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Councilmember

**Christine Crawford**  
Councilmember

**Joe Dike**  
Councilmember

**Sam Artino**  
Mayor

**Monty Tapp**  
Vice-Mayor

**Mark Claus**  
Councilmember

**Joel Hagy**  
Councilmember

**CITY COUNCIL — COUNCIL WORK SESSION**

Tuesday, October 13, 2020 @ 5:30 PM

City Council Chambers

417 Main Street

Huron, Ohio 44839

**LIVESTREAM MEETING INFORMATION** Pursuant to Resolution No. 2020-44 adopted by the Huron City Council on June 17, 2020, this work session of Council will be conducted in person in Council Chambers at Huron City Hall and live-streamed on the City of Huron's YouTube channel. The public is free to access, observe and hear the discussions and deliberations of all members of City Council via the following link:  
<https://www.youtube.com/channel/UCpRAV-AnmIA6lfukQzKakQg>

*Please note that as all large public gatherings remain prohibited pursuant to Orders of the Ohio Department of Health and President Trump'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 and subjected to a temperature screening prior to being granted entry.*

**I. Call to Order**

**II. Roll Call**

**III. Old Business**

**III.1 Proposed Transient Rental Regulations Review**

**IV. New Business**

**V. Adjournment**

**CHAPTER 1369**  
**Transient Rental Property**

<b>1369.01 Definitions.</b>	<b>1369.07 Inspections.</b>
<b>1369.02 Purpose.</b>	<b>1369.08 Nuisance.</b>
<b>1369.03 Rental license/certificate of occupancy.</b>	<b>1369.09 Change of ownership or control.</b>
<b>1369.04 Fees.</b>	<b>1369.10 Hosting Platforms</b>
<b>1369.05 Operator responsibilities.</b>	<b>1369.11 Severability.</b>
<b>1369.06 Transient Guest Responsibilities.</b>	<b>1369.12 Hearing and Appeals.</b>
	<b>1369.99 Penalty; legal action.</b>

**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 DEFINITIONS.**

As used in this chapter:

- (a) "Agent" means any individual, person, firm, partnership, corporation or company, other than an Owner or Permanent Occupant, acting on behalf of an Operator of a Transient Rental Property responsible for ensuring compliance with all provisions of this Chapter.
- (1) For purposes of this Chapter, an Agent shall be deemed to have the same legal duties, responsibilities, and liabilities as an Operator of a Transient Rental Property with all acts by an Agent having the same legal force and effect as if such acts were taken by the Operator.
  - (2) No Operator shall be absolved of individual liability solely on the basis that acts were taken by an Agent and not the Operator.
  - (3) For purposes of this Chapter, an Agent must reside within the City of Huron or an immediately adjacent political subdivision and able to travel to the Transient Rental Property within thirty (30) minutes of being notified by any law enforcement or public health or safety agency having jurisdiction thereof of an issue affecting the health, safety, or welfare of any person or property arising as a result of use of the Residential Premises as Transient Rental Property.

- (b) “Applicant” means the Operator submitting an application for registering a Dwelling for use as a Transient Rental Property.
- (c) “Application” means the submission of all information required by this Chapter and payment of the required registration fee for registering a Dwelling or Residential Premises as Transient Rental Property.
- (d) “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 evidence of criminal activity, including but not limited disturbance of the peace;
  - (2) result in an arrest, charge or citation of persons occupying or on the premises of a Transient Rental Property; or
  - (3) 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.
- (e) “Department” shall mean and refer to the Building and Zoning Department of the City of Huron.
- (f) "Dwelling" 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.
- (g) “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 Operator 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 Operator or to the Hosting Platform.
- (h) “Inspection Report” means the report issued by the Building Official or authorized designee containing the results of the Life Safety Inspection.
- (i) "Life Safety Inspection" means that inspection performed by the Building Official or designee prior to issuing or renewing a Transient Occupancy Registration Certificate.
- (j) “Operator” means any person who owns, possesses, or controls a Residential Premises, as either an Owner or Permanent Occupant, and offers, advertises, leases, or uses such Residential Premises as Transient Rental Property. If the Operator is a Permanent Occupant and not an Owner, the following applies:
  - (1) The Permanent Occupant must maintain written evidence of the legal right to sublease the Residential Premises for use as a Transient Rental Property or the express written consent from the Owner to use the Residential Premises as a Transient Rental Property.

(2) Both the Owner and Permanent Occupant are jointly and severally liable for compliance with this Chapter.

- (k) “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 Dwelling. For purpose of this Chapter, an Owner includes anyone possessing a fee simple interest, an estate for life or for years, in the Dwelling or Residential Premises including through a trust instrument or other conveyance of real property, or otherwise entitled to have title to real property registered in accordance with Sections 5309.05 or 5309.42 of the Ohio Revised Code.
- (l) “Parking Plan” means the identification of all places within a Transient Rental Property where Transient Guests of that Transient Rental Property may park a Vehicle in accordance with Chapter 1133 of the Codified Ordinances.
- (m) “Permanent Occupant” means one or more individuals who resides in a Dwelling as a Primary Residence more than 75% of the time during a calendar year pursuant a Rental Agreement, or other legal arrangement with an Owner, including a leasehold, life estate, estate for years or other interest less than fee simple.
- (n) “Primary Residence” means a Dwelling which is the usual place of occupancy for an Owner or Permanent Occupant as documented by at least two of the following:
  - (1) motor vehicle registration;
  - (2) driver’s license;
  - (3) tax documents (including 1099 or W-2);
  - (4) lease agreement with an Owner or Agent;
  - (5) utility bill.

