

Buckeye Lake Planning and Zoning Committee

Mission: To Update our Present Regulations and Allow for Short-Term Rentals in Privately Owned Single-Family Residential Areas for ALL of Buckeye Lake

Working for the Good for All of Buckeye Lake

Table of Contents	Page
Section 900.1 Definitions	1
Section 900.2 Permit Required	2
Section 900.3 Application for Short-Term Rental Permit, New and Renewal	2 - 3
Section 900.4 Short-Term Rental Hosts and Hosting Platforms – Requirements	3
Section 900.5 Grounds for Denial	3
Section 900.6 Objection, Revocation and Suspension of Short-Term Rental Permit	4
Section 900.7 Hearing, Appeals and Remedy Process ..	4
Section 900.8 Authority to Conduct Inspections: ...	4
Section 900.9 Transfer of Short-Term Rental Permit Not Permitted	4
Section 900.10 Discrimination Prohibited	4
Section 900.11 Short-Term Rental Permit	4
Section 900.12 Short-Term Rental Penalty	4
Short-Term Rental Information Sheet	Exhibit A
Short-Term Rental Application	Exhibit B
Short-Term Rental Permit	Exhibit C



DRAFT
October 7, 2021

This report was reviewed by the Planning and Zoning Committee 2021

Contributions and Suggestions by All committee members

DRAFT

Proposed 900 SHORT-TERM RENTAL OPERATIONS/STANDARDS

Village of Buckeye Lake

900.01 Definitions.

- (A) "Booking Service" means any mechanism for a reservation and/or payment service provided by a hosting platform that facilitates a short-term rental transaction between a short-term rental host and a prospective short-term rental guest, and for which the hosting platform collects or receives, directly or indirectly through an agent or intermediary, a fee(s) in connection with the reservation and/or payment services provided for the short-term rental transaction.
- (B) "Calls for Service" means any and all calls, including but not limited to those to law enforcement and/or the fire department:
 - (1) result in a representative being dispatched or directed to the short-term rental;
 - (2) evidence of criminal activity;
 - (3) result in an arrest, charge or citation; or
 - (4) find an imminent threat to safety of person(s) or property.
- (C) "Dwelling" means any building, structure, or unit, on the same tax parcel, sharing the same mailing address, which is occupied or intended for occupancy in whole or in part as a home, residence or sleeping place for one (1) or more persons.
- (D) "Hosting Platform" means a person or entity that participates in the short-term rental business by providing and collecting or receiving a fee(s) for booking services through which a short-term rental host may offer a short-term rental to a short-term rental guest. Hosting platforms usually, though not necessarily, provide booking services through an on-line platform that allows a short-term rental host to advertise the short-term rental through a website provided by the hosting platform and the hosting platform conducts a transaction by which potential short-term rental guest reserve a guestroom(s) and arrange payment, whether the short-term rental guest pays rent directly to the short-term rental host or to the hosting platform.
- (E) "Manager" means the owner, general manager, or any person in any supervisory position at the associated with the property.
- (F) "Operator" means any person who works at in a capacity to facilitate the offering of unit to guests.
- (G) "Owner" means a corporation, firm, partnership, association, organization and any other group acting as a unit, or a person who has legal title to any structure or premises with or without accompanying actual possession thereof, and shall include the duly authorized agent or attorney, a purchaser, devisee, fiduciary and any person having a vested or contingent interest in the premises in question.
- (H) "Primary Residence" means a dwelling(s) which is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy or a utility bill. An owner or permanent occupant can only have one primary residence.
- (I) "Short-Term Rental Guests" means persons renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than thirty (30) consecutive days.
- (J) "Short-Term Rental Host" means the owner or permanent occupant of a short-term rental who offer the short-term rental for temporary lodging.

DRAFT

DRAFT

- (K) "Short-Term Rental Operation" means the occupancy of any room or dwelling of any short-term rental.
- (L) "Short-Term Rental" means any dwelling that is rented wholly or partly for a fee for less than thirty (30) consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation.
- (M) "Transient Guests" mean persons occupying a room or rooms for sleeping accommodations for less than thirty (30) consecutive days.

