



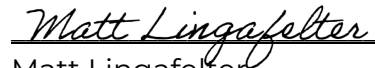
**NOTICE OF A CALLED MEETING
OF THE ZONING COMMISSION
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, MARCH 30, 2022
6:00 P.M.**

Notice is hereby given that the Zoning Commission of the City of Sunset Valley, Texas, will hold a called meeting on Wednesday, the 30th day of March 2022 at 6:00 P.M. in the Council Chambers, City Hall, 3205 Jones Road, Sunset Valley, Texas, at which time the following items will be discussed, to-wit:

1. Call to Order
2. Citizen/Public Comments
3. Consider approval of the minutes from the February 23, 2022 regular meeting.
4. Discussion and possible recommendation to the City Council for approval of proposed regulations for Short-term Rental Registration.
5. Schedule and call next meeting
6. Adjourn

A quorum of the City Council may attend the meeting, however, no official action by the City Council shall be taken.

I certify that the above notice of meeting was posted at City Hall, 3205 Jones Road, Sunset Valley, Texas, on Friday the 25th day of March 2022 at 6:00 P.M.


Matt Lingafelter
City Secretary



MINUTES OF A REGULAR MEETING
OF THE ZONING COMMISSION
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, FEBRUARY 23, 2022
6:00 P.M.

Commissioners Present:

Miguel Huerta, Acting Chair
Brant Boozer
John Frick
Robert Reetz

Staff Present:

Matt Lingafelter, Asst. to the City Administrator
Veronica Rivera, City Attorney
Duncan Moore, A/V Technician
Sylvia Carrillo, City Administrator (remote)

1. Call to Order

Vice Chair Huerta called the meeting to order at 6:03 P.M.

2. Citizen/Public Comments

3. Consider approval of the minutes from the January 26, 2022 regular meeting.

Matt Lingafelter provided an update to the draft minutes after correspondence with Commissioner Reetz.

Commissioner Reetz made a motion to approve the minutes as amended, seconded by Commissioner Frick. All voted in favor and the motion carried.

4. Public Hearing to consider a request for a Special Use Permit to operate a restaurant within the NC (Neighborhood Commercial) District under Section 150.101 of the Land Development Code at 6405 Brodie Lane.

Public Hearing for Agenda Item number 4 and number 6 were opened simultaneously, since the two Special Use Permit applications were related. The Public Hearings were opened at 6:07 P.M.

Staff gave a presentation on both Special Use Permit application and addressed various criteria that were discussed in the supplemental materials provided to the Zoning Commission. There was also an update on the alcohol permit after staff consulted with both the city attorney and the applicant's legal team.

The Zoning Commission asked questions to both staff and the applicants. Tom Trubiana, applicant, and Michael Whelan, attorney for the applicant, both addressed the Commission.

Scott Draker addressed the Commission, after being called to speak after a statement from the City Administrator. The Commission discussed both Special Use Permit application with Mr. Draker, who opposes both permits.

There were additional comments from the Commission, staff, the City Attorney and Mr. Draker. The applicants responded to comments and questions, mostly related to the Drakers' concerns. Concerns discussed included noise, water runoff and traffic.

The City's noise ordinance was discussed.

Comments from Cameron Campbell, the applicant's landscape architect.

After questions from Commissioner Frick on water runoff and other water quality issues, Blayne Stansberry, engineer for the applicant, addressed the Commission.

Mr. Draker addressed the Commission regarding the water quality and impervious cover. Response from Blayne Stansberry.

With no further comments, Vice Chair Huerta closed the Public Hearings at 7:25 P.M.

5. Zoning Commission recommendation to the City Council regarding a request for a Special Use Permit to operate a restaurant within the NC (Neighborhood Commercial) District under Section 150.101 of the Land Development Code at 6405 Brodie Lane.

Commissioner Frick made a motion to recommend to the City Council to approve a Special Use Permit to operate a restaurant within the Neighborhood Commercial District at 6405 Brodie Lane, seconded by Commissioner Reetz. All voted in favor and the motion carried.