An Owner or Permanent Occupant, including anyone with whom they reside, may have only one Primary Residence within the City of Huron.

- (o) “Renewal Transient Rental Certificate” means the Transient Occupancy 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 Occupancy Registration Certificate and/or within ten (10) days of a change in ownership or control of the Transient Rental Property, whichever occurs first.
- (p) "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 a Dwelling.
- (q) “Rental Period” means any period of time a Transient Rental Property is used or leased by a Transient Rental Guest.
- (r) “Residential Premises” means a Dwelling 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.

- (s) “Transient Guests” has the same meaning as the term is used in Section 189.02(k) of the Codified Ordinances.
- (t) “Transient Occupancy Registration Certificate” means the license issued with respect to a Transient Rental Property evidencing compliance with the requirements of this Chapter.
- (u) “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 two (2) weeks in any calendar year. “Transient Rental Property” does not include any Residential Premises which is the Primary Residence of the Owner or Permanent Occupant if such Residential Premises is not occupied or made available to a Transient Guest in excess of a combined period of two (2) weeks in a calendar year. For purposes of this chapter, each separate Dwelling Unit is a separate Transient Rental Property.

**1369.02 PURPOSE.**

The purpose and intent of this Chapter is to regulate 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; and to protect property values and preserve the availability of housing stock for permanent residents of the City of Huron.

**1369.03 TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE.**

- (a) Required. Effective January 1, 2020, there is hereby created a Transient Rental Property Registration System for the City of Huron that requires an Owner or Permanent Occupant 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 January 1, 2021, every Transient Rental Property must be issued a Transient Occupancy Registration Certificate 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 Dwelling or Residential Premises.
  - (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 Occupancy Registration Certificate in a location that can be easily observed from public streets or sidewalks.
  - (1) No Transient Rental Property shall display a Transient Registration Certificate that has expired or been suspended, revoked, denied, 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.

- (3) 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.
- (4) No person shall remove, deface, or fail to display a Transient Occupancy Registration Certificate while the Residential Premises is being used, advertised, promoted, or available as a Transient Rental Property.

(c) Issuance.

- (1) The initial Application for a Transient Occupancy Registration Certificate required by the provisions of this Chapter shall be made by an Owner or Permanent Occupant by supplying the information required on the forms supplied by the Department and/or the Administrator and agreeing to comply with all requirements of this Chapter. Any subsequent Renewal Application may be submitted by the Operator to whom the Transient Occupancy Registration Certificate was issued or an Agent registered with the City as engaged to represent the Operator for purposes of this Chapter.
- (2) A Transient Occupancy Registration Certificate shall not be issued to an Operator unless one of the following applies:
  - i. the Operator is the Owner or Permanent Occupant of the Dwelling or Residential Premises with a principal place of business or Primary Residence within the City of Huron or within a political subdivision immediately adjacent thereto; or
  - ii. the Operator maintains an Agent who resides or has a principal place of business within the City of Huron or within a political subdivision immediately adjacent thereto.
- (3) Upon submission of the Application, the Department shall schedule a Life Safety Inspection, in accordance with Section **1369.07** of these Codified Ordinances, of the Residential Premises prior to issuance of a Transient Occupancy Registration Certificate.
- (4) No Transient Occupancy Registration Certificate shall be issued until the Building Official or authorized designee completes a Life Safety Inspection of the Residential Premises and determines that the Residential Premises complies with all applicable health, building, and safety codes.
- (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 a Transient Occupancy Registration Certificate for such Residential Premises which shall contain the following information:
  - i. the name, address, email address, and telephone number of the Operator or Agent responsible for maintenance of the Transient Rental Property and ensuring compliance with this Chapter;
  - ii. the address of the subject Transient Rental Property;
  - iii. the expiration date of the Transient Occupancy Registration Certificate; and
  - iv. the maximum occupancy of the Transient Rental Property.

