



SHORT-TERM RENTAL INFORMATION SHEET

REQUIREMENTS

- **Short-Term Rental Application** (Attached)
 - **Proof of Identity:**
 - Ex: State Issued Driver's License/I.D., Passport, Military I.D., Government Issued I.D.
 - **Proof of Residency:** Two documents proving primary residence
 - Ex : Motor Vehicle Registration, Tax Documents, or Utility Bill
 - If you are the property owner you must also be the primary resident.
 - **Good Standing:** Is Required from the Village of Middlefield Department of Income Tax & Geauga County Auditor's Office for Property Taxes.
- **Other Applicant 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 registration(s).
 - Examples: Airbnb, VRBO, HomeAway, Tripping, FlipKey, Expedia, etc.
 - A 24/7 local contact individual/information must be provided, including their residential address.
 - Short Term Rental permits are available in R-3 zoning districts in the Village of Middlefield, Ohio
 - ALL Expiration Dates for STR permits are December 31 of the same year of application
 - **When required a signed Short Term Rental Agreement.**

The time frame for reviewing, investigating, and approving a new or renewal short-term rental permit may take a few days to a week to move through the entire process. **No more than three (3) short term rental permits may be issued at any given time. The Village will maintain a waiting list for short term rental permits on a first-come first served basis, and shall contact the parties on the waiting list in order in the event that a permit expires, is non-renewed, or is revoked.**

Application fee - \$100.00	Village of Middlefield - Zoning Department 14860 N. State Avenue Middlefield, Ohio 44062 Monday - Friday 8:00 a.m. to 3:30 p.m.
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Applications and supporting documents may be submitted via one of the following:

1. **In person at Village Hall** (see above for location and hours)
- *2. Emailed to zoning@middlefieldohio.com
- *3. Mailed to the Village of Middlefield (see above for location)
- *4. Placed in the Village of Middlefield drop box

OFFICE USE ONLY

License # _____

Issue Date: _____

Expiration Date: _____

VILLAGE OF MIDDLEFIELD ZONING DEPARTMENT

SHORT-TERM RENTAL APPLICATION



NEW

RENEWAL

UPDATE INFO

APPLICANT - PROPERTY OWNER INFORMATION

PERMANENT OCCUPANT

PROPERTY OWNER

Applicant's Full Name:

OFFICE USE ONLY
PROOF OF PRIMARY RESIDENCE

Mailing Address:

ID # _____

City:

State:

Zip:

2 PIECES SHOWING OWNERSHIP

Phone:

Email:

Business Name (If applicable, as filed with SOS):

Business Mailing Address (where incorporated):

Entity/Corporation #:

Applicant's Relationship to Business:

SHORT-TERM PROPERTY LOCATION INFORMATION

Street Address:

Ste/Apt:

Parcel No:

City:

State:

Zip:

Number of Guestrooms Available (5 or less):

Maximum Occupancy Number:

List All Affiliated Online Hosting Platforms:

HOST AND/OR SHORT-TERM RENTAL PROPERTY MANAGEMENT

Host Information:

Short-Term Property Management Co:

OFFICE USE ONLY

Short-Term Property Management Rep/Agent:

Mailing Address:

City:

State:

Zip:

Phone:

Email:

24-HOUR POINT OF LOCAL CONTACT INFORMATION IS REQUIRED

Full Name:

OFFICE USE ONLY

Residential Address:

City:

State:

Zip:

Phone:

Email:

APPLICANT BACKGROUND INFORMATION

Have you ever been convicted of a felony? Yes No

If yes, list all felony convictions that occurred in the United States within the past seven (7) years:

Are you on felony probation or parole? Yes No

If yes, date began:

Have you ever been convicted of a sexual offense crime? Yes No

If yes, date convicted:

Have you had a Village of Middlefield license and/or permit revoked, refused, or suspended within the past three (3) years? Yes No

I have read, understood, and meet all provisions set forth by the Village of Middlefield Chapter 737 Short-Term Rental Operations of the Village's codified ordinances.

Yes No

All information contained in this application is subject to disclosure as a matter of public record. Any false statement made or provide in or furtherance of this application shall result in denial of a new or renewal license, potential suspension or revocation.

I hereby acknowledge the above statement regarding public records disclosure, by checking this box.

