

ORDINANCE NO. 1504-2025

AN ORDINANCE AMENDING CHAPTER 875 "TRANSIENT RENTAL PROPERTY" OF PART EIGHT, TITLE TWO OF THE CODIFIED ORDINANCES OF THE VILLAGE OF PUT-IN-BAY AND DECLARING AN EMERGENCY.

WHEREAS, Council of the Village of Put-in-Bay, Ottawa County, deems it necessary to regulate transient rental properties and ensure the peace, health, safety and wellness of the public, including property owners' transient guests and neighboring property owners or occupants of any transient rental property; and

WHEREAS, in June 2025, Council pursuant to Ordinance No. 1485-25, adopted Chapter 875, "Transient Rental Property" of Part Eight, Title Two of the Codified Ordinances of the Village of Put-in-Bay; and

WHEREAS, Council of the Village has determined the need to amend Chapter 875 to provide consistency within the Chapter, clarity, and additional registration requirements.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Put-in-Bay, County of Ottawa, State of Ohio, that:

SECTION 1: Chapter 875, "Transient Rental Property" of Part Eight, Title Two of the Codified Ordinances of the Village of Put-in-Bay is hereby amended as set forth in yellow highlight in "Exhibit A" attached hereto and incorporated herein as if fully rewritten.

SECTION 2: This Ordinance shall replace and supersede in its entirety any and all prior versions of Chapter 875, "Transient Rental Property" of Part Eight, Title Two of the Codified Ordinances of the Village of Put-in-Bay.

SECTION 3: The Council finds and determines that all formal actions relating to the adoption of this Ordinance have been taken at open meetings of this Council; that the deliberations of this Council and its Committees, resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements, including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the citizens of the Village of Put-in-Bay, Ottawa County, Ohio and for the further reason that this Ordinance is required to be immediately effective to provide clarity and additional registration requirements to ensure effective regulations and consistent implementation of initial transient rental registrations, therefore this Ordinance shall be in full force and effect immediately upon its passage.

Passed: 10/17, 2025

Attest: *Chlumensand*
Fiscal Officer

Approved: 10/17, 2025

Judy Berry, Mayor
Judy Berry, Mayor

EXHIBIT A

CHAPTER

Transient Rental Property

- .01 Purpose.
- .02 Transient rental registration certificate.
- .03 Limitation of Transient Rental Properties
- .04 Fees.
- .05 Owner responsibilities.
- .06 Inspection.
- .07 Nuisance.
- .08 Change of ownership or control.
- .09 Hearing and appeals.
- .10 Severability.
- .11 Enforcement.
- .12 Notice of violations.
- .13 Rules and Guidelines
- .98 Definitions.
- .99 Penalty; legal action.

.01 PURPOSE.

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

Residential Premises complies with all applicable building, and safety codes and the requirements of this Chapter.

(5) After the Safety Inspection is completed and the Residential Premises is found to be in full compliance with all applicable building, health, and safety codes, the Department shall issue or renew a Transient Rental Registration Certificate for such Residential Premises which shall contain the following information:

- A. The name, email address, and telephone number of the Owner or Authorized Representative responsible for maintenance of the Transient Rental Property and ensuring compliance with this Chapter;
- B. The address of the Transient Rental Property;
- C. The expiration date of the Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate (as the case may be); and
- D. The maximum occupancy of the Transient Rental Property, which shall be limited to ~~four~~ (4) two (2) per Residential Premises plus two (2) per bedroom.

(6) Upon obtaining a Transient Rental Registration Certificate or Renewal Transient Rental Registration Certificate, the Owner shall comply with the provisions of this Chapter.

(c) Revocation or Lapse. The Department shall send a notice of revocation to revoke a Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate for any of the following:

- (1) The Owner provides any material misrepresentation of fact on the Application;
- (2) The Transient Rental Registration Certificate, or Renewal Transient Rental Registration Certificate is not timely renewed; A thirty (30)-day grace period may be granted for renewals for good cause shown.
- (3) Noncompliance with the requirements of this Chapter;
- (4) Failure to correct any deficiency identified in the Safety Inspection Report within forty-five (45) days of the date the Safety Inspection Report is issued; or
- (5) Upon a determination by a Court of competent jurisdiction that the Transient Rental Property has become a nuisance as further defined in Section .07 of the Codified Ordinances or other controlling Ohio law.

Notwithstanding any contrary provision of this Chapter, any Transient Rental Registration Certificate that expires, is revoked, or becomes invalid for any reason is not assignable nor renewable and shall be considered a new Transient Rental Property for which a new Application is required for all purposes under this Chapter.

(c) The Owner shall provide proof of procurement and maintenance of general liability and premises liability insurance for the Transient Rental Property as may be periodically requested by the Department, which insurance(s) shall meet all of the following requirements:

- (1) Provide coverage of not less than five hundred thousand dollars (\$500,000.00).
- (2) Provide notice of cancellation of insurance to the Department at least ten (10) days prior to cancellation.

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

(d) The Owner of every Transient Rental Property shall provide one (1) parking space for every two (2) bedrooms or a minimum of (2) parking spaces outside of the Village right of way.