- (6) Upon obtaining a Transient Rental Certificate, the Operator agrees to comply with the provisions of this Chapter.
- (d) Revocation. The Building Official or such authorized designee shall have the power to revoke a Transient Rental Certificate for any of the following:
- (1) the Operator or Agent provided any material misrepresentation of fact on the Application in connection with the issuance of such certificate;
  - (2) the Transient Occupancy Registration Certificate is not renewed on or before the date of its expiration;
  - (3) change in ownership or control of Transient Rental Property;
  - (4) noncompliance with the requirements of this Chapter;
  - (5) failure to correct any deficiency identified in the Inspection Report within thirty (30) days of the date the Inspection Report was issued;
  - (6) failure to collect and remit taxes required by Chapter 189 of the Codified Ordinances;
  - (7) upon a determination by a Court of competent jurisdiction that the Transient Rental Property has become a nuisance as further defined in Section **1369.08** of the Codified Ordinances.
- (e) No Assignment. A Transient Occupancy Registration Certificate may not be sold, transferred or assigned. All transfers of ownership or control of a Transient Rental Property must be in compliance with Section **1369.09** of the Codified Ordinances.
- (f) Term. A Transient Occupancy Registration Certificate issued pursuant to this chapter shall be valid for twelve (12) months from the application date or until revoked in accordance with **1369.03(d)** of the Codified Ordinance. Applications will be accepted on a rolling basis.
- (g) Limitations on Transient Rental Properties. Beginning on January 1, 2021, the following shall apply:
- (1) There shall be a maximum of two hundred (200) Transient Occupancy Registration Certificates issued for Transient Rental Property located within the City at any one time, provided that no Application for a Renewal Transient Rental Certificate will be denied solely on the basis that approving the Application will cause the maximum number of Transient Occupancy Registration Certificates to be exceeded.
  - (2) No new Application for registration of property as a Transient Rental Property will be accepted unless one of the following applies:
    - i. the Applicant has resided in the Dwelling as the Applicant's Primary Residence for at least one year immediately prior to seeking to register the Dwelling or Residential Premises as Transient Rental Property; or
    - ii. the Property is not used exclusively as a Transient Rental Property, to be demonstrated by proof of one or more of the following:

1. the Operator has a lease agreement with a bonafide tenant for a lease term in excess of thirty (30) days; or
  2. the Operator or Agent resides in the Property as a Primary Residence.
- (3) Applications accepted for an available Transient Occupancy Registration Certificate are on a first come bases. The Department will not accept reservations or maintain a waiting list.
- (4) No Transient Rental Property which had a Transient Rental Certificate revoked under Sections 1369.03(d)(5)-(7) shall be eligible for issuance of a Transient Rental Certificate for a period of two (2) years after revocation unless a change in ownership or control of the Residential Premises has occurred as demonstrated by sufficient evidence to the Department.

#### **1369.04 FEES.**

Transient Rental Registration Fee. Beginning with the Municipal Budget for 2021, 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 for a Transient Occupancy Registration Certificate for the period beginning on January 1 of that calendar year. Council may approve or modify the proposed fee schedule upon motion and affirmative vote of a simple majority of Council.

#### **1369.05 OPERATOR 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 Operator of Transient Rental Property:

- (a) The Operator 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) The Operator shall provide Transient Guests with written notice of any known, non-obvious, or concealed condition, whether natural or artificial, which may present a danger to the life, health, or safety of persons occupying the Residential Premises as a Transient Guest.
- (c) The Operator shall post in a conspicuous place within the Transient Rental Property all Ordinances, Rules, or Regulations concerning noise, light, animals, and parking as are applicable to the Residential Premises.
- (d) The Operator shall designate off-street parking for the use of all Vehicles brought to the Transient Rental Property by Transient Guests in accordance with Chapter 1133 of the Codified Ordinances.

- (e) At all times Transient Guests are present on the Transient Rental Property, the Operator or Agent shall be able to be physically present at the Transient Rental Property within thirty (30) minutes of any notification by a member of Law Enforcement or the Fire Department of a Service Call to the Transient Rental Property.
- (f) The Operator shall not maintain the Transient Rental Property in a manner that constitutes a public nuisance or permit criminal activity to occur upon the premises.
- (g) The Operator shall procure and maintain liability insurance for the Transient Rental Property, which shall meet all of the following requirements:
  - (1) Provide coverage of not less than three hundred thousand dollars (\$300,000) and issued by an insurance company that is admitted to conduct business in the state of Ohio or by an eligible surplus lines company or risk retention group.
  - (2) Provide notice of cancelation of insurance to the Building Official at least ten (10) days prior to cancelation.

A failure to maintain insurance required by this section shall result in a revocation of the Transient Occupancy Registration Certificate.

- (h) Records.
  - (1) The Operator or Agent 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 person or 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 who were scheduled to stay for the night of the Rental Period; and
    - iv. The rate charged per each Rental Period.
  - (2) The Operator or Agent shall provide within a reasonable time 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 Operator or Agent shall be deemed to comply with this provision is such records are kept and maintained by a Hosting Platform which is identified and disclosed to the City on the Application.
- (i) No Operator 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            TRANSIENT GUEST RESPONSIBILITIES.**

- (a) Transient Guests of a Transient Rental Property shall be responsible for maintaining in a safe and sanitary condition that part of the Transient Rental Property which he or she occupies and controls during the Rental Term.

- (b) Transient Guests of occupant shall be responsible for maintaining in a safe condition all Vehicles, equipment, and appliances which he or she owns and brings onto the Transient Rental Property.
- (c) Transient Guests shall comply with all applicable Ordinances, Rules, and Regulations pertaining to the Transient Rental Property including those concerning noise, light, animals, or parking.
- (d) Transient Guests shall not conduct or allow any illegal activity upon the premises or make use of the Transient Rental Property in violation of the Codified Ordinances or the Ohio Revised Code.
- (e) No Transient Guest shall leave a Vehicle overnight anywhere other than the parking area designated by the Operator and in accordance with Chapter 1133 of the Codified Ordinances. Vehicles parked in violation of this provision are subject to being ticketed or towed.