900.02 Permit Required

- (A) No person, including but not limited to an owner, operator, manager, or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the Village of Buckeye Lake, the operation of a short-term rental without obtaining a permit in accordance within the Village of Buckeye Lake. It shall be prima facie evidence of short-term rental operation if a guest is found to be occupying a guest room or if any person is found to be using a short-term rental.
- (B) An application for a new permit may be submitted at any time to the Village of Buckeye Lake. If the application is approved and a valid permit is issued, the permit shall take effect on the day of issuance for one calendar year.
- (C) A permit to operate a short-term rental shall be renewed by the applicant prior to the expiration date. The renewed permit shall take effect on the day of issuance and shall expire upon the-end of one calendar year.

900.03 Application for Short-Term Rental Permit, New and Renewal

- (A) Application for a short-term rental permit, and/or for renewal of a valid permit, shall be made to the Village of Buckeye Lake, upon approved forms, executed by the Village of Buckeye Lake. The Village of Buckeye Lake shall establish associated permit fees and costs (proration of applicant fee is allowed for new applications only);
- (B) The application for a permit to operate a short-term rental shall contain the following information:
 - (1) Name of the applicant, including mailing address, telephone number, and email address. If the applicant is a corporation, firm, partnership, association, organization or other group acting as a unit, the applicant shall provide the name of the entity set forth exactly as shown on is articles of incorporation, mailing address, telephone number, and email address of an individual who is the statutory agent, president, or managing individual, the state in which the company is incorporated or registered, and the entity or corporation number;
 - (2) Name of or description of the short-term rental, including property address, and, where applicable, a registered telephone number;
 - (3) The legal owner or owners of the property, including mailing address, telephone number, and email address. If the property owner is a corporation, firm, partnership, association, organization or other group acting as a unit, the applicant shall provide the name of the entity set forth exactly as shown on is articles of incorporation as well as the mailing address, telephone number, and email address of an individual who is the statutory agent, president, or a managing individual, the state in which the company is incorporated or registered, and the entity or corporation number;
 - (4) The names and addresses of any other short-term rentals located in Village of Buckeye Lake that the applicant or property owner has any interest in, including, but not limited to, ownership, licensure, or management;
 - (5) Name of the short-term rental host, including mailing address, telephone number, and email address;
 - (6) The number of guestrooms in service in the short-term rental and recommened maximum occupancy;



DRAFT

- (7) The applicant must notify the Village of Buckeye Lake of any change in information contained in the permit application within ten (10) days of the change.
- (8) Any change in ownership of the building, the dwelling or the business, or short-term rental host shall void the current permit and shall require submission of a new application and the issuance of a new valid permit.
- (9) If approved, a short-term rental shall be assigned an individual permit account number that the short-term rental host shall list with the short-term rental on any hosting platform. Only a valid permit shall be listed on a hosting platform. Upon a valid permit's expiration, a short-term rental host shall immediately remove the short-term rental from being listed on any hosting platform and shall not engage in any short-term rental operations.

900.04 Short-Term Rental Hosts and Hosting Platforms—Requirements

- (A) The short-term rental host shall provide to the Village of Buckeye Lake one form of proof of identity, and two pieces of evidence the host is the owner of the dwelling.
- (B) One short-term rental permit shall be required for each short-term rental parcel.
- (C) Short-term rental hosts shall provide written notice to the short-term rental guest(s), non-obvious, or concealed condition, whether man-made or artificial, which may present a danger to the short-term rental guest(s), and designate a local 24-hour emergency contact for the property.
- (D) No short-term rental host shall engage in a short-term rental operation located within the Village of Buckeye Lake without listing the valid short-term rental permit number associated with the short-term rental on any medium used by the short-term rental host to advertise the short-term rental.

