

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 location of a property that is part of the Hocking County Addressing System (and not on a privately maintained driveway).
- B. **Authorized Agent:** Someone whom the owner of a property has granted the legal authority to manage a property.
- C. **Designated Sleeping Location:** A place within an STR that has a bed and that is intended by the STR operator as a location for where a guest is to sleep.
- D. **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.
- E. **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.
- F. **Furniture:** All large movable equipment such as tables and chairs, used to make a house, office, or other space suitable for living or working.
- G. **Local Contact Person:** A designated individual who is available 24/7 to be on-site to respond to complaints or emergencies within 60 minutes of being notified about an issue.
- H. **Operator:** The property owner or authorized agent responsible for managing an STR.
- I. **Placard:** A sign that is attached to a wall.
- J. **Short-Term Rental (STR):** A dwelling unit rented for 29 or less consecutive days.
- K. **STR 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.
- L. **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 Bed Tax Administrator 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.
 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 felony sex crime shall 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.
 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 an annual STR Permit shall be \$50. The permit is required to be renewed on an annual basis. The County shall add the cost of the permit when a third-party vendor completes the initial inspection for an STR Permit. 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.

Commented [DB1]: Reason for Regulation - Short-Term Rentals have been shown to increase the likelihood of property damage on structures. This requirement is to ensure that the property owner will have sufficient funds in the case that significant damage occurs because of a tenant. Without this provision, property owners are more likely leave the property "as is" leading to the county government forced to deal with the nuisance.

Commented [DB2]: Reason for Regulation - The county desires to ensure that an applicant does not have any outstanding taxes at the time that the permit is granted.

Commented [DB3]: Reason for Regulation - The County desires for the applicant to be properly registered for the County's Lodging Excise Tax.

Commented [DB4]: Reason for Regulation - The County has had issues with substandard units being rented out for short-term rentals. This is to ensure that this does not continue.

Commented [DB5]: Reason for Regulations - First responders need to know the exact location of all buildings on the premise that are being used for a short-term rental. There have been instances where first responders were unable to locate a specific building on a property during an emergency.

Commented [DB6]: For consistency reasons, I have taken the reasoning for this regulation out of the primary text and have placed it into the comments section. All of the reasoning for the regulations are now found within the comments.

Commented [DB7]: Reason for Regulations - There are multiple cases involving this issue that the County is currently dealing with. The County needs to ensure that anyone convicted of such conduct is not renting out a STR where their conduct could be repeated.

Commented [DB8]: Reason for Regulations - Acknowledgement strengthens enforcement should this be an issue.

Commented [DB9]: Reason for Regulation - The County has no desire to use this permitting process as a means to raise funds for another program. The County only desires to not lose money on a program it believes is necessary for safety concerns (as spelled out in this draft).

D. Inspection Required.

1. *Generally.* To obtain an STR permit, the STR 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 STR 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.

- E. **Permit Renewal.** Yearly STR renewal permit shall cost \$50. The County reserves the right to re-inspect should there be any change in circumstances to the property. If there is no change in circumstance to the property as determined by the STR Administrator, re-inspection is not required.

Section 4: Operational Standards

A. Local Contact Person.

1. *Generally.* An applicant for an STR permit shall be required to respond and be on-site within an hour's time, and maintain a local contact person who shall serve as in a capacity of receiving 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 guests 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 guest.
3. *Guests Prohibited from Target Shooting on the Property.* STR guests 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 guests are not aware of their surroundings and could accidentally set up a target in a location that might not look dangerous but does create a very dangerous situation for guests and owners located on neighboring properties.

Commented [DB10]: Reason for Regulation - The County has encountered numerous cases and situations where law enforcement or other County personnel needed to notify the owner of a property and they had no way of finding even a contact for the owner. Short-term rental tenants have also had emergencies and were also unable to contact the property owner. The reason to have said contact person be local is because there have been situations where first responders were physically not able to gain access to locations where it was needed for an emergency such as gaining access to a locked gate on a driveway. In this circumstance it would be critical for someone to be local to arrive at the property and open said gate.

Commented [DB11]: Reason for Regulation - Law enforcement has encountered numerous situations where tenants at a short-term rental did not know or understand their responsibilities as tenants nor did they have knowledge of local laws. While it is possible, that many STR residents will not read this policy, they can not argue that they were unaware. This strengthens enforcement should an issue arise.

Commented [DB12]: Reason for Regulation - There have been instances where short-term renters have set up target shooting in locations which at first glance might seem like they were not anywhere near a residence. However in reality, they were actually too close to other buildings, etc. for this to be considered safe.

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4. *Emergency Information.* The phone number of the applicable utility providers and an emergency exit map for the dwelling and property shall be provided.
5. *Guest Acknowledgement.* For guests 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. **Designated Sleeping Locations.**

1. *Distance Between Furniture Used for Sleeping.* All furniture used for the purposes of sleeping shall be positioned to have a walkway of 30 inches between each other. Furniture used for sleeping may be placed in a corner or against a wall provided that the aforementioned walkway of 30 inches is maintained on the other side of said furniture.
2. *Bunk Beds.* Bunk beds 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.
3. *Two Points of Ingress and Egress.* All designated sleeping locations are required to have two points of ingress and/or egress (windows or doors).

Commented [DB13]: Reason for Regulations - County first responders have seen issues in the past where too many people have been placed into a small spaces without proper ingress or egress. In the case of an emergency this sleeping arrangement would be very dangerous for everyone in the STR.

D. **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 requirement of Subsection D,1, *Required Amount of Parking*, 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.