.06 INSPECTIONS.

(a) License Issuance and Renewal Inspections:

(1) Prior to issuing a new or Renewal Transient Rental Registration Certificate, or in the event of the transfer and assignment of a valid a Transient Rental Registration Certificate, the Owner shall be responsible for having a Safety Inspection of the Residential Premises completed by an Ohio Licensed Home Inspector between September 1st and December 31st of the year prior to apply for a new Transient Rental Certificate or Renewal Transient Rental Certificate. Safety Inspections shall consist of the following and shall be compliant with the Ohio Basic Building code (OBBC):

- A. Check for and test smoke detectors and carbon monoxide detectors; (For propane heat)
- B. Check electrical and GFCI; (no open blanks)
- C. Check all light fixtures at all stairways and exterior doors; (no broken glass)
- D. Check furnace and water heaters; (temperature not to exceed 125 degrees)
- E. Check for leaking water, gas and waste lines; (use sniffer & other means)
- F. Check for building code compliance, including necessary handrails; (bedroom windows working)
- G. Check for presence of accessible dry chemical fire extinguishers of a minimum 5-lb. ABC class;

.07 NUISANCE.

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

- (a) The Transient Rental Property has been the site of a repeated criminal activity involving prostitution, felony drug possession, gang activity, or acts of violence as such terms are defined in Chapter 29 of the Ohio Revised Code.
- (b) The Transient Rental Property is a nuisance as that is defined under Section 3767.01 of the Ohio Revised Code.
- (c) The Transient Rental Property has had in excess of three (3) Calls for Service to Law Enforcement within any consecutive twelve (12) month period. Calls for Fire or EMS assistance are excluded for purposes of this section.
- (d) The Transient Rental Property has a documented history of repeated conduct that endangers neighborhood safety.

.08 CHANGE OF OWNERSHIP OR CONTROL.

- (a) Any person selling or otherwise relinquishing ownership or control of a Transient Rental Property, including an Authorized Representative or Owner, shall notify the Department of the proposed effective date of the change in ownership or control and provide the name, address email address, and telephone number of the new Authorized Representative or Owner and if applicable the date ownership changed.
- (b) Transient Rental Registration Certificates are non-transferrable. An owner acquiring a Transient Rental Property who intends to rent the property in accordance with this Chapter must apply for a Transient Rental Registration Certificate and meet all requirements under this Chapter as if the new owner is a new applicant.

.09 HEARING AND APPEALS.

Subject to Section .03, any person who has been denied, or refused a Transient Rental Registration Certificate or renewal thereof, may appeal such decision to the Council for the Village of Put-in-Bay (or Transient Rental Board if created). An appeal must be submitted in writing within fourteen (14) days of the date of decision.

Upon receipt of a timely filed appeal requesting a hearing, Council shall hold a hearing within thirty (30) days. Council shall render a decision within fourteen (14) days from the date of the hearing. Should a timely filed appeal not request a hearing, Council shall review the appeal and render a decision within thirty (30) days of receipt of the appeal.

.13 RULES AND GUIDELINES.

As necessary, and consistent with this Chapter, the Mayor shall develop rules and guidelines to ensure the efficient implementation of this Chapter.

.98 DEFINITIONS.

As used in this chapter:

(a) "Authorized Representative" means any individual, person, firm, partnership, corporation or company, other than an Owner, acting on behalf of an Owner of a Transient Rental Property responsible for ensuring compliance with all provisions of this Chapter and registered as the Owner's Authorized Representative with the Department.

(1) For purposes of this Chapter, actions taken by an Authorized Representative acting on behalf of the Owner shall have the same legal force and effect as if such acts were taken by the Owner.

(2) No Owner shall be absolved of individual liability solely on the basis that acts were taken by an Authorized Representative and not the Owner.

(b) "Application" means the submission of all information required by this Chapter, and payment of the required fees, for registering: (i) a Residential Premises as new Transient Rental Property to obtain a Transient Rental Registration Certificate; or (ii) to obtain a Renewal Transient Rental Registration Certificate. For avoidance of doubt, a new Transient Rental Property shall be considered a Transient Rental Property for which the Owner of has failed to maintain a valid or renewable Transient Rental Registration Certificate.

(c) "Calls for Service" means those to law enforcement, when those calls result in a representative of a law enforcement agency being dispatched or directed to the Residential Premises and; Alleged criminal activity, including, but not limited to, disturbance of the peace that results in an arrest, charge or citation of persons occupying or on the premises of a Transient Rental Property; or

(1) Result in a reasonable finding by the Department, after review of relevant police, reports, of an imminent threat to safety of person(s) or property as a result of activities occurring on a Transient Rental Property.

(d) "Department" shall mean and refer to the Zoning Department of the Village of Put-in-Bay.

(e) "Inspection Report" means the report issued by the Licensed Home Inspector containing the results of the Safety Inspection.

(f) "Safety Inspection" means that inspection performed by the Licensed Home Inspector prior to issuing or renewing a Transient Rental Registration Certificate.

