

Hocking County Short-Term Rental Ordinance

Section 1: Purpose

The purpose of this Ordinance is to promote public health, safety, and welfare by regulating short-term rentals (STRs) in Hocking County, ensuring responsible operation standards, compliance with local laws, and ensuring that emergency services are able to access each property with their equipment at all times during the calendar year.

Section 2: Definitions

- A. **Address:** The official address of a property that is part of the Hocking County Addressing System (and not on a privately maintained driveway).
- B. **Administrator:** The Director of the Hocking County Regional Planning Office who is charged with enforcing the provisions of this Ordinance and/or his or her designated agent.
- C. **Authorized Agent:** Someone whom the owner of a property has granted the legal authority to manage a property.
- D. **Bedroom:** A room where the primary use is sleeping and has two means of ingress and egress (either windows or doors) per the Ohio State Building Code. This definition does not include couches, daybeds, recliners, or futons placed in a living room.
- E. **Driveway:** A privately maintained thoroughfare that cuts through an individual parcel of property and that may access numerous dwellings including but not limited to dwellings used for STRs.
- F. **Dwelling Unit.** A building that is intended to be used for permanent human habitation that has at least one bathroom which includes a sink, toilet, and shower or bathtub.
- G. **Local Contact Person:** A designated individual residing in Hocking County, Ohio or within 30 miles of the property being rented and who is available 24/7 to respond to complaints or emergencies within 60 minutes of being notified about an issue.
- H. **Loft:** An elevated platform or open mezzanine area within a dwelling unit that is designed and constructed to accommodate sleeping, and which meets applicable building code requirements for habitable sleeping space including but not limited to two means of ingress and egress (either windows or doors) per the Ohio Building Code.
- I. **Living Room:** A room in a house for general and informal everyday use.
- J. **Operator:** The property owner or authorized agent responsible for managing an STR.
- K. **Placard:** A sign that is attached to a wall.
- L. **Short-Term Rental (STR):** A dwelling unit rented for 29 or less consecutive days.
- M. **Street:** A publicly maintained thoroughfare for automobiles regardless of what level of government it is maintained by (federal, state, county, township, etc.)

Section 3: Registration & Permit Requirements

- A. **Generally.** To be considered a legally valid STR a dwelling unit must have received a permit from the Hocking County Regional Planning Office.
- B. **Minimum Registration Requirements.** Registration for a Short-Term Rental unit must include at a minimum the following items (which must be completed prior to application):
1. Completion of an application form provided by the Hocking County Regional Planning Office;
 2. Complete owner and local contact person information;
 3. Proof of paid liability coverage with a minimum coverage of one-million (\$1,000,000) dollars;
 4. A letter of good standing from the County Auditor's office (confirming that the applicant does not have any outstanding taxes);
 5. Documentation confirming registration with the County Auditor to be taxed in accordance with the County's Lodging Excise Tax;
 6. Documentation from the County Health Department confirming that the rental is in compliance with all applicable health inspections;
 7. Site Plan showing the location of all buildings - including but not limited to the building or buildings that will be rented out to short-term residents. The address of each STR shall be located on the site plan. *[The reason for this requirement is for the County Emergency Management Agency to know the exact location of any and all buildings on the premise to be used for a short-term rental.]*
 8. Completion of a Bureau of Criminal Investigation (BCI) background check for the primary applicant to ensure that the applicant does not have a conviction for a sex crime (Any persons found to have been convicted of a sex crime may be precluded from operating an STR);
 9. ~~Proof of registration with the Hocking County Office of the Bed Tax Administrator to ensure that an accurate amount of taxes is being collected by the County. Proof of Platform registration (e.g., Airbnb, VRBO) to assist with the proper amount of taxes being paid to the County. The platform selected must be approved by the County Office of the Bed Tax Administrator. To obtain approval as a registered platform, the platform shall be required to show that it has adequate provisions to ensure that the relevant taxing authority shall have access to all rental information to ensure that the proper taxing rates are applied.~~
 10. A signed affidavit stating that the prospective STR owner has been given a list of all of the required operational standards (See Section 4, *Operational Standards*, below) and acknowledges that he or she understands that noncompliance with these standards could lead to fines, suspension of an STR permit, revocation of an STR permit, or any other remedy available under Section 5, *Inspections and Enforcement*, or that is available via state or federal law.
 11. Payment of all fees (See Sec. 3-C below).