900.05 Grounds for Denial

- (A) The Village of Buckeye Lake shall issue a new permit, or grant the renewal of an existing permit, except as provided in divisions (B) or (C) of this section.
- (B) The Village of Buckeye Lake shall deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at the short-term rental property:
 - (1) The applicant makes a material misrepresentation of fact on the application;
 - (C) The Village of Buckeye Lake may deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at the short-term rental property:
 - (1) The short-term rental has outstanding orders from the Village of Buckeye Lake Division of Fire that have not been corrected;
 - (2) Pattern of felony drug related activity;
 - (3) Pattern of prostitution related activity or evidence of human trafficking;
 - (4) Pattern of gang related activity as defined in Ohio Revised Code Section 2923.41;
 - (5) The owner, applicant, operator, or manager, or short-term rental host has not made a good faith effort to correct violations regarding the short-term rental, or has obstructed or interfered with correction of the violations;

- (6) The applicant or any owner of the short-term rental has hindered or prevented any inspection of the short-term rental. See Section 900.08
- (D) Evidence of conduct under divisions (B) and (C) of this section need only be that of de facto violation of law, evidence of conviction is not a prerequisite for denial unless specifically indicated.

900.06 Objection, Revocation and Suspension of Short-Term Rental Permit

- (A) The Village of Buckeye Lake may submit an objection with regards to a new permit application or a renewal application if it is determined that activities set forth in divisions (B) or (C) of section 900.05 are shown to have occurred at the short-term rental.

900.07 Hearing, Appeals and Remedy Process

- (A) Any person who has been denied, suspended, or refused a license or renewal of a license under this chapter may appeal such decision as provided by the Village of Buckeye Lake.
- (B) Action to issue, revoke, suspend or renew a permit may be stayed should the property take specific steps to remediate problems outlined in the notice of revocation and suspension.
- (C) All potential remedies must be approved by the Village of Buckeye Lake.

900.08 Authority to Conduct Inspections

- (A) The new applicant or owner of the short-term rental will allow a one time inspection of the short-term rental. Renewal applications may be subject to property inspection. Short-term rental parcel is subject to inspection regarding violation(s) of Section 900.5 (C).

900.09 Transfer of Short-Term Rental Permit Not Permitted

- (A) No permit under this chapter shall be transferable to another person, corporation, firm, partnership, association, organization or other group acting as a unit.

900.10 Discrimination Prohibited

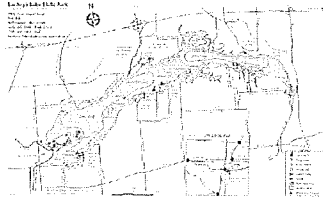
- (A) An owner, permanent occupant, short-term rental host, or operator shall not:
 - (1) Decline a transient guest or short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status;
Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status;
 - (2) Post any listing or make any statement that discourages or indicates a preference for or against any transient guest or short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.

900.11 Short-Term Rental Permit

- (A) The short-term rental shall maintain the permit on premises.

900.12 Short-Term Rental Penalty

- (A) Any short-term rental host who rents a short-term rental for a short-term rental operation in violation of section 900.04, or any hosting platform that provides a booking service for short-term rental operations in violation of section 900.04, without correcting or remedying the violation in a reasonable and timely manner, shall be fined not more than two hundred fifty dollars (\$250.00). Upon subsequent conviction, the penalty shall be a fine of not more than five hundred dollars (\$500.00).



SHORT-TERM RENTAL INFORMATION SHEET

THE VILLAGE OF
BUCKEYE LAKE
 Short-Term Rental Section
 5192 Walnut Rd. SE
 Buckeye Lake, OH 43008
 Monday - Friday 8:00 am to 3:30 pm

REQUIREMENTS

1. Short-Term Rental Application (Attached)

- **Proof of Identity**
 - Examples: State Issued Driver's License/I.D., Passport, Military I.D., Government Issued I.D.
- **Proof of Residency:** Two documents proving primary residence
 - Examples: Motor Vehicle Registration, Tax Documents, or Utility Bill
 - If the applicant is not the property owner. A copy of the lease/rental contract that explicitly allows usage as Short-Term Rental must be provided (Examples: Agent for Owner, Special Owner Financing, etc.)

2. Other Application Requirements:

- Be prepared to list the names of all hosting platforms that the applicant has successfully been registered to list a short-term rental and documentation confirming hosting platform registrant(s).
- Examples: Airbnb, VRBO, HomeAway, Tripping, FlipKey, Expedia, etc.
- Provide a list of names and addresses of any other short-term rental located in the Village of Buckeye Lake that the applicant has any interest in, including but not limited to ownership, licensure or management.
- A 24/7 local contact individual/information must be provided.

