



Trey Hardy
Councilmember

Christine Crawford
Councilmember

Joe Dike
Councilmember

Sam Artino
Mayor

Monty Tapp
Vice-Mayor

Mark Claus
Councilmember

Joel Hagy
Councilmember

CITY COUNCIL — REGULAR COUNCIL MEETING

Tuesday, March 9, 2021 @ 6:30 PM

City Council Chambers

417 Main Street

Huron, Ohio 44839

MEETING INFORMATION Pursuant to Resolution No. 2020-44 adopted by the Huron City Council on June 17, 2020, this regular meeting of Council and Public Hearing regarding revisions to Chapter 1369 Transient Rental Property of the codified ordinances will be conducted in person at McCormick Junior High School, located at 325 Ohio Street, Huron, Ohio. The public may attend this meeting and Public Hearing in person, as long as Ohio Department of Health guidelines are followed.

Please note that as all large public gatherings remain prohibited pursuant to Orders of the Ohio Department of Health and the federal government's coronavirus guidelines, participation in person is highly discouraged. All persons entering the building for the Council Meeting will be required to wear a face mask, will be subjected to a temperature screening prior to being granted entry, and must maintain social distancing according to established guidelines.

*A public comments section is included on the meeting agenda. Public participation is protected through submission of comments and questions to the Clerk of Council by phone (419-433-5000 ext. 104) or via e-mail (terri.welkener@huronohio.us) on or before 3:00pm on the day of the meeting of Council. Such comments or questions will be shared with all members of Council and the Clerk of Council will read aloud the name, address and subject matter of each submission. Full copies of comments and questions will be available at the office of the Clerk of Council and will be attached to the minutes for the subject meeting. *Anyone wishing to be heard during the meeting must make arrangements with the Clerk of Council by calling (phone: 419-433-5000, ext. 1102) or via e-mail (terri.welkener@huronohio.us) on or before 3:00pm on Tuesday, March 9, 2021. Such participation, unless otherwise authorized, must be by telephone. If anyone is unable to participate by phone for any reason, limited exceptions for personal attendance may be authorized.**

I. Call To Order

Moment of Silence followed by the Pledge of Allegiance to the Flag.

II. Roll Call of City Council

III. Approval of Minutes

III.a Approval of Minutes of the Council work session of February 9, 2021.

III.b Approval of minutes from the February 9, 2021 regular meeting of Council.

III.c Approval of the minutes of the February 23, 2021 work session of Council.

III.d Approval of minutes of the February 23, 2021 regular meeting of Council.

IV. Audience Comments

Citizens may address their concerns to City Council. Please state your name and address for the recorded journal. (3-minute time limit).

V. Old Business

VI. New Business

VI.a Resolution No. 15-2021

A resolution authorizing a Memorandum of Agreement with the Erie Soil & Water Conservation District for development of a Storm Water Management Program (Melissa Feliciano will be available to answer any questions on behalf of the Erie Soil & Water Conservation District).

VI.b Resolution No. 16-2021

A resolution authorizing the submission of a loan application to the Ohio Environmental Protection Agency and the Ohio Water Development Authority for consideration of a Water Supply Revolving Loan Account for improvements at the Huron Water Treatment Plant.

VI.c Ordinance No. 2021-7

An ordinance amending and restating Chapter 1369 Transient Rental Property.

VI.d Ordinance No. 2021-8

An ordinance amending Ordinance 1121.04 Definitions (to add a provision relating to transient rentals) and amending Ordinance Nos. 1123.01(a)(7)(A) and (B) and ordinance 1123.02(a)(4) (to ensure definitional consistency with Chapter 1369 Transient Rental Property).

VI.e Ordinance No. 2021-9

An ordinance amending Ordinance 1133.03 Required Off-Street Parking Spaces to add a provision relating to transient rental property.

VI.f Ordinance No. 2021-10

Supplemental appropriations and increase in estimated resources ordinance.

VII. Board and Committee Appointments

VII.a Appointment to the Huron Joint Port Authority.

VII.b Appointment to the Huron Utilities Committee.

VIII. City Manager's Discussion

IX. Mayor's Discussion

X. For the Good of the Order

XI. Executive Session(s) Executive session to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with economic development projects.

XII. Adjournment



TO: Mayor Artino and City Council
FROM: Matthew Lasko
RE: Resolution No. 15-2021
DATE: March 9, 2021

Subject Matter/Background

This resolution will approve execution of an MOA with Erie County Soil and Water to continue with reestablishing our MS4 program with the County. Council authorized last year's MOA (Resolution 2020-30) for \$31,250 to get the program started. The cost for 2021 is \$31,184, similar to last year, as there is still a lot of GIS mapping work to be done. Their scope of work also includes illicit discharge monitoring, which was previously handled under a separate arrangement. We expect the annual costs for subsequent years to be more in the range of \$15,000-\$20,000/year.

Financial Review

The annual cost of this agreement will be supported by the Storm Water Fund (Fund 605). The Storm Water Fund has sufficient fund balance to support this agreement in 2021 for \$31,184, which is similar to the contract amount in 2020 (\$31,250). The City anticipates a cost reduction in this annual contract beginning in 2022, going forward.

Legal Review

The matter has been reviewed, follows normal legislative procedure, and is properly before you.

Recommendation

If Council is in agreement, a motion adopting Resolution 15-2021 would be in order.

[Resolution No. 15-2021.doc](#)

[Resolution No. 15-2021 Exhibit A.pdf](#)

RESOLUTION NO. 15-2021

Introduced by: Joel Hagy

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE ERIE SOIL & WATER CONSERVATION DISTRICT FOR DEVELOPMENT OF A STORM WATER MANAGEMENT PLAN AND THE NPDES SMALL MS4 PERMIT APPLICATION TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY IN THE AMOUNT OF THIRTY-ONE THOUSAND ONE HUNDRED EIGHTY-FOUR AND 00/100 DOLLARS (\$31,184.00)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City Manager be, and he hereby is, authorized and directed to enter into a memorandum of agreement with the Erie Soil & Water Conservation District for development of a Storm Water Management Plan and the NPDES Small MS5 Permit Application to the Ohio Environmental Protection Agency in the amount of Thirty-One Thousand One Hundred Eighty-Four and 00/100 Dollars (\$31,184.00), which agreement shall be in substantially the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22

SECTION 3. That this Resolution shall be in full force and effect immediately upon its adoption.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

Memorandum of Agreement
between
The Erie Soil & Water Conservation District
and
City of Huron, Ohio

Upon this _____ day of _____, 20____ this Memorandum of Agreement (Agreement) was entered into by and between the Erie Soil & Water Conservation District (District), and the City of Huron (City), Erie County.

Mandated by Congress under the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) Storm Water Program is a comprehensive two-phased national program for addressing the non-agricultural sources of storm water discharges that adversely affect the quality of our nation's waters. The Program uses the NPDES permitting mechanism to require the implementation of six minimum controls designed to prevent harmful pollutants from being washed by storm water runoff into local water bodies. The Phase II Final Rule, published in the Federal Register on December 8, 1999, requires NPDES permit coverage for storm water discharges from certain regulated small municipal separate storm sewer systems (MS4s).

According to 40 CFR 122.26(b)(8), "municipal separate storm sewer means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law)...including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges into waters of the United States.
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) which is not a combined sewer; and
- (iv) which is not part of a Publicly Owned Treatment Works (POTW)"

The City has identified the District as the lead agency for the Erie County NPDES Small MS4 Program. Other Erie County municipalities and townships have joined the Erie County NPDES Small MS4 Program as co-permittees. Recognizing the need for a close working relationship in carrying out the responsibilities of the NPDES Small MS4 Program for which each is charged, the City and the District enter into this Memorandum of Agreement as the foundation for a cooperative relationship. Such cooperation allows for joint effort in the solution of problems relating to storm water management, land use planning, and the development of the soil and water resources within the urbanized areas of Erie County.

The District agrees to:

1. Employ District staff qualified to guide the City in implementation of the NPDES Small MS4 Program, including assistance to select and implement minimum control measures to ensure compliance with Ohio EPA's Small MS4 permit requirements
2. Implement an annual **Scope of Work** in cooperation with City staff (See Exhibit A)
3. Provide technical expertise and guidance to City for development of Storm Water Management Plan (SWMP) and the NPDES Small MS4 permit application to the Ohio Environmental Protection Agency (EPA) in compliance with EPA regulations and deadlines
4. Collect data and reports from the City on the progress of the Small MS4 Program, compile this information, and write and submit the NPDES MS4 Annual Report to Ohio EPA in compliance with applicable regulations and deadlines
5. Provide informational resources and technical assistance as requested to assist in satisfying the SWMP requirements and to guide proper land use decisions
6. Keep City informed of updates to NPDES Small MS4 permit rules and regulations
7. Contract with the Erie County General Health District to continue dry-weather screening of MS4 outfalls located within the City

The City agrees to:

1. Appoint a minimum of one (1) representative and one (1) alternate to serve on the Erie County Stormwater Committee, which will guide the Erie County NPDES Small MS4 Program
2. Provide input with developing and implementing programs that satisfy the NPDES Small MS4 permit such as public involvement or storm water educational campaigns
3. Follow up (enforcement actions in section 1315.99) on private construction site Storm Water Pollution Prevention Plan (SWPPP) compliance issues documented by the District within 30 days of original notice of violation, and take the necessary actions to bring the site into compliance, i.e. stop work orders and/or the issuance of fines
4. Follow up within 30 days any potential illicit discharges identified by the Erie County Health Department during dry-weather screening of MS4 outfalls and take necessary enforcement actions to abate any confirmed illicit discharges (chapter 921.09)
5. Ensure appropriate MS4 staff are trained by the District on Good Housekeeping/Pollution Prevention measures at city-owned facilities
6. Conduct quarterly dry and wet-weather inspections and annual comprehensive inspections, complete the appropriate reports within GIS, and make necessary changes identified during these inspections to comply with Ohio EPA's Industrial Storm Water General Permit requirements (District will initially train staff to do these inspections)
7. Develop and enforce illicit discharge ordinances to prohibit illicit discharges
8. Provide the District with data, reports and other collected information to be used for the NPDES Small MS4 Annual Report
9. Provide an appropriation in the (not-to-exceed) amount of \$31,184.00 by March 31, 2021 to the Erie Soil & Water Conservation District

10. Utilize best efforts to observe the principles of sound soil and water conservation, giving considerations to the need for storm water quantity and quality, erosion and sediment control measures, and natural resource protection, and compliance with NPDES permit requirements
11. Recognize the District has no regulatory authority to enforce NPDES rules and regulations

It is mutually agreed:

1. The District and the City shall meet in November, 2021 to review and, where possible, coordinate their individual progress and activities in regards to Exhibit A
2. The Erie County Commissioners will be the holder of the NPDES Small MS4 permit, but the City will be responsible for meeting the requirements of the NPDES Small MS4 Permit as it pertains to its operation
3. The District prohibits discrimination in programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status
4. This agreement expires January 31, 2022
5. The Erie County Stormwater Committee shall meet quarterly or more often if deemed necessary by the majority of committee members

In witness whereof, this Agreement is executed and agreed to on the day, month, and year written above.