- C. **Fees.** The basic fee for a STR Permit shall be \$50. The County reserves the right to add any cost of the permit when a third-party vendor is required to assess the property. The cost of the third party vendor shall be passed onto the applicant without any increase or reduction in the fee assessed by the third-party vendor. The need for a third-party vendor is likely to be necessary in the more complex situations such as when a variance is being requested.
- D. **Inspection Required.**
1. *Generally.* To obtain an STR permit, the Administrator shall first complete an inspection of the site to ensure that the property meets the requirements of this Ordinance.
 2. *Additional Assistance and Information.* The Administrator may request additional information of the STR owner and may request assistance from another Hocking County or township agency to make a determination as to whether or not the standards of this Ordinance have been met.

Section 4: Operational Standards

A. **Local Contact Person.**

1. *Generally.* An applicant for an STR permit shall be required to have and maintain a local contact person who shall serve as in a capacity of receiving any and all complaints that might arise related to the STR.
2. *Multiple Local Contact Persons Permitted.* An STR owner may provide multiple local contact persons provided that the STR owner specifically lists out the times that each local contact person is available. There must be availability on a 24 hour basis for someone to respond.

B. **Guest Conduct and Information Notice.** All STR owners shall provide their tenants with a Guest Conduct and Information Notice (notice) that shall be posted in a conspicuous place within the kitchen of the STR which shall at a minimum include the following:

1. *Local Contact Person.* The contact information both phone and email for the 24-hour accessible contact person. See Sec. 4-A, *Local Contact Person*, for specific requirements.
2. *Disposal of Garbage.* Specific instructions explaining how to dispose of all garbage while staying at the property and after leaving the property shall be explained on the notice to the STR tenant.
3. *Notice of County Noise Ordinance.* An STR owner shall provide all of their STR tenants the specifics of the County's Noise Ordinance.
4. *Posting of Maximum Number of Persons on the Deck.* An STR owner shall provide the maximum number of persons who are permitted on the dwelling unit's deck (if

applicable). This number shall be the same amount that has been certified by the applicant's engineer or building inspector. See Sec. 4-F, *Deck Safety*.

5. *Tenants Prohibited from Target Shooting on the Property.* STR tenants are prohibited from using the property for target shooting. This requirement does in no way prohibited responsible homeowners from target shooting on their own property. The reasoning for this rule is that STR tenants are not aware of their surroundings and could accidentally set up a target in a location that might not look dangerous but does in actuality create a very dangerous situation for tenants and owners located on neighboring properties.
6. *Emergency Information.* The phone number of the applicable utility providers and an emergency exit map for the dwelling and property shall be provided.
7. *Tenant Acknowledgement.* For tenants to be able to rent an STR, the principal renter of the unit shall be required to sign an acknowledgement form stating that they are aware and have received notice of the aforementioned rules.
- C. ~~**Occupancy Limits.** All STR units shall have a specific occupancy limit that is determined by the combined square footage of each unit's bedrooms and lofts. Each bedroom or loft shall be at least 70 sq. ft. to house one person and additional(s) person may be added to the room per 50 sq. ft. Children ages six (6) and under do not count toward this total. For example, if a bedroom is 200 sq. ft., then a total of three (3) persons per bedroom are permitted. If however, the bedroom is 220 sq. ft., then a total (4) persons per bedroom are permitted.~~
- D. **Required Sleeping Arrangements.**
 1. *Generally.* All persons registered to be in an STR shall be able to sleep in a bed in a bedroom or loft.
 2. *Bed Requirements.* Every bed shall maintain at least:
 - a. Twelve (12) inches from the floor to the bottom of the mattress;
 - b. Thirty (30) inches between the sides of beds with an unobstructed walkway.
 3. *Bunkbeds Permitted.* Bunkbeds are permitted provided that:
 - a. There are twenty-seven (27) inches between the top of the lower mattress of a bunk bed and bottom of the upper bunk;
 - b. There are thirty-six (36) inches from the top of the upper mattress to the ceiling; and
 - c. Triple deck or higher bunk beds are prohibited.
 4. *Two Points of Ingress and Egress.* All bedrooms and lofts are required to have two points of ingress and/or egress (windows or doors).

