

# RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 22-149

Passed June 21, 2022

## AN ORDINANCE ENACTING CHAPTER 740 OF THE CODIFIED ORDINANCES OF THE CITY OF MILFORD FOR THE REGULATION OF SHORT TERM RESIDENTIAL RENTAL PROPERTIES

WHEREAS, the Council of the City of Milford has deemed the short term rental of residential dwelling units to be a commercial/business activity; and,

WHEREAS, Council has determined that short term residential rental properties, as a commercial/business, should be regulated;

Now, Therefore, Be It Ordained By The Council Of The Municipality Of Milford, Ohio:

### Section 1.

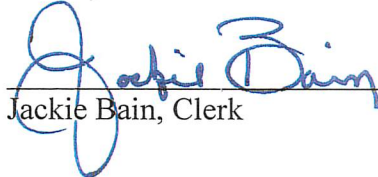
The Council of the City of Milford hereby enacts Chapter 740 of the Codified Ordinances of the City of Milford titled "Chapter 740 Short Term Rental Property." Pursuant to and in accordance with Section 12.03 of the Milford City Charter, Chapter 740 is attached hereto and fully incorporated herein as if fully rewritten herein.

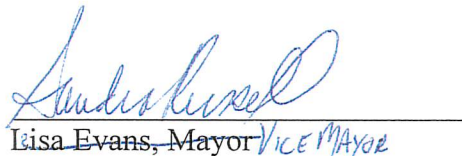
### Section 2.

This Ordinance enacting Chapter 740 of the Codified Ordinances shall become effective immediately upon its passage by City Council. All persons, firms, entities, and corporations currently operating residential non-owner occupied short term rental property in violation of Chapter 740 shall have a grace period until October 1, 2022, in which to bring themselves into full compliance with the provisions, terms, conditions, and requirements of Chapter 740.

ADOPTED: June 21, 2022

ATTESTED:

  
Jackie Bain, Clerk

  
Lisa Evans, Mayor *VICE MAYOR*

### LAW DIRECTOR'S CERTIFICATION

I hereby certify that I have prepared the foregoing Ordinance in accordance with Sec. 12.02 of the Milford City Charter.

  
Michael Minniear, Law Director  
Reg. No. 0022446

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_\_

## CLERK'S CERTIFICATION

I, Jackie Bain, Clerk of Council of the City of Milford, Ohio, do hereby certify that the foregoing Ordinance was published by posting the complete text of said Ordinance at five (5) of the most public places in said Municipality as determined by Council as follows: at River Hills Bank, 301 Main Street, Milford, Ohio; at Peoples Bank, 735 Lila Avenue, Milford, Ohio; at Milford Community Fire Department, 687 B US 50, Milford, Ohio; at the Milford Post Office, 1000 Castleberry Court, Milford, Ohio; and at the site of the Municipal Building, 745 Center Street, Milford, Ohio each for a period of fourteen (14) days commencing on the 23<sup>rd</sup> day of June, 2022.

  
Jackie Bain, Clerk of Council

## CHAPTER 740 SHORT TERM RENTAL PROPERTY

740.01 Short Term Rental Property (STRP) means a dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient guests for a period of less than ninety (90) consecutive days. The following uses shall not be considered Short Term Rental Property:

- a. Residential dwelling units rented to the same occupant for 90 continuous days or more;
- b. Bed and Breakfast establishments;
- c. Hotels and motels

740.02 A residential non-owner occupied short term rental property is prohibited. For the purposes of this section, "owner occupied" means the owner of the property permanently resides in the STRP as their primary place of residence.

740.03 A residential STRP is not permitted within the 300 foot buffer zone of another residential STRP, and no more than thirty STRPs shall be permitted per calendar year.

740.04 No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the Zoning Administrator, and paid a \$500 permit fee. STRP permits are annual permits and shall be renewed by January 15th.

740.05 The STRP permit application form shall include the following minimum information:

- a. The name, telephone number, address, and email address of the owner ("responsible party") residing at the STRP that is accountable for addressing all maintenance and safety concerns;
- b. Two pieces of evidence that the dwelling is the occupant's primary residence, or two pieces of evidence of ownership of the dwelling;
- c. The number of sleeping rooms being offered to transient guests.
- d. Proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.
- e. If the STRP unit shares a common wall or a common driveway with another property owner, proof of written notification to such neighboring property owner(s) prior to filing the application.
- f. Certification from the Milford Community Fire Department that the property has passed inspection.

740.06 Any need for parking generated by the use by the property as a residential STRP shall be in the driveway, garage, or a parking area on the lot, except for short-term parking of less than one hour.

740.07 Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STRP is prohibited.

740.08 All STRP occupants shall abide by all applicable noise restrictions contained in Milford's Codified Ordinance.

740.09 The STRP shall have approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:

- a. in all sleeping areas.
- b. in every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
- c. in each story within the sleeping unit, including basements.

740.10 No recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the STRP use.

740.11 The principal renter of a STRP unit shall be at least twenty-five (25) years of age.

740.12 The maximum number of paying guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. The occupancy maximum shall be conspicuously posted within the STRP unit.

740.13 The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law and City ordinances.

740.14 A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.

740.15 Denial or Revocation of Permit.

- a. Upon the filing of three or more complaints within a calendar year regarding a STRP permit, including responses by the Milford Police Department to the property in response to complaints, the Zoning Administrator shall notify the permit holder in writing of such complaints.
- b. If the Zoning Administrator determines that violations of this section or any other ordinance or law relating to STRPs have occurred, the permit to operate a STRP may be revoked.
- c. Before revoking any permit, the Zoning Administrator shall give the permit holder fifteen days written notice of the alleged violation(s) against him/her.
- d. A STRP permit that has been denied or revoked may be appealed to the Board of Zoning Appeals within twenty days of the date of the denial or revocation.

#### 740.16 Penalties

- a. Any person, firm, entity, or corporation violating any provision of this Chapter shall be subject to a fine of up to \$500 for the first offense. Upon any person, firm, entity, or corporation being found guilty of a second violation of the same provision within one year shall be subject to a fine of up to \$1000. Each day of violation shall constitute a separate offense.
- b. Three or more violations of any of the provisions of this Chapter within one year shall result in the permanent revocation of the registration required to operate an STRP of the dwelling that is the subject of the violation.