

ORDINANCE NO. OR05-21**AN ORDINANCE BY THE TROTWOOD CITY COUNCIL
ENACTING NEW CHAPTER 736 OF THE TROTWOOD CODE
OF ORDINANCES ENTITLED “SHORT TERM RENTALS.”**

WHEREAS, localities across the United States have implemented, or are implementing, regulations and standards for short term rentals; and

WHEREAS, the State of Ohio currently has no regulations on short term rentals; and

WHEREAS, the City of Trotwood may consider short term rental regulations to address the health, safety, and welfare concerns of renters and residential property owners; and

WHEREAS, prior to regulating short term rentals, City Council and City staff require further information regarding the prevalence of short term rentals within the City; and

WHEREAS, the City of Trotwood, in order to gather relevant information regarding the use of short term rentals within the City, finds it necessary to enact a registration procedure for short term rentals; and

WHEREAS, upon the effective date of this ordinance, hosts shall have a grace period of six (6) months to comply by registering existing short term rentals with the City’s Police Division. Following the six (6) month grace period, all short term rentals shall be registered prior to renting to transient users.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF TROTWOOD, STATE OF OHIO:**

SECTION I:

Council hereby finds that it is necessary to enact new Chapter 736 of the Trotwood Codified Ordinances entitled “Short Term Rentals” to require registration of short term rentals operating within the City of Trotwood.

SECTION II:

Council hereby adopts new Trotwood Codified Ordinance Chapter 736 entitled “Short Term Rentals” as follows:

**PART SEVEN – BUSINESS REGULATION CODE
CHAPTER 736 – SHORT TERM RENTALS.**

736.01 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) “Chief of Police” means the Chief of Police of the City of Trotwood or his/her designee.
- (b) “Host” means any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for short term rental.
- (c) “Short Term Rental” means a dwelling unit that is rented, leased or otherwise assigned for tenancy of less than 14 consecutive days duration, where no meals are served.
- (d) “Transient User” means a person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than 14 consecutive days duration.

736.02 ANNUAL REGISTRATION REQUIRED.

No person, firm, or corporation shall own or operate a short term rental on any premises within the City of Trotwood unless the short term rental has been registered annually with the Police Division.

736.03 ANNUAL REGISTRATION.

Each annual registration for a short term rental shall be per the procedure prescribed by the Chief of Police, and shall be available for paperless, online registration upon the effective date of this chapter. The registration form, at a minimum, shall include the following:

- (a) The name, address, phone number, and email address of the host and of a person residing or located within Montgomery County or any other county bordering Montgomery County who shall be responsible for addressing any maintenance or safety concerns; and
- (b) The location of the short term rental.

736.04 COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS.

Each separate short term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

736.99 ENFORCEMENT AND PENALTY.

Failure to comply with any section or provision of this chapter shall be deemed a violation. Enforcement of any of the provisions of the chapter may be by civil action and/or criminal prosecution. Whoever violates Section 736.02 is guilty of a minor misdemeanor.

SECTION III:

It is hereby 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 any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to, Section 121.22 of the Ohio Revised Code.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

SECTION IV: This Ordinance shall take effect at the earliest time allowed by law.

Passed this _____ day of _____, 2021.

ATTEST:

APPROVED:

KARA B. LANDIS
CLERK OF COUNCIL

MARY A. MCDONALD
MAYOR

TYNA R. BROWN
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. **OR05-21** adopted by the Trotwood City Council at a regular scheduled meeting held on the **4th** day of **January, 2021**, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, 2021.

KARA B. LANDIS
CLERK OF COUNCIL