E. Required Parking.

1. *Required Amount of Parking.* Sufficient parking must be provided for at least one vehicle per four (4) residents at the occupancy limit. So for example, should the maximum number of persons permitted at an STR be eight, then two parking spaces shall be required.
2. *Markings Not Required.* Parking spaces are not required to be marked, however, there must be enough space to meet the requirements of the required amount of parking as stated above.
3. *Parking Space Size.* The size of a required parking space for this Ordinance shall be a minimum width of nine (9) feet and a minimum length of eighteen (18) feet.
4. *Parking on Private Property.* To satisfy the required amount of parking standard, as listed above in this section, the parking must be on the same private property as the STR. Parking that is within a publicly maintained right-of-way does not count toward this requirement.

F. Driveway Standards.

1. *Purpose.* The purpose of the driveway standards requirement is to ensure that all STRs are accessible to the Hocking County Emergency Services for any emergency that may occur on site during any time of the calendar year.
2. *Standard.* For a site to be accessible for the Hocking County Emergency Services, the County needs to be able to transport all of its available equipment to the site of the emergency. For this reason, for a dwelling unit to obtain a Short-Term Rental Permit, the property shall be in compliance with the County's Driveway Standards. Should a property not be in compliance with the County Driveway Standards, then the STR owner shall be required to obtain a variance. .

- G. **Deck Safety.** For all dwelling units that have a deck attached to the dwelling that is higher than five feet off the ground, an engineer or building inspector must certify that the deck is stable at the time of the STR permit application. The engineer or building inspector must also certify a maximum number of persons who can be on the deck at any given time.

H. Landscaping.

1. *Generally.* Prospective STRs where a dwelling unit is within 200 ft of an adjoining property must have landscaping (where one is unable to see through to the other property) installed between the two properties to provide a buffer between the neighbors and the building intended for STR use.
2. *Landscaping to be Installed.* The landscaping to be installed shall be within ten (10) foot buffer to the property line and shall be three (3) shade trees and two (2) evergreen trees or ten (10) shrubs per one-hundred (100) linear feet.

3. *Responsibility of STR Applicant.* The requirement to add the landscaping shall be the sole responsibility of the STR applicant.
4. *Natural Vegetation Already in Place.* Should there be sufficient landscaping or natural vegetation between the two properties this requirement may be waived at the discretion of the Administrator.

I. Address Numbering.

1. *Each Dwelling Unit Individually Numbered.* Each dwelling unit shall be individually numbered and shall be marked, clearly visible from the street or any internal driveways, and have numbering that is made of retroreflective material (ASTM D4956 Type 1 or higher standard) to be easily seen at night. Alternatively, dwelling unit signs may be externally illuminated with a continuous light source.
2. *Placard on Each Dwelling Unit.* A placard the size of four (4) sq. ft. shall be placed on each dwelling unit for easy identification of each dwelling unit.
3. *Internal Numbers.* Internal numbers are for the identification of dwelling units that the STR owner has identified on the site plan that is required as part of the STR application process. See Sec. 3-B, *Minimum Registration Requirements*.

J. Internal Property Routing Signs. Whenever internal driveways split into two or more driveways on a property, the STR owner shall clearly mark at the intersection of the driveway which way someone should turn to access each individual unit on the property. To ensure that directional signage guiding vehicular traffic to residential properties located on internal or private roadways is legible, safe, and consistent the following is required:

1. *Lettering Height.* The height of the lettering shall be uppercase and at least four (4) inches in height for each numerical or letter used.
2. *Contrast Required.* Letters and numbers used must contrast sharply with the background (such as white letters on a dark background or vice versa).
3. *Reflectivity.* Internal property routing signs must use retroreflective materials that are of a standard of ASTM D4956 Type 1 or higher standards. Alternatively, dwelling unit signs may be externally illuminated with a continuous light source.
4. *Sign Height.* Signs must be mounted at a height of four (4) to seven (7) feet above ground level.

K. Structures Prohibited from being an STR. Any structure not intended for permanent human habitation is prohibited ~~to be from being~~ rented out as an STR. To be considered a structure for permanent human habitation there must be one bathroom which includes a sink, toilet, and shower or bathtub.