**1369.07 INSPECTIONS.**

- (a) License Issuance and Renewal Inspections:
  - (1) Prior to issuing a new or renewal Transient Occupancy Registration Certificate, the Building Official or authorized designee shall conduct a Life Safety Inspection of the Dwelling or Residential Premises that consists of the following:
    - i. Inspection of all electrical receptacles;
    - ii. Check for and test smoke detectors and CO2 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 fire extinguishers;
    - xi. Determine maximum occupancy for overnight Transient Guests which shall be limited to:
      - 1. three (3) persons per Residential Premises plus
      - 2. the lesser of two (2) persons per bedroom or per 100 square feet of bedroom space.
      - 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 ingress and egress.
  - (2) In conjunction with completing a Life Safety Inspection, the Building Official shall also review the Operator's parking plan to determine compliance with Chapter 1133 of the Codified Ordinances.

- (3) Upon completion of a Life Safety Inspection, an Inspection Report shall be issued to the Operator of the Transient Rental Property within fourteen (14) days.
  - (4) The Department shall maintain a copy of the Life Safety Inspection 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 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 Operator 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.
  - (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 the Transient Occupancy Registration Certificate.
  - (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 Occupancy Registration Certificate.
  - (e) Upon display of the proper credentials, any member of the Department, Law Enforcement, Fire Department, 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 Operator, Agent, 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 Occupancy Registration Certificate.

**1369.08        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.

**1369.09 CHANGE OF OWNERSHIP, OR CONTROL.**

- (a) Any person selling or otherwise relinquishing ownership or control of a Transient Rental Property, including an Agent or Operator, shall immediately notify the Department of the effective date of the change in ownership or control.
- (b) The Notice required by this section shall be in writing and shall include the following information:
  - (1) the name, address, email address, and telephone number of the new Agent or Operator;
  - (2) the name, address, email address and telephone number of the previous Agent or Operator;
  - (3) the person or entity maintaining the records required to be maintained by Section 1369.05(g)
  - (4) the effective date of such change in ownership or control.
- (c) If the Notice provided herein pertains to a change in ownership, then as of the effective date thereof, the Transient Occupancy Registration Certificate shall be revoked and a new Transient Occupancy Registration Certificate obtained before the Residential Premises may be used as a Transient Rental Property.
- (d) If the Notice provided herein pertains to a change in control of a Transient Rental Property, a failure to notify the Department of such change within fourteen (14) calendar days thereof will result in a violation of this Chapter and a revocation of the Transient Occupancy Registration Certificate.

**1369.10 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 Occupancy Registration Certificate. Upon notification by the Department that the Transient Occupancy Registration Certificate 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 Operator or Agent in accordance pursuant to **1369.05(h)** 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 1369.05(h).

- (c) Reporting Requirements. Each Hosting Platform must, on a monthly basis, provide an electronic report, to the City identifying by address all Transient Rental Property listed, advertised, or promoted within the City maintained on the Hosting Platform for the applicable reporting period.
- (d) Taxation. All Hosting Platforms are subject to taxation in accordance with Chp. 185 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 HEARING AND APPEALS.**

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

**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 Occupancy Registration Certificate, or to require compliance with the provisions of this chapter or other applicable laws, ordinances, rules or regulations.

**CHAPTER 1369  
Transient Rental Property**

<b>1369.01</b> Definitions.	<b>1369.07</b> <del>Entry and i</del> <u>Inspections.</u>
<b>1369.02</b> Purpose.	<del>Reports and reinspection.</del>
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**CROSS REFERENCES**

- ~~Building standards - see BLDG. Title 13~~
- ~~Appeal, hearing and variances - see BLDG. Ch. 1355~~
- ~~Condemnation proceedings - see BLDG. Ch. 1357~~
- ~~Hearing and Appeal - see ZONING. Ch. 1139~~
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**1369.01 DEFINITIONS.**

As used in this chapter:

- (a) "Agent" ~~or "Person in Charge"~~ means any individual, person, firm, partnership, corporation or company, ~~other than an Owner or Permanent Occupant,~~ acting on behalf of ~~an the property~~ ~~Operator of awner of a~~ Transient Rental Property responsible for ensuring compliance with all provisions of this Chapter.
  - (1) ~~For purposes of this Chapter, an Agent shall be deemed to have the same legal duties, responsibilities, and liabilities as an Operator of a Transient Rental Property with all residential rental.~~ acts by an Agent having the same legal force and effect as if such acts were taken by the Operator.
  - (2) ~~No Operator shall be absolved of individual liability solely on the basis that acts were taken by an Agent and not the Operator.~~
  - ~~(3)~~ (3) ~~For purposes of this Chapter, an Agent must reside within the City of Huron or an immediately adjacent political subdivision and able to travel to the Transient Rental Property within thirty (30) minutes of being notified by any law enforcement or public health or safety agency having jurisdiction thereof of an issue affecting the health, safety, or welfare of any person or~~

property arising as a result of use of the Residential Premises as Transient Rental Property.

(b) "Applicant" means the Operator submitting an application for registering a Dwelling for use as a Transient Rental Property.

