initially permitted by the city.

(b) A permit is valid from the date the completed application is filed with the city through the end of the calendar year.

(c) All owners/operators shall obtain a permit for each individual property (unit), even if the tax payments are made under one taxpayer identification number.

VI.

That Chapter 38, Article IV, Section 38-90, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby added to read as follows:

Sec. 39-90. – Permit renewal and fee.

(a) A permit renewal is to be filed by the permit holder annually by January 1 of each year by all hotels, including a hotel that was initially automatically permitted by the city.

(b) The permit holder shall pay an annual permit renewal fee of \$25 to the city for each individual property (unit).

VII.

That Chapter 38, Article IV, Section 38-91, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby added to read as follows:

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1 occupant. Charges not stated separately shall be presumed to be part of the consideration paid for
2 occupancy of a sleeping room or sleeping facility, and shall be taxed under this article.

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4
5 *"Director"* shall mean the director of finance or the director's designated representative.

6 *"Hotel"* shall mean any building or complex of buildings, trailer, converted railroad pullman car, or
7 any other facility in which the public may, for a consideration, obtain sleeping accommodations. The term
8 shall include hotels, motels, short term rentals, tourist homes, houses or courts, lodging houses, inns,
9 rooming houses, trailer houses, trailer motels, parked railroad pullman cars used for sleeping
10 accommodations and not involving the transportation of travelers, dormitory where bed space is rented,
11 apartments not occupied by permanent residents, and all other facilities where rooms or sleeping facilities
12 or space are furnished for consideration. The term does not include:

13 (1) A hospital, sanitarium, or nursing home;

14 (2) A dormitory or other housing facility owned or leased and operated by an institution of
15 higher education or a private or independent institution of higher education, as those terms
16 are defined by V.T.C.A., Education Code § 61.003, as amended, that is used by the
17 institution for the purpose of providing sleeping accommodations for persons engaged in
18 an educational program or activity at the institution; or

19 (3) An oilfield portable unit, as defined by V.T.C.A., Tax Code § 152.001.

20 *"Occupancy"* shall mean the use or possession of, or the exclusive right to the use or possession
21 of a sleeping room or sleeping facility in a hotel.

22 *"Occupant"* shall mean any individual, corporation, governmental agency, partnership, or
23 association that has paid a consideration for the exclusive right to use a sleeping room or sleeping facility
24 in a hotel.

25 *"Permanent resident"* shall mean any occupant who has occupied or has paid for the exclusive
26 right to occupy a particular sleeping room or rooms or sleeping facility in a hotel for at least 30 consecutive
27 days so long as there is no interruption of payment for the period.

28 *"Permit"* means an initial registration and annual renewal of registration for properties defined as a
29 hotel in this section 38-76 and section 38-100.

30
31 *"Project fund"* means the fund entitled the "sports and community venue project fund," created
32 pursuant to the resolution.

33 *"Quarter"* shall mean the regular calendar quarters of the year, the first quarter being composed of
34 the months of January, February and March, and the second quarter being the months of April, May and
35 June, the third quarter being the months of July, August and September, and the fourth quarter being the
36 months of October, November and December. The municipal fiscal quarters are composed of the same
37 months, but the first quarter is composed of the months of October, November and December.

38 *"Resolution"* means the resolution adopted by the city council establishing the sports and
39 community venue project fund.

“*Short term rental*” means private homes, condos, apartments, or any other individual units leased for short periods of time for sleeping accommodations and is a “hotel” as defined in this section 38-76 and section 38-100.

"Tax" means the hotel occupancy tax levied in this article pursuant to V.T.C.A., Local Government Code ch. 334, as amended.

IX.

That Chapter 38, Article V, Section 38-105, Code of Ordinances (2018 Edition),
City of Round Rock, Texas, is hereby amended as follows:

Sec. 38-105. -Reports.

On or before the last day of each month, every person required to collect the tax imposed by this article V shall file a report with the director for the preceding month, showing the price paid for all room occupancies in the preceding month, the amount of tax collected on such occupancies, and any other information the director may reasonably require. Such person shall pay the tax due on such occupancies at the time of filing such report. The report shall be in a form prescribed by the director. The director is hereby authorized and directed to do all such things necessary or convenient to carry out the terms of this article V. The director shall have the authority to request and receive within a reasonable time documentation of information contained in the report. Report and payment may be made in person, by mail, or through an online portal on the city's website.

X.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

1 Alternative one.

2 By motion duly made, seconded and passed with an affirmative vote of all the
3 Council members present, the requirement for reading this ordinance on two separate
4 days was dispensed with.

5 **READ** and **APPROVED** on first reading this the _____ day of
6 _____, 2025.

7 **READ, APPROVED** and **ADOPTED** on second reading this the _____ day of
8 _____, 2025.

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CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

ANN FRANKLIN, City Clerk