6. Public Hearing to consider a request for a Special Use Permit for alcoholic beverages to be sold in a restaurant for on-premise consumption under Section 150.103(A) of the Land Development Code at 6405 Brodie Lane.

Public Hearing for this item was opened simultaneously with Agenda Item #4, see above.

7. Zoning Commission recommendation to the City Council regarding a request for a Special Use Permit for alcoholic beverages to be sold in a restaurant for on-premise consumption under Section 150.103(A) of the Land Development Code at 6405 Brodie Lane.

Commissioner Reetz made a motion to recommend to City Council to approve a Special Use permit for alcoholic beverages to be sold in a restaurant for on-premise consumption at 6405 Brodie Lane, seconded by Commissioner Boozer. All voted in favor and the motion carried.

8. Discussion and possible recommendation to the City Council for approval of proposed regulations for Short-term Rental Registration.

Vice Chair Huerta requested that a red-line version of the proposed regulations be presented to the Commission at the next meeting. Staff will accommodate the request.

There was a brief discussion by the Commission, and several questions were asked to both staff and legal.

There was one public comment on Open Town Hall from Joe Luis who opposed the regulations for Short-term Rental Registration.

Commissioner Reetz made a motion to table the agenda item, seconded by Commissioner Frick. All voted in favor and the motion carried.

9. Adjourn

Commissioner Reetz made a motion to adjourn, seconded by Commissioner Boozer. All voted in favor and the meeting was adjourned at 7:42 P.M.

COMMISSION MEETING DATE: MARCH 30, 2022



ZONING COMMISSION AGENDA ITEM #4

STAFF PREPARER/CONTACT INFORMATION: Sylvia Carrillo, City Administrator.
scarrillo@sunsetvalley.org

SUBJECT: SHORT TERM RENTALS

DESCRIPTION: Discussion and possible recommendation to the City Council for approval of proposed regulations for Short-term Rental Registration.

BACKGROUND: The Zoning Commission was directed by the Mayor and City Council to discuss the possible regulation of short-term rentals (STRs) in the City of Sunset Valley. At the July meeting, the Commissioners directed staff to bring back regulations from other cities with a variety of stringency to their regulations of short-term rentals (STR). Upon further review by Legal, while a Special Permit process cannot be used to regulate the STRs, a simplified permit process can be adopted as a matter of public safety and information.

Attached with this agenda item is a process chart of the potential process for registration and permitting of Short-term rentals, as well as possible registration and regulatory requirements.