Erie Soil & Water Conservation District

City of Huron

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Scope of Work for City of Huron, Year 2021

Exhibit A

1	Storm Water Management Plan Updates (SWMP)	
		Meet with appropriate departments and City to staff to collect data and information to be used in updating the City's SWMP
		Propose revisions to the City's SWMP in accordance with the measures defined in the latest version of the Small MS4 General Permit
		Submit SWMP within the allotted timeframe required by Ohio EPA upon coverage under NPDES Small MS4 General Permit
2	Stormwater Program Technical Assistance	
		Provide ongoing stormwater program technical assistance
		Prepare and attend Huron City Council Meetings to present updates to SW Program (on an as needed basis, but no fewer than at least 1 Presentation/Meeting per year)
		Coordinate and hold Erie County Stormwater Committee Meetings quarterly (once Covid-19 restrictions are lifted)
3	Annual Reporting	
		Collect data and reportable information required for the Small MS4 General Permit Annual Report (January, 2022)
		Prepare and submit the MS4 Annual Report to Ohio EPA by April 1st each year
4	NPDES Small MS4 Annual Discharge Fee	
		Submit payment to Ohio EPA for Annual Discharge Fee
5	Public Education (MCM 1)	
		Provide the City with SW educational materials to reach 10% of the population each year to meet the 50% minimum within the 5 year permit term
6	Public Involvement (MCM 2)	
		Assist the City with planning and hosting 1 public involvement activity each year to meet the minimum permit requirements (rain barrel workshops, storm drain stenciling, storm water committee, maintenance of SW infrastructure, etc.) Will occur if and when Covid-19 restrictions are lifted.

7	Illicit Discharge Detection and Elimination (MCM 3)	
		<p>Contract with Erie County Health Department to continue the dry weather screening of all outfalls yearly</p> <p>Contract with Erie County Health Department to sample any sewage related discharges found during yearly screening</p> <p>Create GIS layer of all off-lot discharging HSTS's</p> <p>Assist the City in developing a stand-alone IDDE Plan</p> <p>Assist the City with updating Codified Ordinances that pertain to Illicit Discharges including illegal dumping of oils or chemicals</p> <p>Work with Street Department to create GIS map layer and data collection app for mapping storm sewer system (including catch basins, inverts, pipe diameter and material, direction of flow, and maintenance needed)</p> <p>Continue to work with and train Street Department staff on mapping storm system in Arc GIS</p>
8	Active Construction SWPPP (MCM 4)	
		<p>Review all SWPPP plans submitted to the City; provide the City with comments (Utilize the City's existing payment structure; charged to developer)</p> <p>Provide inspections on all active construction sites until sites have reached the EPA required 70% stabilization (keep with City's existing payment structure; charged to developer)</p> <p>Keep records of all inspections for projects on file for EPA audits</p> <p>Assist the City with updating ordinances that pertain to SWPPP to ensure compliance with the latest version of the Construction General Permit</p> <p>Host Clean Water Contractor Expo for local contractors annually</p>
9	Post Construction Storm Water Management (MCM 5)	
		<p>Update the GIS layer of all private & public SW systems</p> <p>Map all private & public SW systems (existing and new systems)</p> <p>Inspect all private & public SW systems installed to satisfy the water quality standards under EPA's General Construction Permit</p> <p>Provide the City with SW system inspection reports to send to system owners and assist with enforcement actions, if needed</p> <p>Assist in developing and collecting maintenance agreements for any new SW systems installed; keep record of all agreements</p>

10	Good Housekeeping & Pollution Prevention for Municipal Facilities (MCM 6)	
		Update site specific SWPPP plans developed for the Service Complex, annually
		Continue to work with designated City Staff to complete quarterly wet and dry facility inspections, and annual inspections at the Services Complex
		Meet with designated staff semi-annually to ensure adequate collection of reportable information for EPA's MS4 Annual Report is being documented (MS4 maintenance, salt and brine usage, leaf collection, street sweeping, oil recycling, etc.)
		Develop and host MS4 staff training on MCM 6 requirements; training will be for Streets Department, Water Distribution, and Parks Department employees

<i>Program Budget</i>	
Task Number	Amount
1	<i>\$4,875</i>
2	<i>\$3,500</i>
3	<i>\$1,125</i>
4	<i>\$484</i>
5	<i>\$2,500</i>
6	<i>\$2,000</i>
7	<i>\$9,400</i>
8	<i>\$2,500</i>
9	<i>\$3,000</i>
10	<i>\$1,800</i>
Total	<i>\$31,184</i>



TO: Mayor Artino and City Council
FROM: Terri Welkener , Clerk of Council
RE: Resolution No. 16-2021
DATE: March 9, 2021

Subject Matter/Background

As submitted by Jason Gibboney, Water Superintendent:

I am seeking Council support and approval to submit the attached Water Supply Revolving Loan Account (WSRLA) application. This nomination, if successful, would fund the tube settler/sedimentation building improvement that would ultimately increase the capacity of the water filtration plant. The Ohio EPA continues to offer 0% funding opportunities for filtration plant improvements that will aid in the treatment and reduction of harmful algal blooms. If awarded, this loan would provide 0% interest funding for a 20-year term. You may recall we have already secured Poggemeyer Design Group to handle all engineering services related to this project, and one of the services provided in their contract is funding assistance. The attached nomination form has been developed by Poggemeyer Design Group on our behalf. There is no cost for the WSRLA loan nomination form and should the City be successful in application, we would return to Council to formally accept the loan at a later time.

Financial Review

This loan was anticipated and included in the 2021 budget, along with the tube settler project. The Water Fund is projected to have sufficient funds to pay back to the 0% loan over 20 years.

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

If Council is in support of the request, a motion to adopt Resolution No. 16-2021 is in order.

[Resolution No. 16-2021.rtf](#)

[Resolution No. 16-2021 Exhibit A.pdf](#)

RESOLUTION NO. 16-2021

Introduced by Christine Crawford

A RESOLUTION RATIFYING THE CITY MANAGER'S EXECUTION OF AN APPLICATION FOR A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) ON BEHALF OF THE CITY OF HURON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AUTHORIZING THE CITY MANAGER TO ACCEPT AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT; AND AUTHORIZING AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

WHEREAS, the City of Huron seeks to upgrade its existing water facilities; and

WHEREAS, the City of Huron applied for a Water Supply Revolving Loan Account (WSRLA) on March 1, 2021 for the planning, design and or construction of water facilities; and

WHEREAS, the Ohio Water Supply Revolving Loan Account requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City Manager, on behalf of the City of Huron, be and is hereby retroactively authorized to apply for a WSRLA loan (and any and all such applications are hereby ratified by Council), and is further authorized to sign all documents for and enter into a Water Supply Revolving Loan Account with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of water facilities on behalf of the City of Huron.

SECTION 2. That the dedicated source of repayment will be the Water Capital Projects (603) Fund.

SECTION 3. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 4. That this Resolution shall be in full force and effect from and immediately after its adoption.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



Division of Environmental & Financial Assistance (DEFA)

Office of Financial Assistance (OFA)

50 West Town Street, Suite 700, Columbus, Ohio 43215

Ph: 614.644.2798

www.epa.ohio.gov/defa/ofa

E-mail: defamail@epa.ohio.gov

This nomination must be completed in its entirety

The following checklist highlights the information that is necessary for Ohio EPA review the project and to help us prioritize project schedules. We request that you submit the following with the nomination form:

Nomination Checklist

- For **Planning loans**, submit a scope of services and/or an A/E agreement.
- For **Design loans**, submit the applicable project planning information along with the scope of services and/or an A/E agreement.
- For **Construction loans**, submit the project planning information as well as any Basis of Design documents and/or Preliminary Engineering Reports.

In addition to the items above, the following are required for all project nominations:

- A copy of Legislation authorizing current water and sewer rates/tap-in fees. For WSRLA loans, please include both water and wastewater information. *Note: To obtain a loan from Ohio EPA, the Borrower is required to pledge the user revenues derived from the ownership and operation of their system as the security instrument for repayment of the loan.*
- Documentation supporting creation of Water and Sewer District (for new districts).
- Submit a location map of the project area. The map should be either a 7.5 minute USGS topographic map that shows all the project features or a more detailed property map that shows all the project details.
- Additional documentation requested or required within the application itself. Failure to do so may impact your project's ranking.

Once signed and dated, please submit this complete form along with the abovementioned documents to: defamail@epa.ohio.gov

Please include the loan applicant and project name in the subject line.

ONLY electronic submittals will be accepted.

**** PLEASE NOTE: Regardless of the number of nominations/re-nominations an Entity submits, there will only be ONE auto-response from the DEFAMail submission box.**

Division of Environmental & Financial Assistance (DEFA)

Office of Financial Assistance (OFA)

WPCLF/WSRLA Nomination Form

This nomination must be completed in its entirety

1.0 Program Funding Selection

Please indicate what type of project funding is needed. A selection must be made for the nomination form to be reviewed.

- Wastewater Water Pollution Control Loan Fund (WPCLF)
WPCLF Re-Nomination If known, provide the WPCLF number. (Ex. CS39XXXX-XXXX) CS39
Drinking Water Water Supply Revolving Loan Account (WSRLA)
WSRLA Re-Nomination If known, provide the WSRLA number. (Ex. FS39XXXX-XXXX) FS39
HSTS Household Sewage Treatment System (HSTS)

2.0 Borrower's Information

Entity (County, City, Village, or District): City of Huron
County: Erie PWS ID: OH2201011 DUNS#: 46467361 System Population: 7,149
Population served by the Project: 7,149

3.0 Project Name and Description

Project Name: Huron WTP Tube Settler Improvements HAB

In the box below, please provide a brief description of the project for which you are requesting funding.

This project is for the installation of tube settlers in the existing settling basins to optimize treatment per the HAB General Plan. A building will also be built over the tube settlers to allow for better operation for the basins

4.0 Funding Type, Estimated Project Amounts, and Proposed Loan Award Date

Enter an estimated loan award date and amount. This date should be the 1st of the month in which the loan will be awarded. The estimated loan date will autofill the Project Schedule on TAB 5. **NO loans are awarded in November and December loans are awarded on the 2nd Thursday of December. For HSTS project, enter the amount of principal forgiveness requested in the estimated loan amount column.