FEES

Application fee: \$20.00

License/Permit fee: \$100.00

Renewal fee: \$20.00

Applications and supporting documents along with the appropriate fee may be submitted via one of the following:

1. In person to the Buckeye Lake Village Office (see location and hours).
2. Email to buckeyelakevillage.com
3. Mail (U.S. Postal Service) to the Buckeye Lake Village Office.

THE VILLAGE OF
BUCKEYE LAKE
 Short-Term Rental Section
 5192 Walnut Rd. SE
 Buckeye Lake, OH 43008
 Monday - Friday 8:00 am to 3:30 pm

DRAFT

Exhibit B

DRAFT

OFFICE USE ONLY	
Permit/License# _____	
Issue Date: _____	
Expiration Date: _____	

VILLAGE OF BUCKEYE LAKE
SHORT-TERM RENTAL SECTION
SHORT-TERM RENTAL APPLICATION

THE VILLAGE OF
BUCKEYE LAKE
Short-Term Rental Section
5192 Walnut Rd. SE
Buckeye Lake, OH 43008
Monday - Friday 8:00 am to 3:30 pm

NEW RENEWAL UPDATE INFORMATION

APPLICANT - PROPERTY OWNER OR PERANENT OCCUPANT INFORMATION

PLEASE CHECK CORRECT APPLICANT TYPE: PROPERTY OWNER HOST/AGENT

Applicant Full Name:			<i>OFFICE USE ONLY</i>
Mailing Address:			
City:	State:	Zip:	
Phone:	Email:		
Business Name (if applicable, as filed with SOS)			
Business Mailing Address (where incorporated)			
Entity/Corporation #:		Applicant Relationship to Business	

SHORT-TREM PROPERTY LOCATION INFORMATION

Street Address:		Suite/Apt:	Parcel No:
City:		State:	Zip:
Number of Guestrooms Available:		List All Affiliated Online Hosting Platforms:	
Maximum Occupancy:			
Approx. Square Footage:			

SHORT-TREM PROPERTY MANAGEMENT (IF DIFFERENT THAN APPLICANT)

Short-Term Property Management Company (if applicable)			
Short-Term Property Management Representative/Agent			<i>OFFICE USE ONLY</i>
Mailing Address:			
City:	State:	Zip:	
Phone:	Email:		

24-HOUR POINT OF LOCAL CONTACT INFORMATION

Full Name:			<i>OFFICE USE ONLY</i>
Residential Address:			
City:	State:	Zip:	
Phone:	Email:		

Have you had a Village of Buckeye Lake license and/or permit revoked, refused, or suspended within the past three (3) years? YES NO

I have read, understand, and meet all provisions set forth by the Village of Buckeye Lake Code, including all Fire, Health, Safety, Housing and Zoning requirements as well as all Ohio Building Code (O.A.C. Chapter 4101) and all relevant Federal laws. YES NO

Signature of Applicant _____ Print Name _____

DRAFT

Exhibit C

Village of Buckeye Lake
123 Hebron Rd
Buckeye Lake OH 43008

Site Address: 1234 Buckeye Lake Street
Buckeye Lake, OH 43008

Permit # 123-BLS- 092021

SHORT-TERM RENTAL PERMIT

Issue Date: September 21, 2021
Applicant: John Doe
Contact: John Doe

Expiration Date: September 21, 2022
Parcel: 123456-123467
Number of Guestroom: 3
Maximum Occupancy: 6

NOTICE
Permit Expires Annually Unless Renewed

Village of Buckeye Lake
5192 Walnut Rd. SE
Buckeye Lake OH 43008

Site Address: 1234 Buckeye Lake Street
Buckeye Lake, OH 43008

Permit # 123-BLS- 092021

SHORT-TERM RENTAL PERMIT

Issue Date: September 21, 2021
Applicant: John Doe
Contact: John Doe

Expiration Date: September 21, 2022
Parcel: 123456-123467
Number of Guestroom: 3
Maximum Occupancy: 6

NOTICE
Permit Expires Annually Unless Renewed