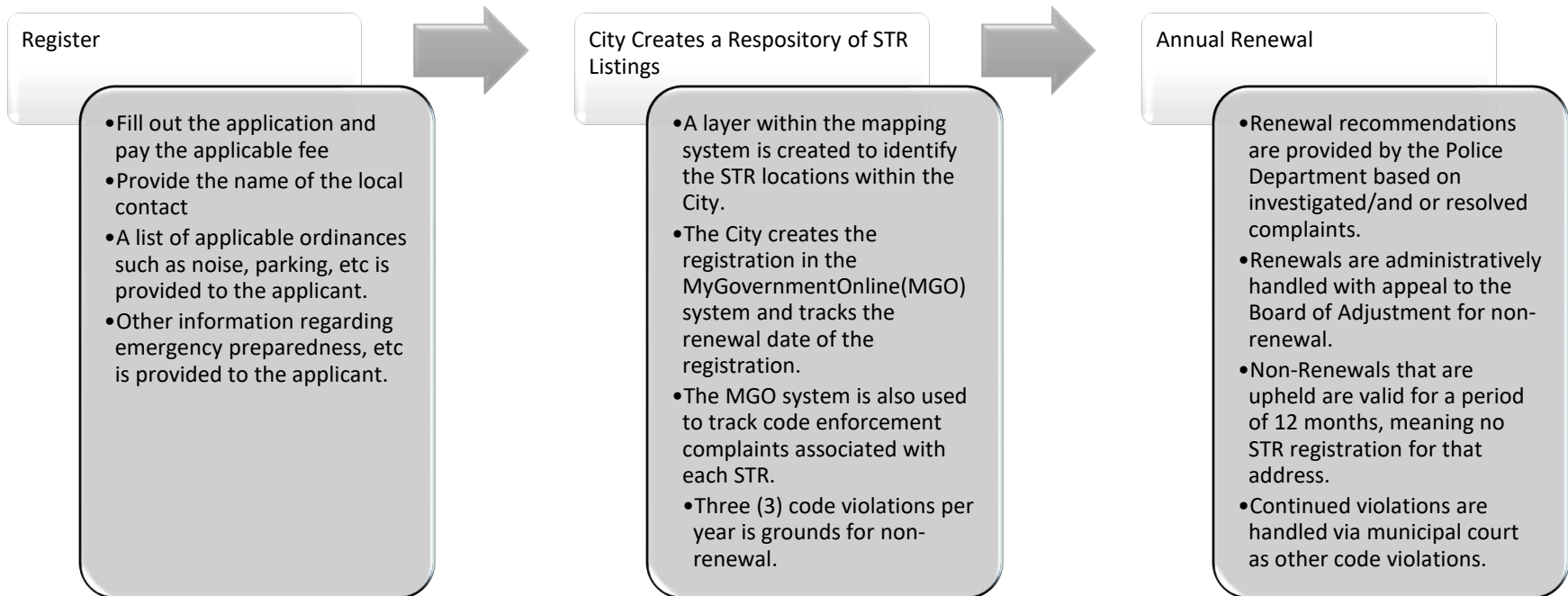
This item was tabled from the February 23rd meeting. At the request of the Commission, a redlined version of the previous regulations have been included in the supporting materials, along with the new proposed regulations.

STAFF RECOMMENDATION: Approve the STR regulations as presented which create a process, a fee, and methods for revocation and appeal.

SUPPORTING MATERIALS PROVIDED: YES

- STR REGISTRATION PROCESS CHART
- PROPOSED REGULATIONS
- REDLINED PREVIOUS REGULATIONS

Proposed Short Term Registration Process



ARTICLE -- . SHORT TERM RENTAL -¹

Sec. -- . Purpose and applicability.

The purpose of this division is to establish regulations for the registration and use of short-term rentals for single family living units. The requirements of this division apply only to short term rentals, as defined herein, located in residential and historic zoning districts established under the city's Zoning Ordinance, Chapter 12 of Code of Ordinances. Nothing in this division, however, shall be construed to be a waiver of the requirement to assess and collect hotel occupancy taxes for any residential rental for less than 30 consecutive days, or any other applicable provision of the Sunset Valley Code of Ordinances.

Sec. --. Definitions.

Advertise means the written, audio, oral or other methods of drawing the public's attention whether by brochure, written literature or on-line posting to a short-term rental in order to promote the availability of the short-term rental.

Host means the person, firm, corporation, partnership, or association, assigned the duty and responsibility by the owner to manage or rent the residence for a short-term rental.

Hotel occupancy tax means the hotel occupancy tax as defined in the Sunset Valley Code of Ordinances and Chapter 3 of the Texas Tax Code.

Local emergency contact means an individual other than the applicant, who resides within 20 miles of the subject property, and who is designated by the owner/applicant to act as the owner's authorized agent if the owner has traveled outside of the immediate area or is otherwise unavailable. The local emergency contact should be reachable on a 24-hour basis, have access to the short-term rental property, and be authorized by the owner to act in the owner's absence to address any complaints, disturbances, and emergencies.