Table with 3 columns: Funding Type, Estimated Loan Award Date (month/year), and Estimated Loan Amount. Includes rows for Planning Loan, Design Loan, Construction Loan (Jul-21, \$2,750,000.00), and Household Sewage Treatment Systems.

5.0 Available Programmatic Discounts

Please consider our project for the following interest rate discount (construction loans only):

Wastewater Discounts:

- Water Resource Restoration Sponsor Program (WRRSP)
Back-up Power Construction projects are eligible to receive up to \$50,000 in principal forgiveness for back-up power costs.
Household Sewage Treatment Systems Local Health Districts are eligible for up to \$150,000 in principal forgiveness for HSTS repair and replacement.
Nutrient Reduction Discount The WPCLF is offering 0% interest rate funding for projects that reduce nutrients at WWTPs. Nominations may be submitted throughout the program year.
Regionalization Discount The WPCLF is offering 0% interest rate funding for regionalization projects.
Other: (Specify)

Drinking Water Discounts:

- Harmful Algal Bloom (HAB) Discount The WSRLA is offering 0% interest rate funding for HAB projects. Nominations may be submitted throughout the program year.
Regionalization Discount The WSRLA is offering 0% interest rate funding for Regionalization projects.
Per- and Polyfluoroalkyl Substances (PFAS) The WSRLA is offering 0% interest rate funding for PFAS projects. Nominations may be submitted throughout the program year.
Lead Service Line Replacement The WSRLA is offering principal forgiveness for LSL replacement projects. Nominations may be submitted throughout the program year. Funding is only available until June 2022.
Other: (Specify)

6.0 Contact Information

Please designate the best contact by checking the box next to the contact options listed below. This will aid our office in assisting you should there be any project questions.

Borrower's Authorized Representative

Name _____ Matthew Lasko _____ Title _____ City Manager _____
 Address _____ 417 Main Street _____
 City _____ Huron _____ Zip _____ 44839 _____
 Telephone _____ 419-433-5000 _____ Cell _____ _____
 Email _____ Citymanager@cityofhuron.org _____

Borrower's Additional Contact (If different than Borrower's Authorized Representative)

Name _____ Title _____
 Address _____
 City _____ Zip _____
 Telephone _____ Cell _____
 Email _____

System Operator

Name _____ Jason Gibboney _____ Title _____ Water Superintendent _____
 Address _____ 500 Cleveland Road W/10 Water Works Drive _____
 City _____ Huron _____ Zip _____ 44839 _____
 Telephone _____ 419-433-9502 _____ Cell _____ _____
 Email _____ Jgibboney@cityofhuron.org _____

Consulting Engineer

Name _____ Thomas Borck _____ Title _____ Vice President _____
 Firm _____ Poggemeyer Design Group _____
 Address _____ 1168 N. Main Street _____
 City _____ Bowling Green _____ Zip _____ 43402 _____
 Telephone _____ 419-352-7537 _____ Cell _____ _____
 Email _____ BorckT@poggemeyer.com _____

7.0 Source of Pledged Revenues

To obtain a loan from Ohio EPA, the Borrower is required to pledge the user revenues derived from the ownership and operation of their system (i.e. user charge system) as the security instrument for the repayment of the loan. It can also be used as the dedicated source of repayment. The user revenues, after deductions for the operating and maintenance and previous debt obligations, must be able to support the repayment of the loan. However, unless prohibited by law, the Borrower can also choose any of the following as a dedicated source of loan repayment, with the user rates remaining as the security.

Please indicate the intended source of loan repayment below. (More than one source can be used.)

Revenue from:

- User Charges
- General Taxes
- Assessments - Provide authorizing legislation
- Other: Indicate source _____
- Other: Indicate source _____

8.0 Other Funding Sources

Indicate any other loans and/or grants the entity may be securing for this project. Please include the estimated procurement date and amount.

	<u>Est. Procurement Date</u>	<u>Est. Amount</u>		<u>Est. Procurement Date</u>	<u>Est. Amount</u>
OWDA	_____	_____	GO bonds	_____	_____
OPWC	_____	_____	Revenue Bonds	_____	_____
CDBG	_____	_____	USDA-RD Loans	_____	_____
ARC	_____	_____	Other	_____	_____
			Specify Other	_____	_____
			Funding Source:	_____	_____

9.0 WSRLA Project Information

What does the project entail? (Check the applicable boxes)

Type of Work:

- New Repair Rehabilitation Replacement Upgrade
- Other (specify): _____

Component Type:

- Source:** Well(s) Intake Structure **Treatment:** Water Plant Structure / Building

Treatment Process(es) (specify): _____

- Distribution:** Waterline Metering Water Storage Pump station
- Other (specify): _____

Project Description:

Briefly describe the work planned for component type checked. (Attach additional pages as needed.)

Installation of tube settlers in the existing sedimentation basins to aid in the sedimentation process. Construction of a building overtop of the existing sedimentation basins.

What problem(s) does the project address? (Check the applicable boxes, if any)

- | | | |
|--|---|---|
| <input type="checkbox"/> Public health issue(s) | <input type="checkbox"/> Waterline breakage | <input type="checkbox"/> Inadequate storage |
| <input type="checkbox"/> MCL violation(s) | <input type="checkbox"/> Waterline undersized | <input type="checkbox"/> Tie-in of other PWS(s) |
| <input type="checkbox"/> Bacterial contamination | <input type="checkbox"/> Regionalization | <input type="checkbox"/> No Meters |
| <input type="checkbox"/> Chemical contamination | <input type="checkbox"/> Deteriorated intake | <input type="checkbox"/> Deteriorated meters |
| <input type="checkbox"/> Well contamination | <input type="checkbox"/> Insufficient plant capacity | <input type="checkbox"/> Unaccounted for water loss |
| <input type="checkbox"/> Insufficient source quantity | <input type="checkbox"/> Plant deterioration | <input type="checkbox"/> Distribution deterioration |
| <input type="checkbox"/> Insufficient pressure | <input type="checkbox"/> Disinfection residual violations | |
| <input checked="" type="checkbox"/> Other (specify): _____ | HAB/Enhanced Settling | |

Please describe the specific problem(s) and how the project will address it in basic terms. **Attach project planning information that describes in detail all of the checked boxes for all design and/or construction projects.**

The City has experienced high demands over the past two years. The tube settlers will allow for more efficient settling at high flows and aid in the settling process to combat harmful algal blooms. A building over the basins will allow for better operation of the sedimentation process.

10.0 Water Rate Information

Is public drinking water currently provided to residents in the proposed project's service area? _____ Yes

If Yes, attach a copy of the Water and Wastewater Rate Ordinances, Resolutions, current rates, and user charges. Be sure to specify the basis (i.e., ft³ or 1,000s of gallons) as well as the billing period (i.e., monthly or quarterly). If water users are not charged, explain:

11.0 General Plan Application Information

Has the general plan been submitted to Ohio EPA?	Yes	If Yes, Date:	12/15/2017
Have detailed plans been submitted to Ohio EPA?	Yes	If Yes, Date:	4/22/2019
Has Ohio EPA approved detailed plans?	Yes	If Yes, Date:	7/3/2019

9.0 WPCLF Required Environmental Information

Do any of the following apply to your project? **If so, please attach the corresponding data or information that indicates how the following items will be addressed by the project.** A detailed description of the items listed below can be reviewed in the loan nomination instructions.

- Sewage Backups*
- Dry Weather Overflows*
- Wet Weather Overflows*
- Surface Water Exceeds WQS for Bacteria
- Failing Household Sewage Treatment Systems
- Potential Impacts to Ground Water
- Potentially Impacted Surface Waters

10.0 Sewage Overflow Control Information

If you checked any of the items with an asterisk (*) in the section above then your project is intended to address public health or water quality impacts due to either dry or wet weather overflows from either sanitary sewers or combined sewers.

This project will reduce the number of backup events by 50% or more, or eliminate occurrences of backups into buildings due to inadequate capacity of sewers or equalization basins to handle flows during wet weather conditions. **Answer Question 1** _____

This project will eliminate dry weather overflows (these are not WWTP bypasses) due to inadequate capacity of sewers to carry flows during dry weather conditions from either a sanitary sewer system or a combined sewer system. **Answer Question 2** _____

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTP bypasses) by constructing separate sewers (installing new storm and/or sanitary sewers). **Answer Question 3** _____

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTP bypasses) by constructing additional storage of wet weather flow. **Answer Question 3** _____

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTP bypasses) by constructing additional treatment at combined sewer overflows (CSO) outfalls (e.g. swirl concentrators). **Answer Question 3** _____

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTP bypasses) by constructing express sewers to route sanitary flow out of the combined sewer directly to the WWTP. **Answer Question 3** _____

Question #1: Sewage Backups in Basements or onto Streets or Properties

Number of basement/residential street/property backup occurrences due to inadequate capacity of sewers that have activated within the past two calendar years. _____

Number of expected backup occurrences due to inadequate capacity of sewers after construction of this project is completed (**must achieve 50% or greater reduction in occurrences to be awarded these points**). _____

Question #2: Dry Weather Overflows

Number of dry weather overflow occurrences due to inadequate capacity of sewers that have activated within the past two calendar years. (**Attach a list of locations of dry weather overflows due to inadequate capacity of sewers**) _____

Question #3: Wet Weather Overflows (indicate only one overflow point per line - attach additional info)

<u>Name/ID of sewer overflow(s) impacted by the project</u>	<u>Has this overflow been active in the past two years?</u>	<u>Will this overflow be eliminated?</u>	<u>Stream to which the sewer overflow(s) discharges</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

11.0 Wastewater Rate Information

Is sewer service currently provided to residents in the proposed project's service area? _____

If Yes, attach a copy of the Sewer Rate Ordinance, Resolution, current rates and user charges. Be sure to specify the basis (i.e., ft³ or 1,000s of gallons) as well as the billing period (i.e., monthly or quarterly). If sewer users are not charged, explain:

12.0 Project Schedules for Planning, Design, Construction, and HSTS

PLANNING SCHEDULE

1. Submit a complete Loan Application with dedicated source of repayment and draft engineering agreement with scope of planning activities to be funded through this loan (no later than 60 days prior to #3) _____
2. Sign loan documents and return to DEFA (no later than 15 days prior to #3) _____
3. We request a Planning Loan by (indicate the 1st of the Month in which Loan is requested) _____
4. Loan Awarded at OWDA Board Meeting (Loan awards can be scheduled for January through October and December – no November scheduled awards) _____

DESIGN SCHEDULE

1. Submit approvable Facilities Planning information, including complete I/I Analysis (generally 120 days prior to #4) _____
2. Submit a complete Loan Application which should include the borrower's financial information, a certified copy of legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA and OWDA, a copy of the utility's User Charge System & Use ordinance and the engineering agreements. (90 days prior to #4) _____
3. Sign loan documents and return to DEFA (no later than 15 days prior to #4) _____
4. We request a Design Loan by (1st of Month in which Loan is Awarded) _____
5. Loan Awarded at OWDA Board Meeting (Loan awards can be scheduled for January through October and December – no November scheduled awards) _____