(c) "Application" means the submission of all information required by this Chapter and payment of the required registration fee for registering a Dwelling or Residential Premises as Transient Rental Property.

(d) "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 evidence of criminal activity, including but not limited disturbance of the peace;

(2) result in an arrest, charge or citation of persons occupying or on the premises of a Transient Rental Property; or

(3) 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.

(e) "Department" shall mean and refer to the Building and Zoning Department of the City of Huron.

(f) "Dwelling-unit" 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 who maintains a household or by two or more persons who maintain a common household.

(g) "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 Operator 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 Operator or to the Hosting Platform.

(h) "Inspection Report" means the report issued by the Building Official or authorized designee containing the results of the Life Safety Inspection.

(i) "Life Safety Inspection" means that inspection performed by the Building Official or his designee prior to issuing or renewing a Transient Occupancy Registration Certificate.

(j) "Operator" means any person who owns, possesses, or controls a Residential Premises, as either an Owner or Permanent Occupant, and offers, advertises, leases, or uses such Residential Premises as Transient Rental Property. If the Operator is a Permanent Occupant and not an Owner, the following applies:

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(1) The Permanent Occupant must maintain written evidence of the legal right to sublease the Residential Premises for use as a Transient Rental Property or the express written consent from the Owner to use the Residential Premises as a Transient Rental Property.

(2) Both the Owner and Permanent Occupant are jointly and severally liable for compliance with this Chapter.

(k) "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 Dwelling. For purpose of this Chapter, an Owner includes anyone possessing a fee simple interest, an estate for life or for years, in the Dwelling or Residential Premises including through a trust instrument or other conveyance of real property, or otherwise entitled to have title to real property registered in accordance with Sections 5309.05 or 5309.42 of the Ohio Revised Code.

(l) "Parking Plan" means the identification of all places within a Transient Rental Property where Transient Guests of that Transient Rental Property may park a Vehicle in accordance with Chapter 1133 of the Codified Ordinances.

(m) "Permanent Occupant" means one or more individuals who resides in a Dwelling as a Primary Residence more than 75% of the time during a calendar year pursuant a Rental Agreement, or other legal arrangement with an Owner, including a leasehold, life estate, estate for years or other interest less than fee simple.

(n) "Primary Residence" means a Dwelling which is the usual place of occupancy for an Owner or Permanent Occupant as documented by at least two of the following:

- (1) motor vehicle registration;
- (2) driver's license;
- (3) tax documents (including 1099 or W-2);
- (4) lease agreement with an Owner or Agent;
- (5) utility bill.

An Owner or Permanent Occupant, including anyone with whom they reside, may have only one Primary Residence within the City of Huron.

(o) "Renewal Transient Rental Certificate" means the Transient Occupancy 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 Occupancy Registration Certificate and/or within ten (10) days of a change in ownership or control of the Transient Rental Property, whichever occurs first.

(p) "Rental ~~agreement~~ 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~~ a Dwelling by one of the parties.

(e)(q) "Rental Period" means any period of time a Transient Rental Property is used or leased by a Transient Rental Guest.

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(r) ~~“Residential Premises” means a dwelling unit for residential use and occupancy and the any adjacent or attached structures, of which it is a part, the facilities and appurtenances unit, and the grounds, areas, and facilities for the use of occupants tenants generally or the use of which is promised an occupant the tenant, including Transient Guests.~~

(d) —

(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)(s)~~ ~~“Transient Guests” has the same meaning as the term is used in Section 189.002(k) of the Codified Ordinances.~~

(t) ~~“Transient Occupancy Registration Certificate” means the license issued with respect to a Transient Rental Property evidencing compliance with the requirements of this Chapter.~~

~~(u) (g) “Transient Rental Property” means any Dwelling Unit, Residential Premises, or part thereof, or any other residential property being utilized or otherwise made available for rent to a Transient Guests 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 two (2) weeks in any calendar year. “Transient Rental Property” does not include any Residential Premises which is the Primary Residence of the Owner or Permanent Occupant if such Residential Premises is not occupied or made available to a Transient Guest in excess of a combined period of two (2) weeks in a calendar year. For purposes of this chapter, each separate Dwelling Unit is a separate Transient Rental Property.~~

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### 1369.02 PURPOSE.

The purpose and intent of this ~~section Chapter~~ is to regulate the ~~peace, health, safety, and wellness of the public, including the owners Owners, Transient Guests, occupants, 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; and to protect property values and preserve the availability of housing stock for permanent residents of the City of Huron.~~

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### 1369.03 TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE.

(a) Required. Effective January 1, 2020, there is hereby created a Residential-Transient Rental Property Registration System for the City of Huron that requires an Owner or Permanent Occupant 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 May-January 1, 2021, every Transient Rental Property must be issued a Transient Occupancy Registration Certificate before being used, advertised, promoted, offered, listed with a Hosting Platform, or otherwise made available for use as Transient Rental Property rent to a Transient Guest. It shall be prima facie evidence of use as a Transient Rental Property if a Transient Guest is found to be occupying a Dwelling or Residential Premises. 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.

(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.

Display of Certificate. Each Transient Rental Property must display the Transient Occupancy Registration Certificate. The owner/operator of each Transient Rental Property shall comply with the following:

(b) (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.