Owner means the person who, in accordance with the most recently recorded deed, deed of trust, security instrument, trust instrument, affidavit of heirship, muniment of title or other similar document indicating title to real property recorded in the Official Public Records of Travis County, Texas, is vested in, the ownership, dominion or title of real property, including, but not limited to:

- (1) The owner of a fee simple title;
- (2) The owner of a life estate;
- (3) The purchaser named in an executory contract for conveyance entered in compliance with title 2, chapter 5, subchapter D of the Texas Property Code, as amended, and recorded in the Official Public Records of Dallas County, Texas if required by V.T.C.A., Property Code § 5.076, as amended; or
- (4) A mortgagee, receiver, executor or trustee in control of real property.

Person means 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.

Primary residence means the usual dwelling place of the applicant's residential dwelling and is documented as such by at least two of the following: motor vehicle registration, driver's license, Texas State Identification card, voter registration, property tax documents, or utility bill. For purpose of this chapter, a person may have only one primary residence.

Short term rental (STR) is defined as "the rental of any residence or residential structure, or a portion of a residence or residential structure for a period of less than 30 days". The term does not include:

- (1) A unit that is used for a nonresidential purpose, including an educational, health care, retail, restaurant, banquet space, or event center purpose or another similar use;
- (2) A bed and breakfast; or
- (3) A hotel/residence hotel.

Single-family residence means a single-family residence as referred to in this article which includes the following:

- (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;
- (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 and 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; and
- (4) Condominium: The separate ownership of single dwelling units in a multiple unit structures with common elements and;
- (5) Multi-family dwelling or apartment: Any building or portion of a building, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units.

Residential districts: Includes the following districts: SF- Single Family or any Planned Development District defined as a residential use in the Code of Ordinances.

Short term rental registration means the registration issued by the building official or their designee pursuant to this article.

Sec --. Short Term rental registration requirements.

- A. No person shall hereafter advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the city as a short-term rental for which a registration has not been properly made and filed with the City of Sunset Valley. Registration shall be made upon forms furnished by the city for such purpose and shall specifically require the following minimum information:
 1. Name, address, phone number and e-mail address of the property owner(s) of the short-term rental property.
 2. Verification of that this short-term rental property is the applicant's property.
 3. Name, address, phone number and e-mail address of the designated local emergency contact.
 4. The maximum number of occupants permitted for the dwelling unit is three times the number of bedrooms per the Texas Property Code, Section 92.010.
 5. A submission of a sketch floor plan of the dwelling with dimensioned room layout.
 6. Site plan/survey of the property indicating maximum number of vehicles that can be legally parked on the property, without encroaching onto street, sidewalks or alleys; other public rights-of-way or public property.

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7. Property owner must submit complete list of all rentals advertised on all hosting sites.
 8. Name, address, e-mail address, and telephone number of the resident owner, nonresident owner, property manager, resident manager, local emergency contact, and mortgagee, if there is a mortgage against property.
 9. Trade name of resident owner or nonresident owner.
 10. Names and addresses of all registered agents should the parties named in this subsection be corporations.
 11. Zoning classification(s).
 12. Acknowledgement of receipt of a copy of this article and agreement to comply with all provisions of this article as a condition to receiving and maintaining a short-term rental registration.
 13. The applicant shall provide a copy of the filed Comptroller of Public Accounts' Form AP-102 (hotel occupancy tax questionnaire);

Sec. -- . Inspection required.

- A. Upon registration and renewal, and prior to the first rental occupant of a short-term rental property, after such registration and renewal, the owner is required to schedule an inspection of the residential structure with the City of Sunset Valley to determine compliance with the minimum property standards in the Code of Ordinances.
 1. If only a portion of the premises is offered for rent, then that portion plus shared amenities and points of access shall be inspected.
 2. If, upon completion of the inspection, the premises are found to be in violation of one or more provisions of applicable city codes and ordinances, the city shall provide written notice of such violation and shall set a re-inspection date for violation to be corrected prior to its occupancy.

Sec. --. Restrictions on short term rentals.