CONSTRUCTION SCHEDULE

1. Submit approvable Facilities Planning information, including complete I/I Analysis (generally 200 days prior to #8) **12/13/2020**
2. Submit complete Permit-to-Install / Plan Approval application (*if applicable*), including application, review fee, detail plans, contract documents, and specifications (170 days prior to #8) **1/12/2021**
3. Submit a complete Loan Application which should include the borrowers financial information, a certified copy of legislation authorizing the Borrower to enter into a Loan Agreement with Ohio EPA and OWDA, a copy of the utility's User Charge System & Use ordinance and the engineering agreements. (150 days prior to #8) **2/1/2021**
4. Advertise for construction bids (no later than 60 days prior to #8) **5/2/2021**
5. Open construction bids (no later than 30 days prior to #8) Be sure to allow for a minimum of 60 days to award contracts **6/1/2021**
6. Submit bid information to DEFA (no later than 21 days prior to #8) **6/10/2021**
7. Sign loan documents and return to DEFA (no later than 7 days prior to #8) **6/24/2021**
8. We request a Construction Loan by (1st of Month in which Loan is Awarded) **7/1/2021**
9. Loan Awarded at OWDA Board Meeting (Loan awards can be scheduled for January through October and December – no November scheduled awards) **7/29/2021**

HOUSEHOLD SEWAGE TREATMENT SYSTEM SCHEDULE

1. Submit a certified copy of legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA and OWDA **April 1st**
2. Submit a draft model construction contract document for Ohio EPA review **April 1st**
3. Submit a complete Loan Application **April 30th**

13.0 Preparer Information

This Application Submitted by (Name & Title): _____

Signature: _____

Date: _____ Telephone Number: _____

14.0 Authorized Representative Approval

To the best of my knowledge and belief, as a representative of the governing entity, all information contained in this nomination for is true and correct.

Entity's Representative: _____

Title: _____

Signature: _____ Date: _____

Nomination Form Date



TO: Mayor Artino and City Council
FROM: Matthew Lasko
RE: Ordinance No. 2021-7
DATE: March 9, 2021

Subject Matter/Background

Resolutions 2021-7, 2021-8 and 2021-9 all relate to proposed revisions to Section 1369 Transient Rental Property and related revisions to Ordinances 1121.04, 1123.01(a)(7)(A) and (B) , 1123.02(a)(4) and 1133.03 to assure consistency in the Codified Ordinances.

Council has stated that its goal is to protect and conserve existing permanent housing and maintain the vital residential character of the City, while likewise recognizing that this is a destination city and transient rentals play a role in the same. To further this goal, Council has been working for many months on the establishment of the proposed revisions to Chapter 1369 Transient Rental Property to address both safety concerns and preservation of our residential neighborhoods.

Some of the proposed revisions to Chapter 1369 include, but are not limited to:

- Defines who an Owner is as opposed to an agent or operator. Throughout the legislation, the Owner is the person who is responsible for the property;
- Calls for Service was defined to address complaints about a property to allow an objective determination as to a property being characterized as a nuisance;
- Sets forth Owner's responsibilities regarding listing, advertising and record-keeping requirements;
- The certification process has been clarified;
- Defines a "Transient Guest" as a person, who in exchange for money or financial compensation, occupies a room or sleeping accommodation for less than 30 consecutive days;
- The Owner or Authorized Representative must arrive and access the property within 1 hour;
- Addressed revocation of a transient rental Certificate and lapse of teh same;
- Contemplates a proposed cap on the number of Certificates issues at 165 (roughly 5% of residential properties in the City). This number is a total aggregate number of Certificate - both new and existing/renewals.
- Requires Owners to maintain a Parking Plan;
- Requires Owners to maintain general liability and premises liability insurance;
- Content of the life safety inspections has been enhanced, including maximum occupancy;
- Added a section on Nuisance and sharpened enforceability;
- Assignment and transfer of Certificates is now allowed, with some restrictions;
- Adopted appeal rights to the Board of Zoning Appeals for those denied or refused a permit, or in the event of revocation;
- Modified the fines to be greater than the cost of application.

Ordinance 2021-8 adds a new Section to Ordinance 1121.04(60) to define Transient Rental. In addition, Section

1123.01(a)(7)(A) and (B) have been eliminated and replaced with new definitions for Residential Premises and Transient Guests. Finally, Section 1123.02(a)(4) has been eliminated and replaced with language, "Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests, as those terms are defined in Section 1121.04(60) and Section 1369.98 of the Codified Ordinances.

Ordinance 2021-9 amends Ordinance 1133.03 Required Off-Street Parking Spaces to add a provision relating to transient rental property requiring the greater of two (2) off-street parking spaces or one (1) space for each four (4) permitted occupants, rounded up. This provision relates only to new transient rentals.

A public hearing has been scheduled to allow public input regarding these revisions, which hearing has been scheduled for March 23, 2021 at 6:30pm at McCormick Junior High School.

Financial Review

There will be no negative impact on the City's finances related to this amendment. The City will be capped at total revenue recognized from transient rental registration, but can more accurately budget for the revenue and expenditures of this program. In addition, capping the transient rental registrations will prevent potential lost revenue as a primary family residence paying income tax could be turned into a transient rental property producing no income tax dollars to the City nor students to the Huron School system.

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

If Council is in agreement, a motion adopting Ordinance 2021-7 would be in order.

[Ordinance No. 2021-7.docx](#)

[Ordinance No. 2021-7 Exhibit A.docx](#)

[Ordinance No. 2021-7 Exhibit B.docx](#)

ORDINANCE NO. 2021-7

Introduced by Trey Hardy

AN ORDINANCE AMENDING AND RESTATING CHAPTER 1369 TRANSIENT RENTAL PROPERTY.

WHEREAS, on March 10, 2020, the City of Huron (“City”) passed Ordinance No. 2019-33 to amend portions of Chapter 1369 Transient Rental Property to provide for regulations and enforcement mechanisms to address the growing use of residential property within the City to accommodate Transient Guests in Transient Rental Property; and

WHEREAS, on March 10, 2020, the City passed Ordinance No. 2020-3 to amend Sections 1123.01(a) and 1123.02(a) to permit the use of dwelling units, residential premises, or other residential property for use as Transient Rental Property; and

WHEREAS, the growing number of Transient Rental Property within the City has had both positive and negative effects for the City and the long-term residents in the community; and

WHEREAS, the number of dwelling units being used as Transient Rental Property has an impact on not only the peace, health, safety, welfare, and character of the community, but also the availability of housing stock for long-term residents of the City; and

WHEREAS, the use of dwelling units as Transient Rental Property poses significant risks affecting the peace, health, safety, and welfare of both residents of the City and the guests using the dwelling units as Transient Housing; and

WHEREAS, the City hereby adopts a new and amended and restate ordinance to address the concerns of the long-term residents of the community, to protect the quality of life for long-term residents, to preserve the availability of housing stock for long-term residents, and to protect the peace, health, safety, and welfare of Transient Guests and residents of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

Section 1: That Chapter 1369 Transient Rental Property of the Codified Ordinances of the City of Huron, Ohio WHICH CURRENTLY READS AS FOLLOWS: (refer to Exhibit “A” attached), shall be and hereby is repealed.

Section 2: That Chapter 1369 Transient Rental Property of the Codified Ordinances of the City of Huron, Ohio is hereby amended to read as follows: (refer to Exhibit “B” attached)

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance shall take effect and be in force from and after the time period contained in Section 3.06 of the Charter of the City of Huron.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

CHAPTER 1369
Transient Rental Property

1369.01	Definitions.	1369.06	Entry and inspections.
1369.02	Purpose.	1369.07	Reports and reinspection.
1369.03	Rental license/certificate of occupancy.	1369.08	Change of ownership.
1369.04	Fees.	1369.09	Severability.
1369.05	Maintenance responsibilities.	1369.99	Penalty; legal action.

CROSS REFERENCES

Appeal, hearing and variances - see BLDG. Ch. 1355

Condemnation proceedings - see BLDG. Ch. 1357

Removal of unsafe buildings - see BLDG. Ch. 1358

1369.01 DEFINITIONS.

As used in this chapter:

- (a) "Agent" or "Person in Charge" means any individual, person, firm, partnership, corporation or company acting on behalf of the property owner of a residential rental.
- (b) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.
- (c) "Rental agreement" means any agreement or lease, written or oral, which establishes or modifies the terms, conditions, rules, or any other provisions concerning the use and occupancy of residential premises by one of the parties.
- (d) "Residential premises" means a dwelling unit for residential use and occupancy and the structure of which it is a part, the facilities and appurtenances unit, and the grounds, areas, and facilities for the use of tenants generally or the use of which is promised the tenant.
- (e) "Life Safety Inspection" means that inspection performed by the Building Official or his designee that consists of the following:
 - (1) Testing of all electrical receptacles;
 - (2) Check for and test smoke detectors and CO2 detectors;
 - (3) Check for improper wiring;
 - (4) Check electrical panel

- (5) Check all light fixtures at all stairways and exterior doors;
 - (6) Check furnace and water heaters;
 - (7) Check for leaking water, gas and waste lines;
 - (8) Check for removal of all refuse, garbage and debris.
- (f) “Transient Guest” has the same meaning as the term is used in Section 189.02(k) of the Codified Ordinances.
- (g) “Transient Rental Property” means any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests within the City.

1369.02 PURPOSE.

The purpose and intent of this section is to regulate the health, safety and wellness of the public, including the owners, occupants, and neighboring property owners of any Transient Rental Property.

1369.03 TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE.

- (a) Required. Effective January 1, 2020, there is hereby created a Residential Rental Property Registration System for the City of Huron that requires owners of Transient Rental Property to register with the City each and every individual Transient Rental Property in the City. Beginning May 1, 2020, every Transient Rental Property must be issued a Transient Occupancy Registration Certificate before being used or otherwise made available for rent to a Transient Guest. If the ownership of any Transient Rental Property changes, then the new owner shall secure a new Transient Occupancy Registration Certificate within thirty (30) days of any ownership change. The owner/operator of each Transient Rental Property shall comply with the following:
- (1) Any Transient Rental Property shall display a Transient Occupancy Registration Certificate in a location that can be easily observed from public streets or sidewalks.
 - (2) No person shall be allowed to make a Transient Rental Property available for rent to Transient Guests if such Transient Rental Property is in violation of any of the provisions of the City of Huron's health code, building code, or zoning regulations.
 - (3) No person shall display a Transient Occupancy Registration Certificate or rent a Transient Rental Property if said Transient Rental Property has had its Transient Occupancy Registration Certificate suspended, revoked, or denied.
 - (4) No person shall allow a Transient Rental Property to be listed or advertised for rent to Transient Guests prior to obtaining a valid Transient Occupancy Registration Certificate.
 - (5) No person shall allow a Transient Rental Property to be listed or advertised for rent to Transient Guests if the Transient Occupancy Registration Certificate has been suspended, revoked, or denied.