Signature

Name Printed

Date

CHAPTER 737

Short-Term Rental Operations

- 737.01 Definitions.**
- 737.02 Permit required.**
- 737.03 Application for short-term rental permit, new and renewal.**
- 737.04 Short-term rental host requirements.**
- 737.05 Grounds for permit denial.**
- 737.06 Revocation and suspension of short-term rental permits.**
- 737.07 Appeal of denial, or revocation of permit.**
- 737.08 Transfer of short-term rental permit prohibited.**
- 737.09 Discrimination prohibited.**
- 737.10 Rules and regulations.**
- 737.11 Severability.**
- 737.99 Short-term rental penalty.**

737.01 DEFINITIONS.

As used in this Chapter

- (a) "Short-Term Rental" means any room or dwelling that is rented wholly or partly for a fee for less than thirty (30) consecutive days by persons other than the permanent occupant/owner from which the permanent occupant/owner receive monetary compensation, whether such compensation is paid directly by the short-term rental guest or is collected and remitted to the permanent occupant/owner by a hosting platform. "Short-Term Rental" does not include a room in any Hotel or Motel, as defined elsewhere in the Codified Ordinances of the Village of Middlefield.
- (b) "Short-Term Rental Operation" or "operation of a short-term rental" means occupancy for a fee of any room or dwelling in a short-term rental by a transient guest.
- (c) "Hosting Platform" means a person or entity in whatever form or format that facilitates, through advertising or any other means, a short-term rental booking transaction for accommodations between a short-term rental host and short-term rental guest, including, but not limited to, reservations and/or collection of payment for such accommodations on behalf of the short-term rental host. Examples include, but are not limited to, Airbnb, VRBO, and HomeAway.
- (d) "Transient Guests" means persons occupying a room or rooms for sleeping accommodations for less than thirty (30) consecutive days.
- (e) "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.
- (f) "Guestroom" means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping.
- (g) "Permanent Occupant" means persons who reside in a dwelling more than 51% of the time during a calendar year; the dwelling in which the persons reside shall be referred to as their primary residence.
- (h) "Primary Residence" means a residence that 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, or a utility bill. An owner or permanent occupant can only have one primary residence.
- (i) "Dwelling" means any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence or sleeping place for one or more persons.
- (j) "Owner" means an individual(s), corporation, or partnership that has legal title to and control of a dwelling.
- (k) "Short-term rental host" or "host" means the owner and/or permanent occupant of a short-term rental who offers the short-term rental for temporary lodging. A short term rental host must (i) own the dwelling for which a short-term rental permit has been issued and (ii) utilize the dwelling as his or her primary residence as its permanent occupant; provided that an applicant who is a permanent occupant of a primary residence that is owned by a trust of which the permanent occupant is a beneficiary or by a corporate entity of which the permanent occupant is a majority owner shall satisfy the requirements to be a short-term rental host.

(Ord. 23-120. Passed 6-8-23.)

737.02 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 Middlefield, the operation of a short-term rental in a calendar year, without obtaining a permit in accordance with this Chapter. It shall be prima facie evidence of a short-term rental operation if a short-term rental guest is found to be occupying or using a short-term rental or if a residence has been placed on any hosting platform for short-term purposes.

(b) Any application for a new short-term rental permit may be submitted at any time to the Zoning Inspector, or his/her designee. If the application is approved and a permit is issued, the short-term rental permit shall take effect on the day of issuance and shall expire on December 31st of the year in which it was issued.

(c) A permit to operate a short-term rental shall be renewed by the applicant before the end of each calendar year. The deadline for submitting an application for renewal shall be the first Monday of November of the year in which the permit is set to expire. Failure to renew shall result in expiration of the short-term rental permit on December 31st. If a short-term rental permit is successfully and timely renewed, it shall be in effect for one calendar year, beginning on January 1st and expiring on December 31st of the same year.

(Ord. 23-120. Passed 6-8-23.)

737.03 APPLICATION FOR SHORT-TERM RENTAL PERMIT, NEW AND RENEWAL.

(a) An application for a short-term rental permit, and/or renewal of a permit, shall be made to the Zoning Inspector, or his/her designee, upon approved forms, for an application processing fee of one hundred dollars (\$100.00). Village Council shall have authority to amend the fee amount from time to time to reflect the costs of administering this Chapter.