- A. *External signage.* There shall be no external on-site or off-site advertising signs or displays indicating the property is a short-term rental.
- B. *Limit on occupants allowed.*
 1. There shall be a maximum occupancy of three persons per bedroom, including adult and children.
- C. *Limits on number of vehicles.* There shall be a maximum of one motor vehicle per bedroom, or maximum number of motor vehicle that can be accommodated within the garage and driveway, without extending over the public rights of way (alleys and sidewalks) whichever is less.
- D. *Advertisement and contracts.* Any advertisement of the property as a short-term rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.
- E. *Other restrictions.* It is unlawful:
 1. To operate or allow to be operated a short-term rental without first registering the property in which the rental is to occur with the city in accordance with this article;

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2. To advertise or offer a short-term rental without first registering the property in which the rental is to occur with the city in accordance with this article; documented advertisement of the subject property as a short-term rental, online or offline, shall be considered evidence of a violation of this ordinance;
 3. To operate a short-term rental that does not comply with all applicable city and state laws and codes;
 4. To operate a short-term rental that does not comply with all applicable city and state laws and codes;
 5. To operate a short-term rental without paying the required hotel occupancy taxes;
 6. To offer or allow the use of a short-term rental for the sole or primary purpose of having a party venue;
 7. To fail to include a written prohibition against the use of a short-term rental for having a party in every advertisement, listing, or other publication offering the premises for rent.
 8. Permit the use of the short-term rental for the purpose of housing sex offenders; operating a structured sober, recovery or other purpose living home or similar enterprise; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; or operating as a sexually oriented business.

Sec. -- Brochure and safety features.

- A. *Informational brochure.* Each registrant operating a short-term rental shall provide to guests a brochure that includes:
 1. The registrant's 24-hour contact information;
 2. The host's 24-hour contact information if the property owner is not within the city limits when guests are renting the premises;
 3. Pertinent neighborhood information including, but not limited to, parking restrictions, restrictions on noise and amplified sound, and trash collection schedules;
 4. Information to assist guests in the case of emergencies posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire and emergency medical services providers and instructions for obtaining severe weather, natural or manmade disaster alerts and updates.
- B. *Safety features.* Each short-term rental registrant shall provide in the premises working smoke detectors in accordance with adopted codes and at least one working carbon monoxide detector and alarm, and one working fire extinguisher. The premises shall, otherwise comply with applicable Codes of Ordinance including but not limited to Building and Fire Codes.
- C. A placard that is clearly visible on the structure is required displaying the registration number and name of designated local contact with their 24/7 contact information.
- D. Parking by renters or their guests shall not encroach upon or obstruct ingress, egress, or access to the neighboring properties;

Sec. --- Notification of approval of short-term rental.

Within ten days of the approval of a short-term rental registration or renewal, a notice will be sent to all property owners within 200 feet of the property, and shall include the 24-hour complaint line, and pertinent information about this article.

Sec. --. Registration term, fees, and renewal.

- A. All registrations approved under this chapter shall be valid for a period of one year from the date of its issuance.
 - 1. The fees for registration of a short-term rentals shall be as established by resolution of the city council and may include the following:
 - a. The initial registration fee,
 - b. A late fee of twice the established the fee, and
 - c. Senior exemption or other exemption.
- B. Upon receipt of an application for renewal of the registration, the City Administrator or their designee may deny the renewal if there is reasonable cause to believe that:
 - 1. The registrant has violated any ordinance of the city, or any state, or federal law on the premises or has permitted such a violation on the premises by any other person; or
 - 2. There are grounds for suspension, revocation, or other registration sanction as provided in this article.

Sec. --. Inspections; re-inspections; suspension and revocation of registration.