(b) Issuance.

- (1) Application for a Transient Occupancy Registration Certificate required by the provisions of this chapter shall be made by supplying the information and date to determine the compliance with the requirements of the Life Safety Inspection requirements set forth in this Chapter, as well as all applicable provisions the Codified Ordinances of the City of Huron which govern the existing use or occupancy or the intended use or occupancy of property and the regulations governing all buildings and structures on such properties on forms supplied by the Building Department and/or the Administrator, as the term is used in Chapter 189 of the Codified Ordinances. Upon completion of such application and submission of the required fee, the Building Official or his designee shall issue a Transient Occupancy Registration Certificate. Upon obtaining a Transient Occupancy Registration Certificate, the owner, agent or person in charge of any Transient Rental Property shall comply with the provisions of this Chapter.
- (2) The Building Official or his designee shall cause a general inspection of any Transient Rental Property that is or will be made available for rent to Transient Guests.
- (3) If it is found that a Transient Rental Property to be made available for rent to Transient Guests is in compliance with the inspection provisions of the City Building Code, the Building Official or his designee shall issue a Transient Occupancy Registration Certificate for such Transient Rental Property which shall contain the following information: the name, address and telephone number of the owner(s); the address of each Transient Rental Property; and, if someone other than the owner(s) is responsible for maintenance or repairs to said Transient Rental Property, the name, address and telephone number of the person(s) or entity responsible for such maintenance or repairs.

(c) Revocation. The Building Official or his designee shall have the power to revoke a Transient Occupancy Registration Certificate if any false statement is made by the applicant in connection with the issuance of such certificate, or for the noncompliance of a Transient Rental Property with the requirements of this chapter, or the if the owner, agent or person in charge of a Transient Rental Property refuses to comply with any provisions of this chapter.

(d) Term. A Transient Occupancy Registration Certificate issued pursuant to this chapter shall be valid for twelve months from the application date or until a change in ownership occurs. Applications will be reviewed on a rolling basis. From the time an application is submitted until an inspection report is completed and issued to the applicant, the applicant is deemed to have an approved temporary Transient Occupancy Registration Certificate whose duration shall last only from the date an application is submitted (along with all required fees) until the date when the inspection report is completed.

1369.04 FEES.

- (a) Registration Fee. On or before January 15 of each year, the Building Official and the Administrator, as the term is defined by Chapter 189 of the Codified Ordinances, shall present to City Council a fee schedule that itemizes the fees charged to applicants for a Transient Occupancy Registration Certificate. Council may approve or modify the proposed fee schedule upon motion and affirmative vote of a simple majority of Council.

1369.05 MAINTENANCE RESPONSIBILITIES.

- (a) The owner(s), agent(s) or person(s) in charge of every Transient Rental Property shall be responsible for the maintenance thereof in good repair and safe condition in compliance with the requirements of applicable requirements of Title 13 of the Codified Ordinances and the requirements established by the City administratively. The owner shall also be responsible to maintain in a safe and sanitary condition the shared or common areas of the premises.
- (b) The occupant(s) of a Transient Rental Property shall be responsible for maintaining in a safe and sanitary condition that part of the unit and premises which he or she occupies and controls. In addition, such occupant shall be responsible for maintain in a safe condition all equipment and appliances which he or she owns.

1369.06 ENTRY AND INSPECTION.

- (a) The Building Official or his designee is authorized and directed to cause inspections to be made of all Dwelling Units, Residential Premises, or any other residential property to be listed or advertised for rent to Transient Guests which is subject to this Chapter 1369 of the Codified Ordinances, and the grounds surrounding such properties located within the City of Huron, with the inspection to include only those items which can be inspected by lawful means. The owner, operator, or occupant of every rental unit may, upon the request of the Building Official or his designee, give the Building Official or his designee free access to the property, at reasonable times, for the purpose of inspection. In the event access to any private property is refused, the Building Official or his designee with the assistance of the Law Director may obtain an administrative warrant from a court of competent jurisdiction in order to gain access to the property. In the event an administrative warrant cannot be obtained, then the inspection shall include only those items which can be inspected by lawful means. This chapter shall not be construed to require an owner, operator or occupant to consent to a warrantless inspection of private property.
- (b) All owners/operators of Transient Rental Property within the City of Huron shall cause to have each Transient Rental Property inspected by the Building Official or his designee on an as-needed basis to determine compliance with this Chapter. A failure to permit the inspection shall be cause for revocation of the Transient Occupancy Registration Certificate.

1369.07 REPORTS AND REINSPECTION.

- (a) Upon completion of an inspection, an inspection report will be issued to the agent/owner of the Transient Rental Property within fourteen (14) days. If the Building Official and his designee(s) cannot complete an inspection report within fourteen (14) days, then the Transient Rental Property Registration Certificate shall be deemed to be temporarily approved until such time as the required inspection or reinspection is completed.
- (b) Violations enumerated in the inspection report shall be abated by the owner/operator of the Transient Rental Property within thirty (30) days from the date of the inspection report. A reinspection shall be required to verify that the violations have been corrected. The owner/operator of the Transient Rental Property shall contact the Building Official or his designee to schedule the required reinspection.
- (c) Failure to correct the violations within thirty (30) days from the inspection report date shall constitute a violation of this chapter and may result in the revocation of the Transient Occupancy Registration Certificate.

1369.08 CHANGE OF OWNERSHIP.

Any person selling or otherwise relinquishing ownership or control of a Transient Rental Property shall notify the Building Official of said change in ownership within fourteen (14) calendar days of the effective date of the transfer. Such notice shall be in writing and shall include: the name, address and telephone number of the new owner, and the name, address and telephone number of the previous owner. Rental registration shall not be transferred or assigned to any property owner. New owners must register Transient Rental Property in accordance with the provisions of this code.

1369.09 SEVERABILITY.

The provisions of these regulations shall be severable and should any section or provision of these regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1369.99 PENALTY; LEGAL ACTION.

- (a) Whoever violates any provision of this chapter or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder shall be guilty of a first degree misdemeanor and subject to a maximum fine of one thousand dollars (\$1,000.00) or a maximum imprisonment term of six (6) months or both, with the special restriction that each violation shall result in at least a minimum fine of two hundred fifty dollars (\$250.00).
- (b) The imposition of any penalty as provided for in this chapter shall not preclude the Director of Law from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance, to restrain, correct or abate a violation, to prevent the occupancy of a building, or premises, or to require compliance with the provisions of this chapter or other applicable laws, ordinances, rules or regulations.

**CHAPTER 1369
Transient Rental Property**

- | | |
|--|--|
| 1369.01 Purpose. | 1369.08 Change of Ownership or Control. |
| 1369.02 Transient Rental Registration Certificate. | 1369.09 Hosting Platforms. |
| 1369.03 Limitations on Transient Rental Properties. | 1369.10 Hearing and Appeals. |
| 1369.04 Fees. | 1369.11 Severability. |
| 1369.05 Owner Responsibilities. | 1369.12 Enforcement. |
| 1369.06 Inspections. | 1369.13 Notice of Violations. |
| 1369.07 Nuisance. | 1369.98 Definitions. |
| | 1369.99 Penalty; legal action. |

CROSS REFERENCES

- Building standards - see BLDG. Title 13
- Condemnation proceedings - see BLDG. Ch. 1357
- Hearing and Appeal - see ZONING. Ch. 1139
- Planning and zoning - see ZONING Ch. 1133
- Removal of unsafe buildings - see BLDG. Ch. 1358
- Taxation - see ADMIN. Ch. 189

1369.01 PURPOSE.

The purpose and intent of this Chapter is to regulate and ensure the peace, health, safety, and wellness of the public, including the Owners, Transient Guests, and neighboring property owners or occupants of any Transient Rental Property; to ensure the continued vibrancy, character, and charm of the City of Huron as a community; to protect and preserve the quality, character, and tranquility of residential neighborhoods; to protect property values, and to preserve the availability of affordable housing stock for permanent residents of the City of Huron.

1369.02 TRANSIENT RENTAL REGISTRATION CERTIFICATE.

- (a) Required. Effective January 1, 2020, the City created a Transient Rental Property Registration System for the City of Huron that requires an Owner of Transient Rental Property to register with the City on an annual basis each and every individual Transient Rental Property in the City.
 - (1) Beginning on the effective date of this Ordinance for new transient rental Applications, and beginning as of the date of expiration, lapse or revocation for an Owner holding one or more current and valid Department-issued Transient Registration Occupancy Certificates (issued prior to the effective date of this Ordinance), every Transient Rental Property must be issued a

Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate (as the case may be) before being used, advertised, promoted, offered, listed with a Hosting Platform, or otherwise made available for use as Transient Rental Property. It shall be prima facie evidence of use as a Transient Rental Property if a Transient Guest is found to be occupying a Residential Premises or the Residential Premises is advertised on a Hosting Platform.

- (2) All Transient Rental Property must be in full compliance at all times with all applicable provisions of the Codified Ordinances of the City of Huron.
- (b) Display of Certificate. Each Transient Rental Property must display the Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate (as the case may be) in a conspicuous location that can be easily observed from public streets or sidewalks.
- (1) No Owner of a Transient Rental Property shall allow a Transient Rental Property to be used, advertised, promoted, offered, listed or made available for use to Transient Guests if the Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate (as the case may be) has been suspended, revoked, or denied, nor shall an Owner display a Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate (as the case may be) that has expired or been suspended, revoked, denied, altered, or defaced.
 - (2) No person shall make a Transient Rental Property available for use by Transient Guests if such Transient Rental Property is in violation of any applicable provision of the City of Huron's health code, building code, zoning regulations, or any covenant, condition, or restriction enacted in accordance with Chapter 5312 of the Ohio Revised Code, if applicable.
- (c) Issuance.
- (1) The Application for a Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate required by this Chapter shall be made by an Owner by supplying the information required on the Application supplied by the Department and agreeing to comply with all requirements of this Chapter. Applications may be submitted at any time, subject to the limitations and restrictions set forth in **1369.03**.
 - (2) A Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate shall not be issued to an Owner unless the Owner or an Authorized Representative can arrive at and access the Transient Rental Property within one (1) hour.
 - (3) Upon submission of the Application (or renewal Application), the Department shall schedule a Life Safety Inspection, in accordance with Section **1369.06** of these Codified Ordinances, of the Residential Premises prior to issuing or renewing a Transient Rental Registration Certificate.