L. Renter Age Requirements. The principal renter of a dwelling unit shall be at least twenty-one (21) years of age.

M. Rental Period. The minimum rental period for an STR shall be one (1) day.

- N. **Insurance Requirements.** STR operators must maintain one-million dollars of liability insurance sufficient to cover potential damages or incidents.
- O. **Building Standards.** In addition to the operational standards listed above, an STR must meet all building standards ~~required~~ as required by Hocking County and the State of Ohio.

Section 5: Variance Process

- A. **Generally.** All STR applications which do not meet the requirements of the County's driveway standards ~~or parking standards~~, may have the option of applying for a variance to be granted an STR permit.
- B. **Criteria.** For an STR variance to be granted the following criteria must be met:
 - 1. *Demonstrated Hardship.*
 - a. The applicant must show that strict compliance with the driveway standards ~~or parking standards~~ would result in practical difficulty or unnecessary hardship due to the physical characteristics of the property (e.g., topography, lot configuration, existing development).
 - b. The hardship must not be self-imposed or created by the applicant's actions.
 - 2. *Alternative Parking and Access Plan.*
 - a. The applicant must submit an alternative parking and access plan that ensures safe and adequate access for guests, emergency vehicles, and service providers.
 - b. The plan may include, but is not limited to:
 - 1. Use of off-site parking within a reasonable walking distance.
 - 2. Shared driveway agreements with adjacent properties.
 - 3. Use of gravel or permeable surfaces where paved driveways are not feasible.
 - 3. *Traffic and Safety Mitigation.*
 - a. The applicant must demonstrate that the proposed STR use will not create traffic congestion, sight distance hazards, or unsafe turning movements.
 - b. Mitigation measures may include:
 - 1. Limiting the number of guest vehicles.
 - 2. Posting clear signage for access and parking.
 - 3. Providing a guest transportation plan (e.g., shuttle service, ride-share incentives).

4. *Bridge Crossing.* Should a prospective STR have a driveway that contains a bridge crossing, then said bridge or crossing shall be of a sufficient structure to ensure that there is no bridge collapse.
5. *Neighborhood Compatibility.*
 - a. The applicant must show that the STR use will be compatible with surrounding residential uses and will not negatively impact the character of the neighborhood.
 - b. Evidence may include, but is not limited to:
 1. Letters of support from adjacent property owners.
 2. A history of responsible rental use (if applicable).
 3. Commitment to noise, trash, and occupancy management plans.
6. *Compliance with Other STR Standards.* The property must meet all other applicable STR requirements, including, but not limited to:
 - a. Occupancy limits.
 - b. Fire and safety codes.
 - c. Registration and tax compliance.
 - d. Local contact availability for complaints or emergencies.

Section 6: Administration

- A. **Creation of Committee to Hear Variances.** To be able to administer the STR variance process, the County shall create an STR Variance Board.
- B. **Emergency Management Personnel.** As a pre-requisite to the STR Variance Board granting a variance for an STR. The applicable emergency management personnel for the location of the STR must submit a written statement that the criteria for the variance has been met and that said emergency management personnel are comfortable providing emergency services to the STR should an incident occur. The applicable emergency management personnel may at its discretion outsource the review and inspection of applicant properties to a third-party vendor.
- C. **Liability.** With the creation of the STR Variance Board, Hocking County and associated personnel do not accept any liability from the granting of an STR variance when outside emergency personnel have stated that the variance criteria has been met. Emergency management personnel should understand that by stating that the variance criteria has been met that they feel comfortable that the property can be reached and serviced.
- D. **Rules and Procedures.** The specific rules and procedures that the committee shall abide by shall be determined upon establishment of the board.

Section 7: Inspections and Enforcement

- A. **Timeframe for Compliance.** Upon the effective date of this Ordinance, all property owners shall have months to obtain an STR permit before any enforcement action may be taken by the County.
- B. **Inspections.** The Administrator reserves the right to make an inspection of any property that may or may not currently be in compliance with the standards of this Ordinance. Said inspection or inspections may occur periodically or at any time to ensure that properties are not in violation of the terms of this Ordinance.
- C. **Enforcement.** Violations may result in fines, suspension, or revocation of an STR permit. Repeat or serious violations may lead to permanent disqualification.