(1) No Transient Rental Property shall display a Transient Registration Certificate that has expired or been suspended, revoked, denied, or defaced.

(2) No person shall be allowed to make a Transient Rental Property available for use by rent to Transient Guests if such Transient Rental Property is in violation of any applicable of the provisions of the City of Huron's health code, building code, or zoning regulations, or any covenant, condition, or restriction enacted in accordance with Chapter 5312 of the Ohio Revised Code, if applicable.

(3) (3) 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.

No person shall remove, deface, or fail to display 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 while the Residential Premises is being used, advertised, promoted, or available as a Transient Rental Property.

(4) 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. 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.

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~~(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.~~

~~(4)~~

~~(c) (b) Issuance.~~

~~The initial~~

~~(1) (1) Application for a Transient Occupancy Registration Certificate required by the provisions of this Chapter shall be made by an Owner or Permanent Occupant by supplying the information required on the forms supplied by the Department and/or the Administrator and agreeing to comply and date to determine the compliance with all the requirements of the Life Safety Inspection requirements set forth in this Chapter. Any subsequent Renewal Application may be submitted by the Operator to whom the Transient Occupancy Registration Certificate was issued or an Agent registered with the City as engaged to represent the Operator for purposes of this Chapter.~~

~~(2) A Transient Occupancy Registration Certificate shall not be issued to an Operator unless one of the following applies:~~

- ~~i. the Operator is the Owner or Permanent Occupant of the Dwelling or Residential Premises with a principal place of business or Primary Residence within the City of Huron or within a political subdivision immediately adjacent thereto; or~~
- ~~ii. the Operator maintains an Agent who resides or has a principal place of business within the City of Huron or within a political subdivision immediately adjacent thereto.~~

~~, 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 submission of such the Application and submission of the required fee, the Building Department Official or his designee shall schedule a Life Safety Inspection, in accordance with Section 1369.07 of these Codified Ordinances, of the Residential Premises prior to issuance issue of 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.~~

~~(3) (2)~~

~~No Transient Occupancy Registration Certificate shall be issued until the Building Official or authorized his designee shall cause completes a Life Safety general inspection of the Residential Premises and determines that the Residential Premises complies with all applicable health, building, and safety codes, any Transient Rental Property that is or will be made available for rent to Transient Guests.~~

~~(4) (3)~~

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~~(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, 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 Department Official or his designee shall issue a Transient Occupancy Registration Certificate for such Transient Rental Property Residential Premises which shall contain the following information:~~

- ~~i. the name, address, email address, and telephone number of the Operator owner(s) or Agent responsible for maintenance of the Transient Rental Property and ensuring compliance with this Chapter;~~
- ~~ii. the address of the each subject Transient Rental Property;~~
- ~~iii. the expiration date of the Transient Occupancy Registration Certificate; and~~
- ~~iv. the maximum occupancy of the 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.~~

~~(6) Upon obtaining a Transient Rental Occupancy Registration Certificate, the owner, Operator agrees to agent or person in charge of any Transient Rental Property shall comply with the provisions of this Chapter.~~

~~(d) (e) — Revocation. The Building Official or his such authorized designee shall have the power to revoke a Transient Rental Occupancy Registration Certificate if for any of the following:~~

- ~~(1) the Operator or Agent provided any material misrepresentation of fact false statement is made by the applicant on the Application in connection with the issuance of such certificate;~~
- ~~(2) the Transient Occupancy Registration Certificate is not renewed on or before the date of its expiration;~~
- ~~(3) change in ownership or control of Transient Rental Property;~~
- ~~(4) or for the noncompliance of a Transient Rental Property with the requirements of this eChapter;~~
- ~~(5) failure to correct any deficiency identified in the Inspection Report within thirty (30) days of the date the Inspection Report was issued;~~
- ~~(6) failure to collect and remit taxes required by Chapter 189 of the Codified Ordinances;~~
- ~~(7) upon a determination by a Court of competent jurisdiction that the Transient Rental Property has become a nuisance as further defined in Section 1369.08 of the Codified Ordinances, or the if the owner, agent or person in charge of a Transient Rental Property refuses to comply with any provisions of this chapter.~~

~~(e) No Assignment. A Transient Occupancy Registration Certificate may not be sold, transferred or assigned. All transfers of ownership or control of a Transient Rental Property must be in compliance with Section 1369.09 of the Codified Ordinances.~~

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~~(e)~~ ~~(d)~~ Term. A Transient Occupancy Registration Certificate issued pursuant to this chapter shall be valid for twelve (12) months from the application date or until ~~a change in ownership occurs~~ ~~revoked in accordance with 1369.03(d) of the Codified Ordinance.~~ Applications will be accepted 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.~~

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~~(f)~~

~~(g)~~ Limitations on Transient Rental Properties. Beginning on January 1, 2021, the following shall apply:

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~~(1)~~ There shall be a maximum of two hundred (200) Transient Occupancy Registration Certificates issued for Transient Rental Property located within the City at any one time, provided that no Application for a Renewal Transient Rental Certificate will be denied solely on the basis that approving the Application will cause the maximum number of Transient Occupancy Registration Certificates to be exceeded.