- (a) *Inspections; access.* The resident owner, nonresident owner, resident manager and property manager, as a condition to the issuance of a short-term rental registration required by this article, shall consent and agree to permit and allow the city's building official or their designee to make the following inspections of the short-term rental 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, including, but not limited to, all storage areas, detached garages, and swimming pools, upon reasonable advance notice being given to the resident owner, nonresident owner, property manager or resident manager;
 - (2) Right and access to inspect all unoccupied dwelling units upon giving reasonable notice to resident owner, nonresident owner, resident manager, or property manager;
 - (3) Right and access to inspect all occupied dwelling units when, upon receipt of reliable information, the building official or their designee has reason to believe that violations of the ordinances of the city or state law exist that involve serious threats to life, safety, health, and property; and
 - (4) Before the short-term rental registration and any renewal of the short-term rental registration is approved, and before the rental of any single-family residence as a short-term rental under this article, the resident owner, nonresident owner, resident manager, or property manager shall request an inspection and make the single-family residence available for inspection by the building official or their designee. The building official or their designee and the resident owner, nonresident owner, resident manager, and property manager shall agree on a reasonable date and time for the requested inspection.
- (b) *Admission to premises.* The building official or their designee may enforce the provisions of this article upon presentation of proper identification to the occupant in charge of the short-term rental and may enter, with the occupant's permission, any short-term rental between the hours of 8:00 a.m. and 6:00 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 official or their designee may enter the short-term rental referenced in subsection (a) of this section at any time and upon presentation of identification and the occupant's permission shall not apply. Whenever the building official is denied

admission to inspect any short-term rental under this provision, inspection shall be made only under authority of a warrant issued by a magistrate authorizing the inspection.

- (c) *Reinspection.* If any of the inspections authorized by this article require a second reinspection due to noted violations, then a reinspection fee as listed in the City's fee schedule shall be paid prior to the second reinspection.
- (d) *Suspension or revocation of registration.* Failure of an owner to comply with the provisions of this article after receipt of written notice of the violation from the building official or their designee setting out the violations and the time allowed to rectify the violations, the short-term rental registration authorized by this article issued to the owner may be suspended or revoked by the Administration department.
- (e) *Reinstatement.* Any person requesting a reinstatement or reissuance of a short-term rental registration that has been suspended or revoked shall be required to apply for and receive a new short-term rental registration issued under this article upon review by the Administration department that all conditions causing the revocation have been met.

Sec. ---. Revocation/appeal.

- A. Registration may be denied and/or revoked by the city administrator or designee upon a finding by the noncompliance with any provisions of this article or violations of the Zoning Ordinance, or other applicable city codes.
- B. A registration may be subject to revocation of their registration if there are three or more violations within a twelve-month period of this article or other safety, health and welfare ordinances of the city.
- C. The Administration department or their designee, shall issue a notice of violation of any provision of this article or violations as provided herein. Such notice shall include the date, time and synopsis of the facts surrounding such violation.
- D. An applicant or registration holder who wishes to appeal the denial or revocation of a registration under this article, shall file an appeal with the Board of Adjustment for reinstatement of a denied or revoked registration.
- E. The Board of Adjustment shall conduct an evidentiary hearing, take testimony and receive any documented evidence to determine whether the decision of city manager or designee should be upheld or overturned.
- F. At the hearing, the Board of Adjustment shall receive a testimony and evidence to contest the decision to deny or revoke a registration.
- G. The Board of Adjustment upon completion of a hearing, shall upon a majority vote of four-fifths of the board overturn the decision of the city administrator or designee.
- H. After a registration under this article has been revoked an owner may not reapply until after a 12 month period of any revocation or appeal.
- I. All decisions of the Board of Adjustment under this article shall be deemed final.

Sec. ---. Fees.

All fees for registration, inspection, or renewal, including any late fees or exemptions, as provided in this article, shall be as established by resolution of the city council.

Sec. ---. Presumption; presentation of documents or affidavit.

- (a) *Presumption.* It shall be a rebuttable presumption that a single-family residence that is occupied by one or more person(s) who are not the owner is being occupied pursuant to an agreement between the owner and

the occupant(s) of the single-family residence wherein the occupant(s) have agreed to lease said residence from the owner.

