

BY: Mickelson

ORDINANCE NO. 01-2022

AN ORDINANCE TO AMEND CHAPTER 1182, SHORT-TERM RENTAL OPERATIONS, AND CHAPTER 1135, DEFINITIONS, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GRANVILLE, OHIO

WHEREAS, the Council of the Village of Granville, Ohio, has determined that a short-term rental operations ordinance should be established for the Village of Granville as part of the Planning and Zoning Code; and

WHEREAS, the maintenance of Granville's existing residential neighborhoods is essential to its continued vitality and economic strength; and

WHEREAS, special regulation of these uses is necessary to ensure that they will be compatible with surrounding uses and will not harm or alter the neighborhoods in which they are located; and

WHEREAS, the Chapter is necessary to prevent unreasonable burdens on services and unreasonable impacts on residential neighborhoods posed by short-term rental operations; and

WHEREAS, it is the intent of this Chapter to benefit the general public by minimizing adverse impacts of short-term rental operations on the local housing supply at all income levels, and to minimize adverse impacts of the transient and semi-commercial character of short-term rental operations on adjacent residential uses.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Granville, Licking County, Ohio that:

Section I. The Granville Village Council does hereby amend Chapter 1182, Short-Term Rental Operations, as part of the Codified Ordinances of the Village of Granville as Chapter 1182, as shown in Exhibit A attached hereto; and Chapter 1135, Definitions, as shown in Exhibit B attached hereto.

Section II. The purpose of Chapter 1182 is to prevent unreasonable burdens on services and unreasonable impacts on residential neighborhoods posed by short-term rental operations; to ensure that they will be compatible with surrounding uses and will not harm or alter the neighborhoods in which they are located; to benefit the general public by minimizing adverse impacts of short-term rental operations on the local housing supply at all income levels; and to minimize adverse impacts of the transient and semi-commercial character of short-term rental operations on adjacent residential uses.

Section III. The revisions attached hereto: defines the terms "Accessory Dwelling Unit" and "Property Manager;" recognizes that some Accessory Dwelling Units present within the Village pre-date the Village's modern Planning and Zoning Code and are therefore exempt from the provisions of Chapter 1182, Short-Term Rental Operations; require a Property Manager for short-term rentals in the Village Business District; and adds new definitions included in Chapter 1182, Short-Term Rental Operations, to Chapter 1135, Definitions.

Section IV. Chapter 1182, Short-Term Rental Operations, is hereby amended to the provisions shown in Exhibit A, as attached hereto and incorporated herein.

Section V. Chapter 1135, Definitions, is hereby amended to provisions shown Exhibit B, attached hereto and incorporated herein.

Section VI. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.




Melissa Hartfield, Mayor

ATTEST:


Autumn Klein, Clerk of Council

APPROVED AS TO FORM:



William Mattes, Law Director

CHAPTER 1135

Definitions

1135.01 Language use; meanings.

CROSS REFERENCES

General definitions - see ADM. 101.02
Subdivision regulations definitions - see P. & Z. 1105
Signs defined - see P. & Z. 1189.02

1135.01 LANGUAGE USE; MEANINGS

- (a) Interpretation of Language. Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of the Zoning Ordinance. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "used" shall include "arranged, designed, constructed, altered, converted, rented, leased" or "intended to be used," and the word "shall" is mandatory and not directory.
- (1) "Accessory building" means a building or structure subordinate to the principal building and which is located on the same lot serving a purpose customarily incidental to the use of the principal building or land use. Where a structure is attached to the principal building in a substantial manner as by a wall or roof, it shall be considered to be part of the principal building.
 - (2) "Accessory Dwelling Unit (ADU)" means a building not substantially attached to, but on the same lot with, a primary residence. An ADU must be serviced by public utilities that customarily sustain a residence; and provide for living, sleeping, cooking, and bathroom facilities. An ADU is an ancillary housing unit to the primary residence.
 - (3) "Accessory use" means a use subordinate to the principal use of land or building and which serves a purpose customarily incidental to the principal use.
 - (4) "Agriculture" means the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.
 - (5) "Alley" or "lane" means a public or private way not more than thirty feet wide affording only secondary means of access to abutting property.
 - (6) "Apartment." See "Dwelling, multi-family."
 - (7) "Apartment house." See "Dwelling, multi-family."
 - (8) "Aquifer wellhead" refers to those locations where subsurface glacial sand and gravel deposits are present and are the means by which the Raccoon Valley Aquifer is recharged from surface water.
 - (9) "Automobile or trailer sales area" means an open area, other than a street, used for the display, sale or rental of new or used motor vehicles, trailers, farm implements, boats, motorcycles, bicycles, lawn mowers, etc. in operable condition and where no repair work is done.
 - (10) "Automobile services" means the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and cleaning of vehicles.
 - (11) "Automobile service station" or "filling station" means a building or other structure or a tract of land where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is dispensed directly to users of motor vehicles.
 - (12) "Automobile wash" or "automatic car wash" means a building or structure where mechanical devices are employed for the purpose of washing motor vehicles.
 - (13) "Base flood" is the flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one hundred (100) year flood.
 - (14) "Basement" means a story whose floor line is below grade at any entrance