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~~(2)~~ No new Application for registration of property as a Transient Rental Property will be accepted unless one of the following applies:

~~i.~~ the Applicant has resided in the Dwelling as the Applicant's Primary Residence for at least one year immediately prior to seeking to register the Dwelling or Residential Premises as Transient Rental Property; or

~~ii.~~ the Property is not used exclusively as a Transient Rental Property, to be demonstrated by proof of one or more of the following:

~~1.~~ the Operator has a lease agreement with a bonafide tenant for a lease term in excess of thirty (30) days; or

~~2.~~ the Operator or Agent resides in the Property as a Primary Residence.

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~~(3)~~ Applications accepted for an available Transient Occupancy Registration Certificate are on a first come bases. The Department will not accept reservations or maintain a waiting list.

~~(4)~~ No Transient Rental Property which had a Transient Rental Certificate revoked under Sections 1369.03(d)(5)-(7) shall be eligible for issuance of a Transient Rental Certificate for a period of two (2) years after revocation

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unless a change in ownership or control of the Residential Premises has occurred as demonstrated by sufficient evidence to the Department.

#### **1369.04 FEES.**

Transient Rental (a) Registration Fee. Beginning with the Municipal Budget for 2021 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 for the period beginning on January 1 of that calendar year. Council may approve or modify the proposed fee schedule upon motion and affirmative vote of a simple majority of Council.

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#### **1369.05 MAINTENANCE-OPERATOR 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 Operator of Transient Rental Property:

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(a) (a) The owner(s), agent(s) or person(s) in charge Operator 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 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 Operator shall provide Transient Guests with written notice of any known, non-obvious, or concealed condition, whether natural or artificial, which may present a danger to the life, health, or safety of persons occupying the Residential Premises as a Transient Guest.

(c) The Operator shall post in a conspicuous place within the Transient Rental Property all Ordinances, Rules, or Regulations concerning noise, light, animals, and parking as are applicable to the Residential Premises.

(d) The Operator shall designate off-street parking for the use of all Vehicles brought to the Transient Rental Property by Transient Guests in accordance with Chapter 1133 of the Codified Ordinances.

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(e) At all times Transient Guests are present on the Transient Rental Property, the Operator or Agent shall be able to be physically present at the Transient Rental Property within thirty (30) minutes of any notification by a member of Law Enforcement or the Fire Department of a Service Call to the Transient Rental Property.

(f) The Operator shall not maintain the Transient Rental Property in a manner that constitutes a public nuisance or permit criminal activity to occur upon the premises.

(g) The Operator shall procure and maintain liability insurance for the Transient Rental Property, which shall meet all of the following requirements:

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- (1) Provide coverage of not less than three hundred thousand dollars (\$300,000) and issued by an insurance company that is admitted to conduct business in the state of Ohio or by an eligible surplus lines company or risk retention group.
- (2) Provide notice of cancelation of insurance to the Building Official at least ten (10) days prior to cancelation.

A failure to maintain insurance required by this section shall result in a revocation of the Transient Occupancy Registration Certificate.

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(h) Records.

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(1) The Operator or Agent 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:

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i. The name and address of the person or persons who entered into the Rental Agreement for use of the Transient Rental Property;

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ii. The date(s) each such Transient Guest had use or occupancy of the Transient Rental Property;

iii. The number of persons who were scheduled to stay for the night of the Rental Period; and

iv. The rate charged per each Rental Period.

(2) The Operator or Agent shall provide within a reasonable time 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 Operator or Agent shall be deemed to comply with this provision is such records are kept and maintained by a Hosting Platform which is identified and disclosed to the City on the Application.

(i) No Operator 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.

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#### **1369.06. TRANSIENT GUEST RESPONSIBILITIES.**

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(a) ~~(b)~~ The occupant(s) Transient Guests of a Transient Rental Property shall be responsible for maintaining in a safe and sanitary condition that part of the unit and premises Transient Rental Property which he or she occupies and controls during the Rental Term. In addition, such

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(b) Transient Guests of occupant shall be responsible for maintaining in a safe condition all Vehicles, equipment, and appliances which he or she owns and brings onto the Transient Rental Property.

(c) Transient Guests shall comply with all applicable Ordinances, Rules, and Regulations pertaining to the Transient Rental Property including those concerning noise, light, animals, or parking.

- (d) Transient Guests shall not conduct or allow any illegal activity upon the premises or make use of the Transient Rental Property in violation of the Codified Ordinances or the Ohio Revised Code.
- (e) No Transient Guest shall leave a Vehicle overnight anywhere other than the parking area designated by the Operator and in accordance with Chapter 1133 of the Codified Ordinances. Vehicles parked in violation of this provision are subject to being ticketed or towed.