- (b) *Presentation of documents or affidavits.* Any resident owner or nonresident owner claiming that the owner is not required to obtain a short-term rental registration pursuant to this article shall, not later than five business days following receipt of a written request of the building official or their designee or, in the case of an appeal filed pursuant to section --- of this article deliver to the City Administrator a true and correct copy of any agreements, documents of title, letters of administration, letters testamentary, executory contracts for conveyance (also known as "contracts for deed"), affidavits, or other documents that establish to the satisfaction of the community development department that a landlord/tenant relationship does not exist between the owner and the occupant(s) of the single-family residence. Unless an extension of the time for delivery of such documents or affidavits is granted by the building official or their designee or city administrator, as the case may be, the failure of the owner to present the requested documents within the time provided by this subsection (b) shall result in the presumption described in subsection (a) above, becoming irrefutable.

Sec. ---. Violations and penalties.

Violation of this ordinance upon conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Short Term Rental Registration

- 1) The applicant shall provide a copy of the filed Comptroller of Public Accounts' Form AP-102 (hotel occupancy tax questionnaire);
- 2) Initial registration shall be for a(1) year period and shall be renewable for a one year period provided a complete application for renewal is filed with the city no more than ninety (90) days and no less than sixty (60) days prior to the expiration date of the initial registration;
- 3) No application for registration shall be accepted for filing, processed, or approved during a period of two (2) year following the denial of an application or revocation for any residential property;
- 4) No additional application for short term rental registration shall be accepted for filing from, processed, or approved for an owner of real property with an existing short term rental registration;
- 5) All structures housing short term rental use shall comply with this article and all other applicable regulations of this code, and compliance shall be verified by means of an on-site inspection by city staff; This is reworded in the new section under Brochure and Safety
- 6) Accessory structures, including guest houses, cannot be used as a Short Term Rental;
- 7) A placard that is clearly visible on the structure is required displaying the permit number and name of designated local contact with their 24/7 contact information;
- 8) Parking by renters or their guests shall not encroach upon or obstruct ingress, egress, or access to the neighboring properties;
- 9) Advertisement of the short term rental use shall not be displayed on the premises of the property in any manner that is visible from the exterior of the house; This is reworded in the new section under Restrictions on Short Term Rentals – External Signage
- 10) Short term rental operators shall comply with and ensure their tenants have provided written notice and comply with all applicable city ordinances and state laws regulating litter, waste disposal, noise, nuisance, and other regulations for the protection of the health, safety, and welfare of the public; This is reworded in the new section under Brochure and Safety Information.
- 11) The short term rental use shall not produce nuisances as defined in Title IX, General Regulations, of the Sunset Valley Code of Ordinances or elsewhere in this code including but not limited to noise, damage, odors, inconsiderate or offensive behavior, late night parties, illegal drug or alcohol use, pets, public urination, public indecent exposure, disturbance of the peace, disorderly conduct, or any other conduct that may constitute a public or private nuisance;
- 12) Maximum rental period shall be thirty (30) consecutive nights; This is reworded in the new section under Restrictions on Short Term Rentals – Other restrictions
- 13) Short term rental operators shall file state hotel occupancy tax reports in a timely manner, shall maintain accurate logs including dates and times of rentals, number of guests, number of automobiles present, and complaints received, and shall forward logs to the city designated official on a Quarterly basis or upon request of the City; This is handled under the Form AP 102 filed with the State.
- 14) The city administrator or designee may suspend any short term rental use upon the finding of one or more of the following:
 - (A) A violation of any of the applicable terms, conditions, or limitations;
 - (B) A violation of any applicable ordinance or regulation;
 - (C) Operation or maintenance of the short term rental property in a manner that is detrimental to the public's health, safety, or to constitute a nuisance. This is now handled under Revocation/Appeal in the new section.
 - (D) The City may initiate such suspension on its own or upon application by any city resident. The City Administrator or their designee shall provide written notice to the operator suspension proceeding. Provide the operator opportunity to respond to such suspension proceeding. The City Administrator shall make such determination and provide a written report on why the operator has been suspended or not suspended, which such suspension shall be effective immediately upon such determination. Determinations made by the City Administrator may be appealed to the City Council. This is now handled under

Revocation/Appeal in the new section.

DRAFT