- or exit and whose ceiling is not more than five feet above grade at any such entrance or exit.
- (15) "Bed and Breakfast" means a home occupation as defined in Chapter 1181 where the occupants of a dwelling unit provide a sleeping room and breakfast is prepared and served on the premises for remuneration to persons who are not family members.
- (16) "Beginning of construction" means the excavation and/or the incorporation of labor and material within the walls of the building or buildings.
- (17) "Block." In describing the boundaries of a district the word "block" refers to the legal description. In all other cases, the word "block" refers to the property abutting on one side of a street between two intersecting streets or a street and a railroad right-of-way or watercourse.
- (18) "Board" means the Board of Zoning and Building Appeals of the Village of Granville, Ohio.
- (19) "Boarding house" or "lodging house" means a dwelling or part thereof occupied by a single housekeeping unit where meals and lodging are provided for three or more persons for compensation by previous arrangement, where no cooking or dining facilities are provided in individual rooms.
- (20) "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 in connection with the reservation and/or payment services provided for the short-term rental transaction.
- (21) "Building" means any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property. When such a structure is divided into separate parts by one or more unpierced wall(s) extending from the ground up, each part is deemed a separate building, except as regards minimum side yard requirements as hereinafter provided.
- (22) "Building, height of" means the vertical distance from the average contact with ground level at the front wall of the building to the highest point of the roof.
- (23) "Building line" means the front yard setback; a line established by this Zoning Ordinance generally parallel with and measured perpendicularly from the front lot line, defining the limits of a front yard in which no building or structure may be located except as may be provided by this Ordinance.
- (24) "Business (commercial)" means a concentration of a wide variety of offices and retail establishments located on or at the intersection of arterial streets as specified by the Master Plan.
- (25) "Calls for Service Ratio" means the number of calls for service divided by the number of sleeping rooms in service at the short-term rental.
- (26) "Calls for Service" means any and all calls, including but not limited to those to law enforcement and/or the fire department, when those calls:
- a. result in a representative being dispatched or directed to the short-term rental;
 - b. allege evidence of criminal activity;
 - c. result in an arrest, charge or citation; or
 - d. find an imminent threat to the health, safety or welfare of person(s) or property.
- (27) "Cemetery" means the land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries if operated in connection with, and within the boundaries of such cemetery.
- (28) "Certificate of Occupancy" means a document issued by the Zoning Inspector consistent with Section 1137.06 of this Zoning Ordinance.
- (29) "City or Village" means the municipal corporation of Granville, Licking County, Ohio.
- (30) "Clinic" means a place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room nor kept overnight on the premises.
- (31) "Commission" means the Planning Commission of the Village of Granville, Ohio.
- (32) "Comprehensive Plan" refers to the current "Granville Comprehensive Plan

Report" containing background and recommendations on the regulation and use of land, the building of public facilities and the offering of services.

(33) "Conditional use" means a use which more intensely affects the surrounding area in which it is located than permitted uses in the same district. A conditional use permit shall be granted if, upon review of the site plan, the Board of Zoning and Building Appeals determine that all criteria stated in Chapter 1145 have been met.

(34) "Council" means the Council of the Village of Granville, Ohio.

(35) "Court" means an open unoccupied and unobstructed space, other than a yard, on the same lot, with a building or group of buildings.