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**1369.07 ENTRY AND INSPECTIONS.**

(a) License Issuance and Renewal Inspections:

- (1) Prior to issuing a new or renewal Transient Occupancy Registration Certificate, the Building Official or authorized designee shall conduct a Life Safety Inspection of the Dwelling or Residential Premises that consists of the following:
- i. Testing-Inspection of all electrical receptacles;
  - ii. Check for and test smoke detectors and CO2 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 fire extinguishers;
  - xi. Determine maximum occupancy for overnight Transient Guests which shall be limited to:
    1. three (3) persons per Residential Premises plus
    2. the lesser of two (2) persons per bedroom or per 100 square feet of bedroom space.
    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 ingress and egress.
- (2) In conjunction with completing a Life Safety Inspection, the Building Official shall also review the Operator's parking plan to determine compliance with Chapter 1133 of the Codified Ordinances.
- (3) Upon completion of a Life Safety Inspection, an Inspection Report ~~will~~ shall be issued to the Operator of the Transient Rental Property within fourteen (14) days.
- (4) The Department shall maintain a copy of the Life Safety Inspection 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.

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~~(b)~~ Violations enumerated in the ~~Inspection Report~~ shall be abated by the ~~owner/e~~Operator of the Transient Rental Property within thirty (30) days from the date of the ~~i~~Inspection ~~r~~Report. A reinspection shall be required to verify that the violations have been corrected. The ~~owner/e~~Operator of the Transient Rental Property shall contact the ~~Building~~ Department to schedule the required reinspection which ~~shall occur within forty-five (45) days from the date the Inspection Report is issued.~~

~~(c)~~ Failure to correct ~~any~~ violations ~~contained within the Inspection Report~~ within thirty (30) days from the date of the ~~i~~Inspection ~~r~~Report shall constitute a violation of this chapter and may result in the revocation of the Transient Occupancy Registration Certificate.

~~(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 Occupancy Registration Certificate.~~

~~(e)~~ Upon display of the proper credentials, any member of the Department, Law Enforcement, Fire Department~~The Building~~, or Public Health Official shall be ~~permitted to inspect the~~ 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~~Transient Rental Property to ensure compliance with this Chapter. which is subject to this Chapter 1369 of the Codified Ordinances~~

~~(1)~~ ~~, 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 p~~Transient Rental Property is refused, ~~- an officer or employee of the entity requesting to inspect the Transient Rental Property may, 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.~~

~~(a)~~ 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, e~~Operator, ~~Agent~~, or occupant to consent to a warrantless inspection of private property.

~~(2)~~ ~~(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 Chapte

~~(3)~~ ~~r.~~ A ~~repeated~~ failure to permit ~~the~~ inspection shall ~~may~~ be cause for revocation of the Transient Occupancy Registration Certificate.

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**1369.08 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:

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~~\_\_\_\_\_The Transient Rental Property~~

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~~\_\_\_\_\_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.~~

~~(a) \_\_\_\_\_ (e) \_\_\_\_\_ 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. 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.~~

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~~(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.~~

~~\_\_\_\_\_The Transient Rental Property has a documented history of repeated conduct that endangers neighborhood safety.~~

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~~(d) \_\_\_\_\_~~

**1369.08-09 CHANGE OF OWNERSHIP, OR CONTROL.**

~~(a) \_\_\_\_\_ Any person selling or otherwise relinquishing ownership or control of a Transient Rental Property, including an Agent or Operator, shall immediately notify the Building Official-Department of said change in ownership within fourteen (14) calendar days of the effective date of the change in ownership or control transfer.~~

(b) The ~~Such a~~ Notice required by this section shall be in writing and shall include the following information:

(1) the name, address, email address, and telephone number of the new ~~owner~~ Agent or Operator;

(2) ~~and~~ the name, address, email address and telephone number of the previous ~~owner~~ Agent or Operator;

(3) the person or entity maintaining the records required to be maintained by Section 1369.05(g)

(4) the effective date of such change in ownership or control.

(c) If the Notice provided herein pertains to a change in ownership, then as of the effective date thereof, the Transient Occupancy Registration Certificate shall be ~~revoked and a new Transient Occupancy Registration Certificate obtained before the Residential Premises may be used as a Transient Rental Property. 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.~~

(d) If the Notice provided herein pertains to a change in control of a Transient Rental Property, a failure to notify the Department of such change within fourteen (14) calendar days thereof will result in a violation of this Chapter and a revocation of the Transient Occupancy Registration Certificate.

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#### 1369.10 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 Occupancy Registration Certificate. Upon notification by the Department that the Transient Occupancy Registration Certificate 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.

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(b) Records Required. To the extent the Hosting Platforms collects the information required to be kept and maintained by an Operator or Agent in accordance pursuant to **1369.05(h)** 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 1369.05(h).

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(c) Reporting Requirements. Each Hosting Platform must, on a monthly basis, provide an electronic report, to the City identifying by address all Transient Rental Property listed, advertised, or promoted within the City maintained on the Hosting Platform for the applicable reporting period.

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(d) Taxation. All Hosting Platforms are subject to taxation in accordance with Chp. 185 of the Codified Ordinances.

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#### 1369.09-11 SEVERABILITY.

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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 HEARING AND APPEALS.**

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

**1369.99 PENALTY; LEGAL ACTION.**

~~(a) (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).~~

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(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.

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~~(b) (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, to restrain, correct or abate a violation, the prevent the occupancy of a building, or premises Residential Premises, revoke a Transient Occupancy Registration Certificate, or to require compliance with the provisions of this chapter or other applicable laws, ordinances, rules or regulations.~~

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