(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. The permanent occupant shall provide sufficient information to demonstrate compliance with the primary requirements as outlined in Section 737.01(h).
- (2) The names of the legal owner or owners of the property, including mailing address, telephone number, and email address;
- (3) Sufficient information to demonstrate compliance with the permanent occupancy and ownership requirements defined and outlined in Section 737.01 and 737.04 of this Chapter;
- (4) The maximum number of occupants that will be accommodated at the short-term rental, not to exceed two (2) per bedroom, plus three (3) additional occupants. For example, in a short-term rental with two (2) bedrooms, the maximum number of occupants would be seven (7);
- (5) The maximum number of motor vehicles that will be permitted to park at the short-term rental; this number shall not exceed the number that can be garaged on premises plus two that may park in a driveway;
- (6) The contact name and telephone number for the short-term rental that may be used twenty-four (24) hours a day, seven days a week for any issues that may arise related to the short-term rental unit or its transient guests.

(7) The maximum number of short-term rental permits that may be issued at any given time shall not exceed three (3). The Village will maintain a waiting list for short term rental permits on a first-come first-served basis, and shall contact the parties on the waiting list in order in the event that a permit expires, is non-renewed or is revoked.

(c) The applicant must notify the Zoning Inspector, or his/her designee, of any change in information contained in the permit application within ten (10) days of the change.

(d) Any change in ownership of the dwelling shall void the current short-term rental permit and shall require submission and approval of a new short-term rental permit application.

(e) A short-term rental permit may be issued only in connection with a residence or dwelling located in a R-3 zone. (Ord. 23-140. Passed 11-9-23.)

737.04 SHORT-TERM RENTAL HOST REQUIREMENTS.

(a) Short-term Rental Host Requirements. A short-term rental host shall be the owner and the permanent occupant of the dwelling. The short-term rental host must provide: one (1) form of proof of identity, and two (2) pieces of evidence that the dwelling is the host's primary residence or two (2) pieces of evidence that the host is the owner of the dwelling.

(1) A short-term rental host shall meet the definitional requirements set forth in Section 737.01(k).

(2) The short-term rental host must provide written notice to the short-term rental guest of:

The trash and recycling collection days for the dwelling and any applicable rules and regulations pertaining to leaving or storing trash on the exterior of the dwelling. The short-term rental host shall provide proper trash and recycling containers for the short-term rental guest(s).

(3) Occupancy shall be limited to two (2) individuals per bedroom, plus three (3) additional occupants within the dwelling unit. For example, in a short-term rental with two (2) bedrooms, the maximum number of occupants would be seven (7);

(4) Maximum number of motor vehicles that will be permitted to park at the short-term rental: the maximum number of motor vehicles that are permitted to be parked at any short-term rental shall not exceed the number that can be garaged on-premises plus two (2) that may park in the attached driveway;

(5) Compliance with all other applicable provisions of the Village of Middlefield Codified Ordinances relating to residential housing;

(b) Nothing in this Chapter shall be construed as permitting any person to obtain a permit or offer a short-term rental, where prohibited by any other provision of law.

(Ord. 23-120. Passed 6-8-23.)

737.05 GROUNDS FOR PERMIT DENIAL.

(a) The Zoning Inspector, or his/her designee, shall issue a new permit upon application, or grant the renewal of an existing permit, except as provided in divisions (b) and (c) of this section.

(b) The Zoning Inspector or his/her designee, 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 for a short-term rental permit or, if requested, fails to submit documentation evidencing compliance with the rental host requirements outlined in Section 737.04;

(2) The applicant or any owner of the short-term rental has been convicted of violating Section 737.02(a);

(3) Any owner, applicant, operator, or manager of the short-term rental is shown to have been convicted of the act of prostitution or soliciting for prostitution, or an act that would constitute a violation of the Ohio R.C. Chapters 2925 (Drug Offenses) or 3719 (Controlled Substances), in or on the premises of the dwelling of the short-term rental in question, or any short-term rental in which the owner has any interest in, including, but not limited to, ownership, licensure, or management;

(4) The property taxes of the short-term rental host are in arrears with the Geauga County Auditor;

(5) The short-term rental host and/or owner is in arrears in payment of taxes or assessments due and owing to the Village of Middlefield;

(6) The short-term rental has a documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its vicinity (as such conditions are defined below in Section 737.06); or of conduct in violation of Section 737.08;

(c) Evidence of conduct under division (b) 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. (Ord. 23-120. Passed 6-8-23.)