(36) "Density" used as a unit of measurement, means the number of dwelling units per acre of land.

a. "Gross density" means the number of dwelling units per acre of land to be developed, including that area in publicly dedicated land or retained in private ownership.

b. "Net density" means the number of dwelling units per acre of land exclusive of that area in publicly dedicated land, streets and easements.

(37) "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations or storage of equipment and materials.

(38) "Developmental disability" means a disability that originated before the attainment of eighteen years of age and which can be expected to continue indefinitely, constitutes a substantial handicap to the person's ability to function normally in society, and is attributable to mental retardation, cerebral palsy, epilepsy, autism or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or requires similar treatment and services.

(39) "Director" means the director of the Village of Granville Planning Department, or his or her authorized designee.

(40) "District" means all properties of the same use, height and area classification which adjoin or are continuous without intervening property or another classification, regardless of any street, alley, easement or reserve that may intervene. Separate districts include the Village Districts, the Community Service District, the Suburban Residential District, the Open Space District, the Institutional District, the Planned Development Districts, and such other districts as are specified in Title Five of this ordinance, as indicated by the official Zoning Map. For a detailed definition, see the statement of purpose of each respective district.

(41) "Driveway" means any improved or unimproved area used for vehicular travel and serving as an area of access, entrance, exit, or approach from any street to any parcel of land, regardless of public or private ownership.

(42) "Dwelling, manufactured off-site, or manufactured home," also referred to as "pre-engineered or prefabricated unit" means an assembly of materials or products comprising all or part of a total structure which when constructed and installed, constitutes a dwelling unit, except for necessary preparations for its placement.

(43) "Dwelling, mobile home" means a portable dwelling designed to be transported on highways, and when arriving at the site for placement involving only minor and incidental unpacking, assembling and connection operations, but which involves no substantial reconstruction which would render the unit unfit as a conveyance on the highway.

(44) "Dwelling, multi-family" means a building consisting of three or more dwelling units, including condominiums, with varying arrangements of entrances and party walls.

(45) "Dwelling, single-family" means a building consisting of a single dwelling unit only, separated from other dwelling units by open space.

(46) "Dwelling, two-family" means a building consisting of two dwelling units which may be either attached side by side or one above the other, each unit having either a separate or combined entrance or entrances.

(47) "Dwelling unit" means space within a building comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for

cooking, bathing and toilet facilities, all used by only one family and its household employees.

(48) "Easement" means an interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

(49) "Employee" means any person who earns qualifying wages, commissions or other type of compensation from the owner or operator of a short-term rental property in connection with its operation or maintenance.

(50) "Essential services" means the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground, surface or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

(51) "Family" means two or more persons related by blood, adoption, marriage, guardianship or foster parent contract, living together as a single housekeeping unit, exclusive of household servants. A number of persons not exceeding three exclusive of household servants living together as a single housekeeping unit but not related by blood, adoption, marriage, guardianship or foster parent contract shall be deemed to be a family. A number of persons with developmental disabilities not exceeding six, exclusive of not more than two house parents and employees caring for the persons with developmental disabilities, living together as a single housekeeping unit but not related by blood, adoption, marriage, guardianship or foster parent contract residing in a dwelling unit which meets all specifications for a family model home shall be deemed to be a family.

(52) "Family model home, group home, or community residence" means a dwelling unit occupied as a home that provides room and board, personal care, habilitation services and supervision in a family setting for not more than six persons with developmental disabilities, exclusive of not more than two house parents and employees caring for the persons residing there with developmental disabilities, and licensed and regulated by the Ohio Department of Mental Retardation and Developmental Disabilities.

(53) "Fence" Any artificially constructed barrier of any permitted material or combination of materials erected to enclose, screen properties, or to provide protection, and as a means of designating a property boundary.

(54) "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters from any source.

(55) "Flood insurance rate map" (FIRM): An official map on which the Federal Emergency Management Agency has delineated the areas of special flood hazard.

(56) "Flood insurance study" is the official report in which the Federal Emergency Management Agency has provided flood profiles, floodway boundaries, and the water surface elevation of the base flood.

(57) "Flood plain" means any land area susceptible to being inundated by water from any source. The flood plain includes the floodway and floodway fringe as designated by the effective Flood Hazard Map and any amendments made to the map thereof.