**VILLAGE OF PUT-IN-BAY TRANSIENT RENTAL REGISTRATION
2026 REGISTRATION FORM AND APPLICATION FORM**

1. Applicants are advised to review the Village **Codified Ordinances 1485-25 and Amendment** requirements that affect transient rental operations. The Village Council deems it necessary to regulate and ensure the peace, health, safety and wellness of the public including the transient guests and neighboring property owners or occupants of any transient rental property.

Village Council has set standards that address public safety issues while providing a revenue source to offset costs related to public safety and zoning enforcement effort.

2. BEGINNING SEPTEMBER 1, 2025, the **annual** Registration and Application process will begin.
3. The Registration form & a non-refundable fee is \$500.00 payable to the Village of Put-in-Bay and sent to: P.O. Box 245 Put-in-Bay, Ohio 43456. The cost of the Home Inspection will be paid by the owner to Vendor and upon successful completion of requirements, all required forms should be submitted to: Village Put-in-Bay, at same address. Or you may email to: pibmc@villageofpib.com.
4. The Registration form must include the Parcel number of the Rental Unit and address. The Parcel number can be found at the Ottawa County Auditor's website:

www.ottawacountyauditor.org

5. Upon paying the Registration fee and then submitting the required successfully completed documents, you will be issued a Transient Rental Certificate which will be valid until December 31st of the calendar year in which the Certificate is issued. You will only be issued the certificate when the Home Inspection is completed **and**, any infractions are corrected and reinspected, **and the Planning Commission inspector, Clerk and Chair have approved all documentation**. Transient Rental applications, including payment of registration fees shall be due no later than January 1, 2026.
6. Owner/representative is responsible to renew certificate(s) annually in advance of the expiration date of the certificate.
7. If you have any questions, you may call the Village Put-in-Bay, 419-285-2443 for Karen Goaziou, Clerk/Planning Commission or email questions/concerns to: pibmc@villageofpib.com. If she is not at her desk, please leave a message including return phone number and name and she will respond in a timely manner

VILLAGE OF PUT-IN-BAY TRANSIENT RENTAL REGISTRATION

6. The maximum occupancy for overnight Transient Guests shall be limited to:
 - a. Two (2) persons per Residential Premises plus; two (2) persons per bedroom.
 - b. All areas of a Residential Premises designated as bedroom space shall be used predominately for sleeping, have a minimum of one or more beds of a size and number equal to the expected occupants and two (2) separate ingress and egress
7. **The owner shall provide a diagram showing boundaries and lot dimensions, acreage of lot or parcel, building locations and setbacks, and existing and proposed parking. All rules and regulations of the Put-in-Bay Planning Commission must be followed in reference to parking requirements.**
8. There is a REQUIRED Home Inspection that must be completed by a licensed Home Inspector who has a current Village of Put-in-Bay Business License. This form is available online at Village of Put-in-Bay's website. All Home Inspectors MUST use the Village of Put-in-Bay's Transient Rental Inspection form. Any noncompliant (failed) portion of the inspection must be corrected within 45 days and a reinspection with proof of correction must be submitted to the Village of Put-in-Bay before a Transient Rental Certificate will be Issued.
9. The Transient Rental Certificate must be displayed where any member of the Department, law enforcement, fire department, emergency assistance or public health official can see who is responsible for the Rental and the Maximum Occupancy of the Rental. In the event access to the 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 Village Solicitor, obtain an administrative warrant from a court of competent jurisdiction in order to gain access to the property. In the event an administrative warrant cannot be obtained, then the inspection shall include only those items which can be inspected by lawful means. This chapter of the Ordinance shall not be construed to require the Owner, Authorized Representative or occupant to consent to a warrantless inspection of private property.
10. Please refer to the Village of Put-in-Bay **Codified Ordinances 1485-2025** for all rules and regulations for the Transient Rental Program. The Ordinance may be found on the Village of Put-in-Bay's website. All sections should be read prior to Submitting Application with documents needed. Included in this Ordinance is a description of what must be done when there is a change of ownership of a Rental. Also included are the Owner Responsibilities and necessary steps to be taken for failure of compliance for any regulations of the Ordinance. Nuisance rules and regulations, Hearings and appeals, Severability, enforcement, Notice of Violation, Definitions and Penalty: legal action can be found under each specific Chapter

Transient Rental Property owners that rent golf carts used for the transportation of persons or property, to their renters must register for an annual vehicle license permit.

TRANSIENT RENTAL DEPARTMENT USE ONLY:

Date Received _____ Rec'd by _____

\$500.00 Fee included/Method of Payment _____

APPLICATION COMPLETED/RECEIVED:

PROOF OF INSURANCE _____ REGISTRATION WITH COUNTY _____

REGISTRATION WITH STATE _____

HOME INSPECTION _____

COMMENTS: _____

Section C. OCCUPANCY LIMITS (Two (2) Transient Guests per residential premises plus two (2) per bedroom)

Number of bedrooms _____ @ 2 guests per bedroom + 2 = _____ (Pursuant to ORDINANCE NO 1485-2025[.06 INSPECTION K].

Inspection Date _____ By _____

PASSED INSPECTION _____

FAILED INSPECTION _____ Re-inspection to be scheduled within 45 days
Failure to correct any violations within 45 days shall constitute a violation.