- (4) No Transient Rental Registration Certificate shall be issued or renewed until the Department completes a Life Safety Inspection of the Residential Premises and determines that the Residential Premises complies with all applicable health, building, and safety codes and the requirements of this Chapter.
 - (5) After the Life Safety Inspection is completed and the Residential Premises is found to be in full compliance with all applicable building, health, and safety codes, the Department shall issue or renew a Transient Rental Registration Certificate for such Residential Premises which shall contain the following information:
 - i. the name, email address, and telephone number of the Owner or Authorized Representative responsible for maintenance of the Transient Rental Property and ensuring compliance with this Chapter;
 - ii. the address of the Transient Rental Property;
 - iii. the expiration date of the Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate (as the case may be); and
 - iv. the maximum occupancy of the Transient Rental Property, which shall be limited to three (3) persons per Residential Premises plus two (2) persons per bedroom.
 - (6) Upon obtaining a Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate, the Owner shall comply with the provisions of this Chapter.
- (d) Revocation or Lapse. The Department shall revoke a Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate for any of the following:
- (1) the Owner provides any material misrepresentation of fact on the Application;
 - (2) the Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate is not timely renewed;
 - (3) noncompliance with the requirements of this Chapter;
 - (4) failure to correct any deficiency identified in the Inspection Report within thirty (30) days of the date the Inspection Report is issued;
 - (5) failure to collect and remit taxes required by Chapter 189 of the Codified Ordinances;
 - (6) upon a determination by a Court of competent jurisdiction that the Transient Rental Property has become a nuisance as further defined in Section **1369.07** of the Codified Ordinances or other controlling Ohio law.

Notwithstanding any contrary provision of this Chapter, any Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate that expires, is revoked, or becomes invalid for any reason is not assignable nor renewable and

shall be considered a new Transient Rental Property for which a new Application is required for all purposes under this Chapter.

- (e) Limitations on Assignment. Except as otherwise provided in Section **1369.08**, a Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate may not be sold, transferred, or assigned to any property other than the Transient Rental Property for which it was issued.
- (f) Term. A Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate issued pursuant to this Chapter shall be valid for twelve (12) months from the date of issuance or unless and until such certificate expires, lapses, or is revoked in accordance with **1369.02(d)** of the Codified Ordinance.

1369.03 LIMITATIONS ON TRANSIENT RENTAL PROPERTIES.

Beginning on the effective date of this Ordinance, there shall be a maximum combined aggregate total of **one hundred sixty-five (165)** Transient Registration Occupancy Certificates (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificates, and Renewal Transient Rental Registration Certificates issued for Transient Rental Property located within the City at any one time, provided that no renewal Application for a Renewal Transient Rental Registration Certificate will be denied solely on the basis that approving the Application will cause the foregoing maximum combined aggregate total number of Transient Registration Occupancy Certificates (issued prior to the effective date of this Ordinance), Transient Occupancy Registration Certificates, and Renewal Transient Rental Registration Certificates to be exceeded.

- (a) Subject to the provisions of the foregoing paragraph, Applications accepted for an available Transient Rental Registration Certificate are on a first come basis. The Department shall maintain a waiting list in the event the maximum number of Transient Registration Occupancy Certificates (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificates, and Renewal Transient Rental Registration Certificates issued for Transient Rental Property located within the City at any one time equals one hundred sixty-five (165). At such time as there are a combined aggregate total of one hundred sixty-five (165) Transient Registration Occupancy Certificates (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificates, and Renewal Transient Rental Registration Certificates issued for Transient Rental Property located within the City, new Applications shall only be considered on a “one (1) new Application for every one (1) Transient Registration Occupancy Certificates (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate that is cancelled, revoked, lapses or terminates for any reason” basis, to ensure the total combined maximum aggregate number of Transient Registration Occupancy Certificates (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificates, and Renewal Transient Rental Registration Certificates issued does not exceed one hundred sixty-five (165). Subject to limitations found elsewhere in this Chapter,

renewal Applications shall continue to be accepted and Renewal Transient Rental Registration Certificates issued in accordance with Section **1369.02** provided that the Application for a Renewal Transient Rental Registration Certificate is submitted to the Department before the expiration of the existing Transient Occupancy Registration Certificate (issued prior to the effective date of this Ordinance) or before the expiration of any Renewal Transient Rental Registration Certificate.

- (b) No Transient Rental Property which had a Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate revoked under Sections **1369.02(d)(3)-(6)** shall be eligible for issuance of a Transient Rental Registration Certificate for a period of two (2) years from the date of revocation unless a change in ownership or control of the Residential Premises has occurred, as determined by the Department in its reasonable discretion.

1369.04 FEES.

All fees set forth in this Chapter shall be approved and adopted by City Council in accordance with Article III of the City's Charter and the Codified Ordinances. The effective date of any changes to such fees shall be in accordance with Section 3.06 of the Charter unless a different date is set forth in the adopting Ordinance.

1369.05 OWNER RESPONSIBILITIES.

In addition to general requirements that all Transient Rental Property be in full compliance with all applicable laws, statutes, regulations, and ordinances, the following additional responsibilities are applicable to an Owner of Transient Rental Property:

- (a) The Owner of every Transient Rental Property shall be responsible for the maintenance thereof in good repair and in a safe and sanitary condition in compliance with the applicable requirements of Title 13 of the Codified Ordinances and the requirements established by the City administratively.
- (b) Subject to the provisions and limitations contained in Section 1369.06(a)(2) of this Chapter, the Owner shall prepare and maintain a parking plan to designate off-street parking for the use of all vehicles associated with the Transient Rental Property in accordance with Chapter 1133 of the Codified Ordinances.
- (c) The Owner or Authorized Representative shall be required to be physically present in person at the Transient Rental Property within sixty (60) minutes of any notification by a member of law enforcement or the fire department or emergency assistance of any kind relating to a Call for Service to the Transient Rental Property.
- (d) The Owner shall provide proof of procurement and maintenance of general liability and premises liability insurance for the Transient Rental Property as may be periodically requested by the Department, which insurance(s) shall meet all of the following requirements:

- (1) Provide coverage of not less than Three Hundred Thousand Dollars (\$300,000.00) and issued in accordance with Chapter 3902 of the Ohio Revised Code.
- (2) Provide notice of cancellation of insurance to the Department at least ten (10) days prior to cancellation.

Failure to maintain insurance required by this Section shall result in a revocation of the Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate (as the case may be).

(e) Records.

- (1) The Owner or Authorized Representative shall maintain a registry of Transient Guests for a period of at least three (3) years from the date such Transient Guests occupied the Transient Rental Property which shall include the following:
 - i. The name and address of the persons who entered into the rental agreement for use of the Transient Rental Property;
 - ii. The date(s) each such Transient Guest had use or occupancy of the Transient Rental Property;
 - iii. The number of persons scheduled to stay for the night of the Rental Period; and
 - iv. The rate charged per each rental period.
 - (2) The Owner or Authorized Representative shall provide the records required by this section upon request by a member of law enforcement, the Department, or in accordance with any lawful order issued by a Court or tribunal having jurisdiction thereof.
 - (3) The Owner or Authorized Representative shall be deemed to comply with this provision if such records are kept and maintained by a Hosting Platform which is identified and disclosed to the City on the initial Application or any renewal Application.
- (f) No Owner shall lease a Transient Rental Property to a Transient Guest if the Transient Guest's use of the Transient Rental Property would violate Section 2950.034 of the Ohio Revised Code.

1369.06 INSPECTIONS.

- (a) License Issuance and Renewal Inspections:
- (1) Prior to issuing a new or Renewal Transient Rental Registration Certificate, or in the event of the transfer and assignment of a valid a Transient Rental Registration Certificate, the Department shall conduct a Life Safety Inspection of the Residential Premises within fourteen (14) days from the date the new Application or renewal Application is received by the City (or in the event a waiting list is maintained by the Department pursuant to Section 1369.03(a), within fourteen (14) days that the new Owner is notified by the Department that the new Application is being considered), which Life Safety Inspection shall consist of the following:

- i. Inspection of all electrical receptacles;
 - ii. Check for and test smoke detectors and carbon monoxide detectors;
 - iii. Check for improper wiring;
 - iv. Check electrical panel;
 - v. Check all light fixtures at all stairways and exterior doors;
 - vi. Check furnace and water heaters;
 - vii. Check for leaking water, gas and waste lines;
 - viii. Check for removal of all refuse, garbage and debris;
 - ix. Check for building code compliance, including necessary handrails;
 - x. Check for presence of accessible dry chemical fire extinguishers of a minimum 5-lb. ABC class;
 - xi. Determine maximum occupancy for overnight Transient Guests which shall be limited to:
 1. three (3) persons per Residential Premises plus;
 2. two (2) persons per bedroom.
 3. All areas of a Residential Premises designated as bedroom space shall be used predominantly for sleeping, have a minimum of one or more beds of a size and number equal to the expected occupants, and two (2) separate means of accessible ingress and egress.
- (2) In conjunction with completing a Life Safety Inspection, and for new Transient Rental Registration Certificates issued from and after the effective date of this Ordinance, the Department shall also review the Owner's parking plan to determine compliance with Chapter 1133 of the Codified Ordinances. No parking plan shall be required of an Owner that is the holder of a current and valid Transient Occupancy Registration Certificate (issued prior to the effective date of this Ordinance) provided such Transient Occupancy Registration Certificate is timely and continuously renewed and is not later suspended, revoked, denied, or permitted to lapse, in which case a new Application shall be required and all provisions of this Ordinance shall be apply to such new Application, including not limited to the parking plan requirements identified in this Section 1369.06(a)(2).
 - (3) To the extent an Owner is subject to the parking plan requirements of Section 1369.06(a)(2) of this Chapter, and if a particular Transient Rental Property permits occupancy that cannot be accommodated based on the parking requirements set forth in Section 1133.03(c)(6), the permitted and approved occupancy for such Transient Rental Property shall automatically be reduced by the Department to ensure compliance with the parking requirements set forth in Section 1133.03(c)(6) of the Codified Ordinances.
 - (4) Within fourteen (14) days of completing a Life Safety Inspection, an Inspection Report shall be issued to the Owner of the Transient Rental Property.
 - (5) The Department shall maintain a copy of the Life Safety Inspection Report for each Transient Rental Property for a period of three (3) years. Copies of all reports of Life Safety Inspections shall be made available to the public in accordance with §149.43 of the Ohio Revised Code.

