

**CITY OF STRONGSVILLE, OHIO**

**ORDINANCE NO. 2023 – 131**

**By: Mayor Perciak and All Members of Council**

**AN ORDINANCE ENACTING NEW SECTION 1252.38 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH SHORT-TERM RENTALS IN RESIDENTIAL DISTRICTS, AND DECLARING AN EMERGENCY.**

WHEREAS, the Mayor and this Council find that it is in the best interest of the health, safety and well-being of the public, including the owners, occupants and neighboring property owners of properties in the residential zoning districts of the City of Strongsville to prohibit short-term rentals of residential units; and

WHEREAS, the wide advertising of the availability of short-term rentals of residential units in residential zoning districts in the country, northeast Ohio and in the City of Strongsville by property owners, coupled with the uses of the units by short-term renters, have led to uses by short-term renters that have been extremely disruptive to the health, safety and well-being of neighboring residents in the form of loud and obnoxious noise (both verbal and music) during daylight and night time hours, trespassing onto neighboring properties, damage to neighboring properties, littering in the neighborhood and overparking of vehicles, all of which has been detrimental to the use and enjoyment of neighboring residential properties and their inhabitants and constitute a public nuisance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That new Section 1252.38 of Chapter 1252 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville be and is hereby enacted to read in its entirety as follows:

**1252.38 SHORT-TERM RENTAL PROHIBITION IN RESIDENTIAL DISTRICTS.**

- (a) No person shall operate, let, rent, list, advertise, or otherwise make available, any dwelling in a residential district in the City for the purpose of a short-term rental.
- (b) Definitions.
  - (1) "Short-term rental" shall be defined as the right to use, occupy or possess, or the actual use, occupancy or possession, of a dwelling through a rental for temporary, transient occupancy for dwelling, sleeping, lodging, or entertaining others for a period of less than thirty (30) continuous days.
  - (2) "Dwelling" for purposes of this Section 1252.38 only, does not include extended stay hotels and motels, community rooms owned by a homeowner's association, and community rooms utilized by apartment complexes.
- (c) Upon reasonable suspicion of a violation of this Section and a demand by a police officer or building inspector of the City, the occupant, owner, and person in charge of a dwelling shall be required to immediately produce a copy of the rental agreement, or lease, letter agreement, e-mails, or any other written communication for any short-term rental in a residential zoning district in the City.

- (d) Penalty. Violation of this Section shall be a misdemeanor of the first degree. Each day utilized as a short-term rental shall be considered a separate offense.

**Section 2.** That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

**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.

**Section 4.** That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary in order to regulate and enforce the prohibition of short-term rentals in residential districts. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: September 18, 2023

Referred to Planning Commission

Second reading: October 2, 2023

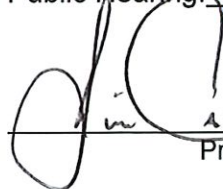
September 19, 2023

Third reading: \_\_\_\_\_

Approved: Favorable recommendation by Planning Commission

Public Hearing: November 6, 2023

September 28, 2023


  
\_\_\_\_\_  
President of Council

Approved:   
\_\_\_\_\_  
Mayor

Date Passed: 11.06.2023

Date Approved: Nov. 6, 2023

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Clark	<input checked="" type="checkbox"/>	_____
DeMio	<input checked="" type="checkbox"/>	_____
Kaminski	<input checked="" type="checkbox"/>	_____
Kosek	<input checked="" type="checkbox"/>	_____
Roff	<input checked="" type="checkbox"/>	_____
Short	<input checked="" type="checkbox"/>	_____

Attest:   
\_\_\_\_\_  
Clerk of Council

Ord. No. 2023-131 Amended: \_\_\_\_\_  
1<sup>st</sup> Rdg. 09-18-23 Ref: PC, P2E  
2<sup>nd</sup> Rdg. 10-2-23 Ref: P2E  
3<sup>rd</sup> Rdg. 11-06-23 Ref: \_\_\_\_\_

Public Hrg. 11-6-23 Ref: \_\_\_\_\_  
Adopted: 11-06-23 Defeated: \_\_\_\_\_

**CITY OF STRONGSVILLE**  
**OFFICE OF THE COUNCIL**

**MEMORANDUM**

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**TO:** Mitzi Anderson, Administrator to Boards & Commissions  
**FROM:** Marialena Beach, Council Secretary  
**DATE:** September 19, 2023  
**SUBJECT:** Referral from Council: Ordinance No. 2023-131

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At its regular meeting of September 18, 2023, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2023-131 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING NEW SECTION 1252.38 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH SHORT-TERM RENTALS IN RESIDENTIAL DISTRICTS, AND DECLARING AN EMERGENCY. *First reading 9-18-23.*

A copy of this ordinance is attached for Planning Commission review.

MB  
Attachments

## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Neal Jamison, Law Director

**FROM:** Mitzi Anderson, Administrator, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** September 29, 2023

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Please be advised that at its meeting of September 28, 2023, the Strongsville Planning Commission gave Favorable Recommendation to the following;

### **ORDINANCE NO. 2023-121**

An Ordinance Enacting a New Chapter 1476 of Title Six of Part Fourteen of the Building and Housing Code of the City's Codified Ordinances Concerning Solar Energy Facilities, and Declaring an Emergency

### **ORDINANCE NO. 2023-131**

An Ordinance Enacting a New Section 1252.38 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville in Connection with Short-Term Rentals in Residential Districts, and Declaring an Emergency