



TRAVIS COUNTY  
EMERGENCY SERVICES DISTRICT 5  
665 W. FM 1626, Austin, TX 78748  
TEL: 512-640-8273  
[crr@tcesd5.org](mailto:crr@tcesd5.org)

NATHAN MENDENHALL  
Fire Code Official / Risk Reduction Officer

---

TO: Travis County ESD 5 Customers

SUBJECT: **INFORMATION BULLETIN 010**  
Short Term Rentals / Temporary Change of Use

DATE: July 8, 2026

CREATED BY: Travis County ESD 5 Fire Code Official

**Purpose:**

The Fire Code Official for Travis County ESD 5 (TCESD5) has created this bulletin, pursuant to Section 2(d) of the adopting ordinance and Section 104.1 of the adopted fire code, to assist new **AND** existing short-term rental (STR) operators, owners, and platforms. The use of a residential property (one-, two-, or three-family dwelling) for **assembly purposes for 50 or more people**, including owner/operator staff, without a permit, constitutes an unlawful change of use under TCESD5 Ordinance 2025-08-14-01, which adopts the District's fire code. Violations of the District's fire code are a Class C Misdemeanor offense that can result in penalties of up to \$500 per day. Additionally, persons/entities committing an offense are also subject to civil penalties of up to \$200 per day. This Information Bulletin incorporates the department's process for submitting applications to the fire code official, electronically through [www.tcesd5permits.com](http://www.tcesd5permits.com)

**Code/Statute References:**

2021 Fire Code of Travis County Emergency Services District 5 / Manchaca Fire Rescue, published by the ICC (Section 102.3 & 104.1); Travis County ESD 5 Ordinances 2025-08-14-01; 2025-08-14-02; 2025-09-11-01; Case law: *TXI Operations LP v. Tex. Comm'n on Env't Quality*, 665 S.W.3d 203, 213 (Tex. App.—Austin 2023)(citing *Mills v. Bartlett*, 377 S.W.2d 636, 637 (Tex. 1964); *Tarr v. Timberwood Park Owners Ass'n*, 556 S.W.3d 274, 290 (Tex. 2018); *MacDonald v. Painter*, 441 S.W.2d 179, 182 (Tex. 1969); *Garrett v. Simpson*, 523 S.W.3d 862 (Tex. App.—Fort Worth, 2017); *Wilkinson v. Chiwawa Cmty. Ass'n*, 180 Wn.2d 241, 327 P.3d 614, 620 (Wash. 2014); *Pinehaven Planning Bd. v. Brooks*, 138 Idaho 826, 70 P.3d 644, 668 (Idaho 2003).

## **Scope:**

Pursuant to Section 105.5.50 of the Adopted Fire Code of Travis County Emergency Services District 5, a Tenant Occupancy Permit is required for the use of **any** building, facility, or structure by a tenant or lessee for commercial or public-use purposes. The property shall not be occupied prior to the issuance of the permit.

Pursuant to Section 105.6.24 of the Adopted Fire Code of Travis County Emergency Services District 5, a construction permit is required to erect a tent greater than 400 sq. ft. An operational permit is also required. It is recommended that the company installing the tent apply for the permit; however, the STR owner/operator is responsible for compliance.

The adopted fire code defines a *facility* as a building or use in a fixed location, and per the ICC code commentary, the scope of the fire code is broader than the scope of the building code, in that it addresses outdoor storage, tanks, fire department access, and similar activities.

The adopted fire code defines *public-use* as interior or exterior rooms or spaces that are made available to the general public. *Public Access Buildings* are defined as a place in which the possession and/or use, as well as the property in it, gives members of the public free access or use and includes buildings in which the public may enter, including where an entry fee is charged; or otherwise classified as an occupiable space.

Permits issued expire on the date listed on the permit and cover only the period specified, along with any Special Conditions mentioned.

To apply for the required permit(s):

1. **Register/Login:** Applicants must register for a login to our online submittal system at [www.tcesd5permits.com](http://www.tcesd5permits.com). Click the Login or Register button at the top right of the web page. First time users will need to register. A valid email address is required.
2. **Fees must be paid:** We accept electronic payments online during the submittal process. Payments can also be made either over the phone (credit cards) or in person at our office, which is located at 665 FM 1626, Austin, TX 78748. Our hours are Monday through Friday from 9a to 5p. Our fee schedule is posted on our website at [www.tcesd5.org](http://www.tcesd5.org) or in the Resources section at [www.tcesd5permits.com](http://www.tcesd5permits.com). Checks and money orders shall be made payable to the Travis County ESD 5.
3. **Submittal information required.** The following information is required to be uploaded with your permit submittal:
  - Rental/lease contract for the event, listing the contact information for the occupying party.
  - Number of expected occupants (guests and any present staff).

- A public safety plan for gatherings, complying with Section 403.11.2 of the District's adopted fire code, including the following items:
  - Emergency vehicle ingress and egress;
  - Fire protection (if any);
  - Emergency egress/escape routes;
  - Emergency medical services onsite (if any);
  - Assembly areas on the property;
  - Parking areas on the property;
  - POC for person responsible for directing attendees and vehicles, including parking;
  - Vendor and food concession distribution areas, and POC for person responsible;
  - Security plan, including POC for contracted security and/or law enforcement;
  - Whether the event organizer requests additional resources from the fire department and/or law enforcement;
  - Emergency plan for severe weather, including a POC for a person designated to monitor weather.
  - A Google aerial image of the property, along with a sketch showing the location of the event, including seating area, food/bar serving areas, proposed tent/temporary event structure locations (additional permit required).

Prior to issuing the permit, the District will conduct a site inspection. Some of the things we are looking for:

1. The driveway/roadway serving the property must be at least 14 feet wide, kept clear of all vehicles (no parking is allowed on the driveway/roadway serving the property); and there must be 14 feet clearance over the driveway/roadway (all vegetation/trees, power lines, etc) must not be within 14 feet of ground level over the driveway/roadway.
2. There must be at least one compliant fire extinguisher ready for use. The extinguisher must have a current inspection tag and be a minimum of 4A; 60BC.
3. Electric gates must be equipped with a Knox gate opener switch. This requires adequate planning for installation if not already equipped. Please contact the District's fire code official at 512-640-8273 for more information.

This information bulletin covers all properties within Travis County ESD 5 and is intended to clarify requirements per the effective date of the District's adopted fire code (October 1, 2025). This bulletin remains in effect until further notice. Should you have any questions on this policy, please call the TCESD5 Fire Code Official's office at 512-640-8273.

**Summary:**

This Information Bulletin is for informational purposes only.

**Prepared by:** Nathan Mendenhall, Risk Reduction Officer/TCESD 5 Fire Code Official