- (b) Violations enumerated in the Inspection Report shall be abated by the Owner of the Transient Rental Property within thirty (30) days from the date of the Inspection Report. A reinspection shall be required to verify that the violations have been corrected. The Owner of the Transient Rental Property shall contact the Department to schedule the required reinspection, which shall occur within forty-five (45) days from the date the Inspection Report is issued. A reinspection fee set in accordance with Section **1369.04** shall be paid at the time a reinspection is scheduled.
- (c) Failure to correct any violations contained within the Inspection Report within thirty (30) days from the date of the Inspection Report shall constitute a violation of this chapter and may result in the revocation of a Transient Rental Registration Certificate or Renewal Transient Occupancy Registration (as the case may be) and/or penalties or other legal action in accordance with Section **1369.99**.
- (d) Failure to permit a reinspection of the Transient Rental Property within forty-five (45) days of the date of the Inspection Report shall constitute a violation of this chapter and may result in the revocation of the Transient Rental Registration Certificate or Renewal Transient Occupancy Registration (as the case may be) and/or penalties or other legal action in accordance with Section **1369.99**.
- (e) Upon display of the proper credentials, any member of the Department, law enforcement, fire department, emergency assistance, or public health official shall be permitted to inspect the Transient Rental Property to ensure compliance with this Chapter.
 - (1) In the event access to Transient Rental Property is refused, an officer or employee of the entity requesting to inspect the Transient Rental Property may, with the assistance of the Law Director, obtain an administrative warrant from a court of competent jurisdiction in order to gain access to the property.
 - (2) In the event an administrative warrant cannot be obtained, then the inspection shall include only those items which can be inspected by lawful means. This chapter shall not be construed to require an Owner, Authorized Representative, or occupant to consent to a warrantless inspection of private property.
 - (3) A repeated failure to permit inspection may be cause for revocation of the Transient Rental Registration Certificate or Renewal Transient Occupancy Registration (as the case may be).

1369.07 NUISANCE.

The operation of Transient Rental Property may be found to constitute a public nuisance upon a determination by the Department or a court of competent jurisdiction that any of the following apply:

- (a) The Transient Rental Property has been the site of a repeated criminal activity involving prostitution, felony drug possession, gang activity, or acts of violence as such terms are defined in Chapter 29 of the Ohio Revised Code.

- (b) The Transient Rental Property is a nuisance as that is defined under Section 3767.01 of the Ohio Revised Code.
- (c) The Transient Rental Property has had in excess of three (3) Calls for Service within any consecutive twelve (12) month period.
- (d) The Transient Rental Property has a documented history of repeated conduct that endangers neighborhood safety.

1369.08 CHANGE OF OWNERSHIP OR CONTROL.

- (a) Any person selling or otherwise relinquishing ownership or control of a Transient Rental Property, including an Authorized Representative or Owner, shall notify the Department of the proposed effective date of the change in ownership or control.
- (b) In order to transfer and assign a valid Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Occupancy Registration, the Owner and holder of the Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Occupancy Registration shall notify the Department of the change in ownership and control. The notice required by this section shall be in writing and shall include the following:
 - (1) the name, address, email address, and telephone number of the new Authorized Representative or Owner;
 - (2) the name, address, email address and telephone number of the previous Authorized Representative or Owner;
 - (3) the person or entity maintaining the records required to be maintained by Section **1369.05(e)**.
 - (4) the effective date of such change in ownership or control.

Within fourteen (14) days of acquiring the Transient Rental Property (as evidenced by the new Owner receiving recorded legal title to same), the new Owner shall complete an Application for purposes of the new Owner acknowledging the rights, duties and obligations of an Owner under this Chapter, including permitting the Department to conduct a Life Safety Inspection in accordance with **Section 1369.06** of this Chapter. The new Owner shall be required to pay a reinspection fee in accordance with the Codified Ordinances of the City. Provided the Application is approved, the Life Safety Inspection is approved, and the new Owner pays the reinspection fee, the City shall consider then-existing Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate (as the case may) assigned and transferred to the new Owner, thereby permitting the new Owner to utilize then-existing Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Rental Registration

Certificate (as the case may be) for the unexpired portion of the term of the relevant certificate.

- (c) A failure to notify the Department in accordance with this Section within fourteen (14) calendar days of any change of ownership or control (as evidenced by the new Owner receiving recorded legal title to same) will result in a violation of this Chapter and a revocation of the Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Occupancy Registration (as the case may be) and/or penalties or other legal action in accordance with Section **1369.99**.

1369.09 HOSTING PLATFORMS.

- (a) Listing, Advertising, or Promoting. No Hosting Platform shall list, advertise, promote, or accept reservations for any Transient Rental Property within the City of Huron that does not have a Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate or Renewal Transient Occupancy Registration. Upon notification by the Department that the Transient Registration Occupancy Certificate (issued prior to the effective date of this Ordinance), Transient Rental Registration Certificate, or Renewal Transient Occupancy Registration has expired or been revoked, the Hosting Platform shall remove or deactivate that Transient Rental Property from all listings, advertisements, or promotions of any kind within three (3) business days.
- (b) Records Required. To the extent the Hosting Platforms collects the information required to be kept and maintained by an Owner or Authorized Representative in accordance pursuant to Section **1369.05(e)** of this Chapter, it shall maintain such information for a period of three (3) years for all Transient Rental Properties that are leased to Transient Guests through such Hosting Platform, and shall provide such records upon request in accordance with Section **1369.05(e)**.
- (c) Taxation. All Hosting Platforms are subject to taxation in accordance with Chapter 185 of the Codified Ordinances.

1369.10 HEARING AND APPEALS.

Subject to Section **1369.03**, any person who has been denied, or refused a Transient Rental Registration Certificate or renewal thereof, or whose Transient Rental Registration Certificate or Renewal Transient Occupancy Registration has been revoked pursuant to Section **1369.02(d)** may appeal such decision to the Board of Building and Zoning Appeals as provided in Section 1139.02 of the Codified Ordinances.

1369.11 SEVERABILITY.

The provisions of these regulations shall be severable and should any section or provision of these regulations be declared by a court of competent jurisdiction to be unconstitutional or

invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1369.12 ENFORCEMENT.

No person shall violate any provision of this chapter or any rule or regulation promulgated thereunder or fail to comply therewith or with any written notice or written order issued thereunder by the Department.

1369.13 NOTICE OF VIOLATIONS

- (a) Upon discovery of a violation of this Chapter, the Department shall issue a written notice of the violation to the Owner.
- (b) The notice required in this Section shall be delivered by one or more of the following methods:
 - a. certified mail delivery (return receipt requested), which shall be deemed effective as of the date of receipt identified on the return receipt or as noted by the U.S. Postal Service;
 - b. courier service, which shall be deemed effective as of the date of receipt as identified by the courier service;
 - c. hand or personal delivery, which shall be effective when delivered to an adult at the Owner's address;
 - d. facsimile delivery, which shall be is effective when the facsimile transmission has been transmitted to the facsimile number provided for that purpose and the Department has received confirmation of the facsimile transmission;
 - e. electronic mail delivery is effective when the electronic mail has been sent to the Owner's electronic mail address without notice of rejection of message.
- (c) It is not a defense to any subsequent enforcement action that the notice provided by the Department was not actually delivered to the Owner provided that one of the methods of delivery set forth in Section **1369.13(b)** was attempted in good faith by the Department but was not accomplished through no fault of the Department.

1369.98 DEFINITIONS.

As used in this chapter:

- (a) "Authorized Representative" means any individual, person, firm, partnership, corporation or company, other than an Owner, acting on behalf of an Owner of a Transient Rental Property responsible for ensuring compliance with all provisions of this Chapter and registered as the Owner's Authorized Representative with the Department.
 - (1) For purposes of this Chapter, actions taken by an Authorized Representative acting on behalf of the Owner shall have the same legal force and effect as if such acts were taken by the Owner.

- (2) No Owner shall be absolved of individual liability solely on the basis that acts were taken by an Authorized Representative and not the Owner.
- (b) “Application” means the submission of all information required by this Chapter, and payment of the required fees, for registering: (i) a Residential Premises as new Transient Rental Property to obtain a Transient Rental Registration Certificate; or (ii) to obtain a Renewal Transient Rental Registration Certificate. For avoidance of doubt, a new Transient Rental Property shall be considered a Transient Rental Property for which the Owner of has failed to maintain a valid or renewable Transient Rental Registration Certificate.
- (c) “Calls for Service” means any and all calls, including, but not limited to, those to law enforcement, fire department, or emergency assistance of any kind when those calls result in a representative of a law enforcement agency, a fire department, or another emergency assistance service being dispatched or directed to the Residential Premises and;
- (1) allege criminal activity, including, but not limited to, disturbance of the peace that results in an arrest, charge or citation of persons occupying or on the premises of a Transient Rental Property; or
- (2) result in a finding of an imminent threat to safety of person(s) or property as a result of activities occurring on a Transient Rental Property.
- (d) “Department” shall mean and refer to the Building and Zoning Department of the City of Huron.
- (e) “Hosting Platform” means any person or entity in any form, format, or media that, in exchange for a fee, assists, facilitates, or provides a means through which an Owner may offer Residential Premises as Transient Rental Property and through which a Transient Guest can arrange use of a Transient Rental Property, whether the payment for the use of the Transient Rental Property is directly to the Owner or to the Hosting Platform.
- (f) “Inspection Report” means the report issued by the Department containing the results of the Life Safety Inspection.
- (g) “Life Safety Inspection” means that inspection performed by the Department prior to issuing or renewing a Transient Rental Registration Certificate.
- (h) “Owner” means an individual, corporation, firm, partnership, association, organization, or any other person or entity (jointly or in combination) who has legal title to a Residential Premises. For purpose of this Chapter, an Owner includes anyone possessing a fee simple interest, vendee interest in a land contract, an estate for life or for years, in the Residential Premises including through a trust instrument or other conveyance of real property, or otherwise entitled to have legal or equitable title to real property registered in accordance with Sections 5309.05 or 5309.42 of the Ohio Revised Code.

- (i) “Renewal Transient Rental Registration Certificate” means the Transient Rental Registration Certificate issued to a Residential Premises that was previously identified as a Transient Rental Property if the Application is approved prior to the date of expiration identified on the Transient Rental Registration Certificate.
- (j) “Residential Premises” means any building, structure, or the part of a building or structure that is used or intended to be used as a home, residence, or sleeping place by one (1) or more persons and any adjacent or attached structures, grounds, areas, and facilities for the use of occupants generally or the use of which is promised an occupant, including Transient Guests.
- (k) “Transient Guests” means persons, who in exchange for money or other financial compensation, occupy a room or rooms, Residential Premises or other property used for sleeping accommodations for less than thirty (30) consecutive days.
- (l) “Transient Rental Registration Certificate” means the certificate issued with respect to a Transient Rental Property evidencing compliance with the requirements of this Chapter.
- (m) “Transient Rental Property” means any Residential Premises, or part thereof, being utilized or otherwise made available to a Transient Guest within the City, if such Residential Premises is used by or made available to a Transient Guest for a period in excess of a combined period of thirty (30) days in any calendar year. “Transient Rental Property” does not include any Residential Premises which is the primary residence of the Owner if such Residential Premises is not occupied or made available to a Transient Guest in excess of a combined period of thirty (30) days in a calendar year.