Commented [DB14]: Reason for Regulation - County First Responders have encountered situations where they could not access a home in an emergency situation because too many vehicles were parked in front of a home (where there was very limited parking space). This lack of access has significantly hampered emergency response times and has in some situations made responding to an emergency impossible.

E. **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.

Commented [DB15]: Reason for Regulation - County First Responders have encountered situations where they could not access a home in an emergency situation because the slope and/or condition of a driveway made it impossible for them to access the property with their equipment. This has been especially true during the winter season. This lack of access has significantly hampered emergency response times and has in some situations made responding to an emergency impossible.

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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.

F. **Deck Safety.** For all dwelling units that have a deck attached to the dwelling said deck shall meet all structural requirements as shown in the AISC Handbook, FHA Bulletins or Architectural Graphic Standards, meeting or exceeding 40 lbs. per square foot live load and 20 lbs. per square foot dead load.

G. **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. *Earth Mounding.* In lieu of landscaping, earth mounding is permitted as an acceptable alternative provided that said mounds are at least four (4) feet high.
4. *Responsibility of STR Applicant.* The requirement to add landscaping or earth mounding shall be the sole responsibility of the STR applicant.
5. *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 STR Administrator.

H. **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. *Size.* A placard the minimum size of one (1) sq. ft shall be placed on each dwelling unit for easy identification of each dwelling unit.
 - b. *Materials and Durability.* Placards must be made of durable materials such as plastic, metal, or weather-resistant composites.
 - c. *Lettering Height.* The height of the lettering shall be uppercase and at least four (4) inches in height for each numerical or letter used.

Commented [DB16]: Reason for Regulation - First responders in the County have responded to one deck collapse, and there is a general sense among first responder that it is only a matter of time until this occurs again. Luckily, in the case of the deck that did collapse, my understanding is that it was not high off the ground. Had it been high off the ground there would have likely been serious injuries.

Commented [DB17]: Reason for Regulation - There are some dwelling units that are being used for short-term rentals that have been built close to a property line that are intruding upon the neighbor's "peace and enjoyment" of their property. This regulation is meant as a way to shield neighboring property owners from a short-term rental unit.

Commented [DB18]: Reason for Regulation - First responders are having significant issues with finding the specific dwelling unit that is in need of emergency response. The intent here is to ease the identification of individual units through proper address numbering.

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- d. *Reflectivity*. Placards 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.
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*.
- I. **Internal Property Routing Signs**. Whenever internal driveways split into two or more driveways on a property, the STR owner shall clearly mark with arrows 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 five (5) to seven (7) feet above ground level.
- J. **Structures Prohibited from being an STR**. Any structure not intended for permanent human habitation is prohibited 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.
- K. **Renter Age Requirements**. The principal renter of a dwelling unit shall be at least eighteen (18) years of age.
- L. **Rental Period**. The minimum rental period for an STR shall be eighteen (18) hours.
- M. **Insurance Requirements**. STR operators must maintain one-million dollars of liability insurance sufficient to cover potential damages or incidents.
- N. **Building Standards**. In addition to the operational standards listed above, an STR must meet all building standards that have been adopted by Hocking County and that have been adopted by the State of Ohio and are actively enforced by the State of Ohio.

Commented [DB19]: Reason for Regulation - First responders are having significant issues with finding the dwelling unit in need of emergency response. The intent here is to ease the identification of individual units through proper routing signage within an individual property. There are many driveways in the county that split multiple times on a property and emergency responders are left guessing which way to go.

Commented [DB20]: Reason for Regulation - There are structures that are unfortunately being rented out that do not have basic amenities which renters assumed were on the location. This is to ensure a basic level of what can be rented as an STR. Campgrounds are not included as an STR.

Commented [DB21]: Reason for Regulations - This is to ensure that there is a minimum age requirement for renting an STR. This has been lowered from the age of 21 to 18 in this draft.

Commented [DB22]: Reason for Regulation - Rental by the hour has been shown to lead to a number of significant issues including an increase of disputes. Eighteen hours (18) hours gives a guest enough time to spend the night and gives an STR operator enough time to clean the dwelling unit should the unit be rented out for consecutive nights.

Commented [DB23]: Reason for Regulation - Short-Term Rentals have been shown to increase the likelihood of property damage on structures. This requirement is to ensure that the property owner will have sufficient funds in the case that significant damage occurs because of a tenant. Without this provision, property owners are more likely leave the property "as is" leading to the county government forced to deal with the nuisance.

Commented [DB24]: Reason for Regulations - This is to ensure that buildings being built and used as an STR meet building code requirements.

Section 5: Variance Process

- A. **Purpose.** The purpose of the variance process is to permit STRs that do not meet the standards of this Ordinance when the property owner has taken reasonable steps to comply with the intent of this Ordinance.
- B. **Applicability.** 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.
- C. **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. Designated sleeping locations;
 - b. Any fire, building, or safety code that has been adopted by Hocking County;
 - c. Registration and tax compliance; and
 - 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.

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Section 7: Inspections and Enforcement

- A. **Timeframe for Compliance.** All property owners shall have one (1) year as of the effective date of this Ordinance to obtain an STR permit before any enforcement action may be taken by the County. An additional six (6) months may be granted to an STR owner should it be determined that the STR owner is working satisfactorily toward obtaining said compliance.
- B. **Inspections.** The County reserves the right to inspect any property that may or may not currently be in compliance with the standards of this Ordinance provided that a minimum of forty (48) hours' notice is given