

ORDINANCE 2022-56
VILLAGE OF BUCKEYE LAKE
FIRST READING

AN ORDINANCE AMENDING 2022-36 SHORT-TERM RENTAL ORDINANCE AND DECLARING AN EMERGENCY.

WHEREAS, the Village sees the need to amend the short-term rental ordinance in order to be in compliance with the International Property Maintenance Code, ORC, and the Village of Buckeye Lake Zoning Code Book;

WHEREAS, Village Council has determined that these changes, as shown in red in Section 2, are necessary to come in compliance with other codes and ordinances;

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. Ordinance 2022-36 shall be amended as shown in red in Section 2 below:

SECTION 2.

ORDINANCE 2022-36 - AN ORDINANCE ESTABLISHING BUSINESS REGULATIONS FOR SHORT-TERM RENTAL UNITS AND ~~BED-AND-BREAKFASTS~~ WITHIN THE VILLAGE.

WHEREAS, the unregulated use of residential units as short-term rental units ~~or bed-and-breakfasts~~ can have a negative effect on the Village; and

WHEREAS, Council has discussed this matter in committee and council and has determined it to be in the best interest of the Village, the residents of the Village, and visitors to the Village, that short-term rental units ~~and bed-and-breakfasts~~ be regulated to minimize any negative effect and to protect persons and property within the Village;

NOW THEREFORE, BE IT NOW ORDAINED BY THE COUNCIL OF THE VILLAGE OF BUCKEYE LAKE, OHIO:

Section I. Any person or entity owning or operating a short-term rental ~~or bed-and-breakfast~~, shall comply with the following provisions:

A. Permit ~~& Fees~~ Required

- a. Short-term rental ~~or bed-and-breakfast~~ shall be defined as any dwelling, building, or unit thereof, offered for rent, to one or more persons, for a continuous period of less than 30 days.
- b. All persons or entities owning or operating a short-term rental ~~or bed-and-breakfast~~ shall apply annually for a permit. A permit shall be required for each unit (e.g., a duplex requires two permits). Annual permits are from January 1 through December 31. Permits are non-transferable.
- c. The fee for said permit shall be included on the Village Fee Schedule.
- d. Inspection and issuance of permit may take up to 60 days.
- e. If the property is determined safe to rent, Code Enforcement will issue a sticker to be displayed on the front door or in a conspicuous place validating the permit, to include a full-time contact phone number, year of rental, permit number, and occupancy. Upon issuance of the permit, the

~~permit sticker with contact information and permit number shall be posted on the main ingress/egress of the short-term rental or bed and breakfast.~~

- f. All persons or entities owning or operating a short-term rental shall pay any bed tax required by law.

B. Insurance Required

- a. All persons or entities owning or operating a short-term rental ~~or bed and breakfast~~ shall maintain a liability insurance policy of at least One Million Dollars (\$1,000,000.00) for each property on which a short-term rental ~~or bed and breakfast~~ operates.

C. Safety Inspection Required

- a. Each property on which one or more units are available as a short-term rental ~~or bed and breakfast~~ shall be inspected by a Village Code Enforcement or Fire Department official prior to the issuance of a permit. All persons or entities owning or operating a short-term rental ~~or bed and breakfast~~ shall provide village-approved certification that the unit and property meets current electrical standards. The property shall maintain working fire and CO2 alarms, fire extinguishers, and emergency egress maps. The Fire Chief, or his/her designee, shall inspect the property for compliance with fire safety standards. At the time of inspection, the total occupancy shall be determined by the Fire Chief: as permitted in the Ohio Fire Code and Village Zoning Code and Ordinances.

D. Parking

- a. All persons or entities owning or operating a short-term rental ~~or bed and breakfast~~ shall provide off-street parking: in compliance with all zoning and Village ordinances and have a minimum of 2 parking spaces outside of the Village right of way.

E. Miscellaneous

- a. Any homeowner's association rules and regulations shall be ~~posted~~ available in each short-term rental ~~or bed and breakfast~~ unit.
- b. Small cooking campfires shall be enclosed in a fire-pit and shall not be left unattended.
- c. Any hot tubs, spas, or swimming pools shall ~~be clean and maintained and comply with any health, safety, or permitting laws and ordinances.~~ comply with International Property Maintenance Code Section 303.
- d. No short-term rental ~~or bed and breakfast~~ shall permit guests to have more than two (2) dogs and dogs must be leashed or confined by a fence on the property, at all times. Certified service dogs are exempt.
- ~~e. All persons or entities owning or operating a short-term rental or bed and breakfast shall reference this Ordinance in any advertisement.~~
- f. After passage of this Ordinance, any short-term rental ~~or bed and breakfast~~ in operation on the day of passage shall have ~~sixty (60)~~ thirty (30) days to ~~comply with this Ordinance~~ apply for permits and inspections.

F. Penalty

- a. Any violation of this Ordinance is a third (3rd) degree misdemeanor.
- b. Permit may be revoked or not renewed due to excessive violations.

G. Forms

- ~~a. See attached Exhibits A and B for short-term rental application and permit example, short-term rental procedure information sheet, and Fire inspection list.~~

SECTION 3: 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 28th DAY OF November, 2022.

ATTEST: Samantha Torres Linda Goodman
Samantha Torres, Clerk of Council Linda Goodman, Council President

Jeffrey Peterson
Jeffrey Peterson, Mayor

VETO Ordinance 2022-56

inconsistencies with other existing
ordinances involving penalties &
unreasonable hardship on property
owners.