1369.99 PENALTY; LEGAL ACTION.

- (a) Except as otherwise expressly provided for elsewhere under the Codified Ordinance or the Ohio Revised Code, whoever violates any provision of this chapter or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder shall be guilty of a first degree misdemeanor and subject to a fine of not less than five hundred dollars (\$500.00) or a maximum imprisonment term of six (6) months or both. Each day that such violation exists shall constitute a separate and distinct offense. Multiple violations can occur during a single guest stay and may be noticed and heard in a single action.
- (b) The imposition of any penalty as provided for in this chapter shall not preclude the Director of Law from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful use of property, require repair or maintenance, restrain, correct or abate a violation, prevent the occupancy of a Residential Premises, revoke a Transient s Registration Certificate, or to require compliance with the provisions of this chapter or other applicable laws, ordinances, rules or regulations.

ORDINANCE NO. 2021-8

Introduced by Mark Claus

AN ORDINANCE AMENDING ORDINANCE NO. 1121.04, DEFINITIONS (TO ADD A PROVISION RELATING TO TRANSIENT RENTALS), AND AMENDING ORDINANCE NOS. 1123.01(a)(7)(A) and (B) AND 1123.02(a)(4) (TO ENSURE DEFINITIONAL CONSISTENCY WITH CHAPTER 1369 OF THE CODIFIED ORDINANCES).

WHEREAS, pursuant to Ordinance No. 2021-7, Huron City Council repealed and fully replaced Chapter 1369 of the Codified Ordinances relating to transient rentals; and

WHEREAS, Council desires to ensure relevant Sections of the Codified Ordinances are modified to reflect the adoption of Chapter 1369 of the Ordinances;

WHEREAS, Council desires to ensure the definition of “Transient Rentals” is included Chapter 1121 of the Codified Ordinances, and to ensure various defined terms in Chapter 1123 are consistent with Chapter 1369 of the Codified Ordinances.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That a new Section be added to Chapter 1121.04 of the Ordinances, to be known as 1121.04(69) (and with the existing 1121.04(69) and all subsequent Sections being renumbered to reflect this addition), which new 1121.04(69) shall state as follows:

“(69) “Transient Rental means any transient rental arrangement as outlined in Chapter 1369 of the Codified Ordinances.”

SECTION 2. That the existing provisions contained in Section 1123.01(a)(7)(A) and (B) shall be eliminated in their entirety and replaced with the following:

“A. “Residential Premises” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.

B. “Transient Guests” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.”

SECTION 3. That the existing provisions contained in Section 1123.02(a)(4) shall be eliminated in its entirety and replaced with the following:

“(4) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests, as those terms are defined in Section 1121.04(69) and Section 1369.98 of the Codified Ordinances.”

SECTION 4. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 5. That this Ordinance shall take effect and be in force from and after the time period contained in Section 3.06 of the Charter of the City of Huron.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____.

ORDINANCE NO. 2021-9

Introduced by Monty Tapp

AN ORDINANCE AMENDING ORDINANCE NO. 1133.03, REQUIRED OFF-STREET PARKING SPACES, TO ADD A PROVISION RELATING TO TRANSIENT RENTAL PROPERTY.

WHEREAS, pursuant to Ordinance No. 2021-7, Huron City Council repealed and fully replaced Chapter 1369 of the Codified Ordinances relating to transient rentals; and

WHEREAS, Council desires to establish a required number of off-street parking spaces for transient rentals to ensure the health, safety and welfare of the citizens of the City and its visitors and guests;

WHEREAS, Council desires to ensure the aforementioned off-street parking requirement for transient rentals shall only apply to “new” transient rentals in accordance with Section 1369.06(a)(2) of Codified Ordinances.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That a new Section (c)(6) be added to Chapter 1133.03 of the Ordinances, which shall state as follows:

Principal Building or Use

“(6) Transient Rental Property

Minimum Spaces Required

The greater of two (2) off-street parking spaces or one (1) space for each four (4) permitted occupants, rounded up.”

SECTION 2. That foregoing Section 1133.03(c)(6) shall only apply to “new” transient rentals in accordance with Section 1369.06(a)(2) of Codified Ordinances

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. That this Ordinance shall take effect and be in force from and after the time period contained in Section 3.06 of the Charter of the City of Huron.

Sam Artino, Mayor

ATTEST: _____

Clerk of Council

ADOPTED: _____



TO: Mayor Artino and City Council
FROM: Cory Swaisgood , Finance Director
RE: Ordinance No. 2021-10
DATE: March 9, 2021

Subject Matter/Background

Ordinance 2021-10 requests the Council's authorization for changes to the annual budget appropriations. Please refer to Exhibit "A" of the ordinance for the detailed breakdown

Financial Review

See Exhibit "A" for financial review and details of supplemental appropriations, increase in estimated resources and cash transfers between funds.

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

The Council should consider a motion adopting Ordinance 2021-10 as presented in order to maintain budgetary compliance.

[Ordinance No. 2021-10.doc](#)
[2021-10.pdf](#)

ORDINANCE NO. 2021-10

Introduced by Joel Hagy

AN ORDINANCE AMENDING ORDINANCE NO. 2020-34, ADOPTED DECEMBER 8, 2020, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES AND AN INCREASE IN ESTIMATED RESOURCES, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2020-34, adopted December 8, 2020, Huron City Council adopted the annual budget for the fiscal year ending December 31, 2021 for the operations of all City departments and offices; and

WHEREAS, Council has established various funds for the financial operation of the City, and through the current fiscal year certain funds have been determined to have insufficient funds and certain Funds have been determined to have excess funds; and

WHEREAS, it is necessary to amend the budget to reflect supplemental appropriations and in increased in estimated resources to accommodate the operational needs of certain City departments and offices and to assure all funds of the City are in proper balance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That Exhibit "A" of Ordinance No. 2020-34, adopted on the 8th day of December, 2020, as amended by Ordinance No. 2021-2 adopted on January 26, 2021, is hereby amended to provide for supplemental appropriations and an increase in estimated resources as to each fund set forth in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That the Director of Finance and the City Manager are hereby authorized to expend the funds herein appropriated for the purpose of paying the operating expenses of the City for the fiscal year ending December 31, 2021 and to make the necessary entries on the accounting records of the City to reflect the appropriations and expenditures herein authorized.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the residents and for the further reason that this Ordinance shall become immediately effective to fund the operations of the City of Huron; additionally, in accordance with Section 3.06 of the Charter of the City of Huron, appropriation ordinances shall take effect immediately;

WHEREFORE this Ordinance shall take effect immediately upon its adoption.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____.

CITY OF HURON
BUDGET APPROPRIATION ADJUSTMENTS, ESTIMATED RESOURCES, AND CASH TRANSFERS
SUMMARY SHEET

DATE: 3/9/2021
ORDINANCE: 2021-10

Appropriation Measure

Reason for Appropriation Measure

The appropriation measures are necessary to properly budget for and pay anticipated expenditures and cash transfers out of various funds. Supplemental budget is needed out of the Parks and Recreation Fund for a contribution to Grow Huron for the purchase of a water utility vehicle. The Parks and Recreation Department received \$3,500 from the Erie Community Foundation and will contribute an additional \$2,500, for a total of \$6,000. Grow Huron also received a grant and will contribute to the purchase. In addition, supplemental appropriations are needed for the transfer of startup funds in the Property Maintenance Fund and payment of the sidewalk repair in the Colonial Colony area. The project was completed under the City's newly created sidewalk repair program and costs will be recouped through property assessment. Finally, supplemental appropriations is necessary out of the Water Capital Fund to pay for an emergency reappear in the City's Rye Beach water tower.

The increases in estimated resources are due to an increase in the cash transfer from the General Fund to the Property Maintenance Fund, and to recognize the sale of 12 Parks and Recreation items from GovDeals in Fund 207.

In accordance with the Ohio Revised Code, Council must approve supplemental appropriations, budget transfers above the City's legal level of control, and amendments to estimated resources. **The net impact on the budget is -\$19,000, which is due to the emergency repair leak.**

APPROPRIATION MEASURE

Fund Name	Fund Number	Department/Activity	Object Level	Increase/(Decrease) Amount	Total Appropriations After Adjustment
PARKS AND RECREATION FUND	207	Parks Department	Other Expenses	\$ 8,000.00	\$ 244,170
PROPERTY MAINTENANCE FUND	202	Property Maintenance	Other Expenses	\$ 2,000.00	\$ 238,170
GENERAL FUND	110	Property Maintenance	Transfers Out	\$ 2,000.00	\$ 14,000
WATER CAPITAL FUND	603	Water Department	Other Expenses	\$ 19,000.00	\$ 3,731,987

NET IMPACT ON TOTAL APPROPRIATIONS \$ 31,000.00

ESTIMATED RESOURCES AMENDMENT

Fund	Fund - Account #	Account Description	Increase/(Decrease) Amount	Total Est. Resources After Adjustment
PARKS AND RECREATION FUND	207-0011-41920	MISC SALE OF EQUIPMENT	\$ 10,000.00	\$ 1,169,217
PROPERTY MAINTENANCE FUND	202-0012-49110	TRANSFER FROM GENERAL FUND	\$ 2,000.00	\$ 1,161,217

NET IMPACT ON TOTAL EST. RESOURCES \$ 12,000.00

Net Overall Impact to Budget \$ (19,000.00)

Cash Transfer between Funds

Reason for Cash Transfer:

The below cash transfer from the General Fund to the Property Maintenance Fund was discussed and approved with the 2021 budget. The transfer is startup money for the Property Maintenance Fund, created as part of the 2021 budget. The transfer is necessary to fund the recent sidewalk repair in the Colonial Colony area, totaling approximately \$14,000. The project is specific to the City's first sidewalk project under the sidewalk program approved in the fall of 2020. Beginning in 2021, the City will begin assessing applicable properties for this project. Proceeds from the assessment will be used for future property maintenance projects.

CASH TRANSFER FROM:

Fund Name	Fund Number	Department/Activity	Description	Amount	Cash Balance After Transfer
GENERAL FUND	110	TRANSFER OUT	TRANSFER TO PROPERTY MAINTENANCE	\$ (14,000.00)	\$ 1,185,393.21

TOTAL TRANSFERS OUT: \$ (14,000.00)

CASH TRANSFER TO:

Fund Name	Fund Number	Department/Activity	Account Description	Amount	Cash Balance After Transfer
PROPERTY MAINTENANCE FUND	202	TRANSFER IN	TRANSFER FROM GENERAL FUND	\$ 14,000.00	\$ 14,000.00

TOTAL TRANSFERS IN: \$ 14,000.00