737.06 REVOCATION AND SUSPENSION OF SHORT-TERM RENTAL PERMIT.

(a) The Zoning Inspector, or his/her designee, may revoke and/or suspend a short-term rental permit if it is determined that the activities set forth above in Section 737.05(b) are determined to have occurred at the short-term rental; or is perpetuating conditions interfering with use and enjoyment of properties within its vicinity; or is delinquent in filing or payment of taxes and assessments due and owing to the Village of Middlefield; or is engaging in conduct in violation of Section 737.08. Conditions interfering with use and enjoyment of properties within the vicinity of a short-term rental include, but are not limited to:

(1) The occurrence of any of the activities set forth in the Village of Middlefield Codified Ordinances relating to noise disturbance, nuisance, drug offenses, or disorderly conduct;

(2) Occupancy by a number of short-term rental users exceeding either (1) the maximum number included in the application for the short-term rental permit or (2) the maximum occupancy permitted pursuant to this Chapter;

(3) Parking of a number of motor vehicles exceeding either (1) the maximum number included in the application for the short-term rental permit or (2) the maximum number of motor vehicles permitted at any short-term rental pursuant to this Chapter;

(4) Uninvited entry of short-term rental occupants upon private property within five hundred (500) feet of the short-term rental;

(b) A violation of any of the conditions in Section 737.06(a) shall result in progressive measures:

(1) Upon the first violation, the permit for the short-term rental shall be terminated and the short-term rental host prohibited from re-applying for a new permit for six (6) months from the date of termination;

(2) Upon the second violation, the permit for the short-term rental shall be terminated and the short-term rental host prohibited from re-applying for a new permit for one (1) year from the date of termination.

(3) Upon the third violation, the permit for the short-term rental shall be terminated and the short-term rental host prohibited from re-applying for a new permit at any time in the future.

(Ord. 23-120. Passed 6-8-23.)

737.07 APPEAL OF DENIAL OR REVOCATION OF PERMIT.

In the event an applicant has been denied a permit, or if a permit has been revoked or suspended, the party affected shall have the right to appeal to the Planning and Zoning Commission from such denial, revocation or suspension within ten (10) business days. Notice of appeal shall be filed with the Planning and Zoning Commission on a form created by the Village for such purpose, and the Planning and Zoning Commission shall hear the appeal at its next regularly scheduled meeting. The burden of proof in such an appeal shall be upon the appellant to show that the denial or revocation was arbitrary or unreasonable.

(Ord. 23-120. Passed 6-8-23.)

737.08 TRANSFER OF SHORT-TERM RENTAL PERMIT PROHIBITED.

- (a) No permit under this Chapter shall be transferable to another short-term rental operation.
- (b) No permit under this Chapter shall be transferable to another individual, corporation, firm, partnership, association, organization, or other group acting as a unit.

(Ord. 23-120. Passed 6-8-23.)

737.09 DISCRIMINATION PROHIBITED.

- (a) A short-term rental host shall not:
 - (1) Decline a 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;
 - (2) 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;
 - (3) Post any listing or make any statement that discourages or indicates a preference for or against any 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.

(Ord. 23-120. Passed 6-8-23.)

737.10 RULES AND REGULATIONS.

The Zoning Inspector may promulgate and enforce reasonable rules and regulations to carry out the intent of this Chapter.
(Ord. 23-120. Passed 6-8-23.)

737.11 SEVERABILITY

In the event any section or provision of this Chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.
(Ord. 23-120. Passed 6-8-23.)

737.99 SHORT-TERM RENTAL PENALTY.

- (a) Whoever violates Section 737.02(A) of this Chapter shall be guilty of a misdemeanor of the first degree, the penalty for which shall be a maximum fine of one thousand dollars (\$1,000.00) and imprisonment for a maximum period of one hundred eighty (180) days, or both, in addition to any other penalties as imposed by this Chapter.
- (b) Unless otherwise specified, whoever violates any provision of this Chapter shall be guilty of an unclassified misdemeanor and shall be fined not more than five hundred dollars (\$500.00) in addition to any other penalties as imposed by this Chapter. Upon subsequent convictions, the penalty shall be an unclassified misdemeanor but the guilty party shall be fined not more than one thousand dollars (\$1,000.00), in addition to any other penalties as imposed by this chapter.
(Ord. 23-120. Passed 6-8-23.)

CODIFIED ORDINANCES OF MIDDLEFIELD