

ordinance FAILED
due to majority
NAY votes (4)

**ORDINANCE NO. 2021-53
VILLAGE OF BUCKEYE LAKE**

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM IN ORDINANCE 2021-40 ON THE OPERATION OF ANY SHORT TERM RESIDENTIAL REAL ESTATE RENTALS AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, the Village of Buckeye Lake, Ohio, is organized under the laws of the State of Ohio and (Home Rule) of the Ohio Constitution, pursuant to the Village Charter; and

WHEREAS, the Village of Buckeye Lake currently regulates land uses within the Village limits in accordance with the Village of Buckeye Lake Official Zoning Regulations, pursuant to its Home Rule Constitutional authority and the Ohio Constitution; and

WHEREAS, Village Council passed Ordinance 2021-40 on August 23, 2021, and subsequently overrode the mayor's veto on September 13, 2021; and

WHEREAS, Ordinance 2021-40 placed a sixty (60) day moratorium on the operation of short-term rentals within the Village and said moratorium is set to expire October 22, 2021; and

WHEREAS, the Village needs additional time to review any applicable sections of its Official Zoning Regulations and other ordinances and state laws, conduct community outreach, and to study, plan for, formulate, and draft reasonable and comprehensive regulations with respect to STRs within the Village;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Buckeye Lake, at least two-thirds (2/3) of its members concurring to dispense with the requirements of Charter Section 4.04 requiring three readings on three separate days with at least one week between the readings:

SECTION 1: The moratorium imposed by Ordinance 2021-40 shall be extended an additional sixty (60) days and now expire December 21, 2021, unless further extended or revoked.

SECTION 2: Whoever violates this Ordinance is guilty of a misdemeanor of the first degree and shall be subject to the penalties of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues. It shall be prima facie evidence of a violation that a property is listed as available for short term rental on any website or application.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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 of R.C. §121.22.

SECTION 4: That this Ordinance, for the reasons in the preamble, is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety,

morals, and welfare of the residents of the Village of Buckeye Lake, for which reason the Council hereby declare this Ordinance and emergency measure and it shall take effect and be in force immediately upon passage.

PASSED THIS _____ DAY OF _____, 2021.

ATTEST: Clerk of Council, Samantha Torres

Council President, John Geiger

Mayor, Peggy Wells

FAILED