(58) "Flood recurrence interval" means the average interval of time, based upon a statistical analysis of actual or representative stream flow records, which can be expected to elapse between floods equal to or greater than a specified flood.

(59) "Flood proofing" means any combination of structural and nonstructural additional changes, modifications or adjustments to properties and structures primarily for the reduction or elimination of flood damage to lands, water and sanitary facilities, structures and contents of buildings.

(60) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

(61) "Floodway fringe" means those lands, from the floodway boundary line to the floodway fringe boundary line as designated in the effective Flood Hazard Map and any amendments made to the map thereof, subject to inundation by the 100-year recurrence interval flood.

- (62) "Floodway obstruction or obstruction in a floodway" means any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, structure, wire fence, rock, gravel, refuse, fill or other analogous structure or matter in, along, across or projecting into any floodway which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting water-borne debris, or that is placed where the flow of water would carry the same downstream to the damage or detriment of life or property.
- (63) "Floor area" is the sum of the gross horizontal areas of those spaces designed for living, sleeping, eating, and cooking purposes. Garages, porches, attic space, and living areas which are located below grade an average of four (4) feet shall not be included in the definition of floor area. Calculations of floor areas shall be made from the exterior face of the enclosing walls at the respective floor line, and where applicable, the centerline of party walls. The "lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, parking access, or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is built in accordance with the applicable design requirements for enclosures below base flood elevation specified in this ordinance.
- (64) "Frontage to the public right-of-way" is the length of a property line which abuts a legally accessible street right-of-way.
- (65) "Garage or car port, private" means a detached accessory building or a portion of the principal building used by the occupants of the premises for the storage of self-propelled vehicles or trailers.
- (66) "Garage, public" means a structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repair or refinishing of self-propelled vehicles or trailers.
- (67) "Guestroom" means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping and access to a full bath.
- (68) "Home occupation" means an occupation, profession, activity, or use that is clearly an incidental, secondary, and customary use of a residential dwelling unit, which does not alter the exterior character or appearance of the dwelling (except as may be specifically defined by these regulations), and which is carried on solely within the main dwelling. Refer to Chapter 1181.
- (69) "Hospital" means a place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons, and who are in need of medical or surgical attention, and who are provided with board or room or kept overnight on the premises.
- (70) "Hosting Platform" means a person or entity that participates in the short-term rental business by providing and collecting or receiving a fee 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 online 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 reserves a guestroom(s) and arranges or makes payment, whether the short-term rental guest pays rent directly to the short-term rental host or to the hosting platform.
- (71) "Hotel, motel, and apartment hotel" mean a building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, fraternity, sorority or dormitory which are separately defined.
- (72) "Industry" means the storage, repair, manufacture, preparation or treatment of any materials or products through processes which may involve hazardous materials or working conditions requiring separation from other uses of land.
- (73) "Junk or salvage yard" means a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment, but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations.

- (74) "Kennel or cattery" means any lot or premises on which four or more domesticated animals more than four months of age are either commercially housed, groomed, bred, boarded, trained or sold.
- (75) "Land Use Plan" means the long-range plan for the desirable use of land in the Village, as officially adopted and as amended from time to time by the Village Council; the purpose of such plan is, among other things, to serve as a guide in the zoning and progressive changes in the zoning of land to meet changing needs, in the subdividing and use of undeveloped land, and in the acquisition of rights-of-way or sites for public purposes such as streets, parks, schools and public buildings. The Land Use Plan is a component part of the officially adopted Comprehensive Plan of the Village of Granville,
- (76) "Light industrial" means industrial activities which are generally free of nuisance from noise, dust, smoke, odor or vibration.
- (77) "Loading space" means an off-street space or berth on the same lot with a building or contiguous to a group of buildings for temporary parking of a commercial vehicle while loading or unloading merchandise or materials.
- (78) "Lot" means a division of land separated from other divisions for purposes of sale, lease or separate use, described on a recorded subdivision plat, or by metes and bounds.
- (79) "Lot, corner" means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if the side lot lines to the foremost depth of the lot meet at an interior angle of less than 135 degrees. Irrespective of building orientation, on a corner lot the setback for the front yard for that use shall apply to all sides of a lot having frontage on publicly dedicated rights-of-way.
- (80) "Lot coverage" means the ratio of the enclosed ground floor area of all buildings on a lot to the area of the lot as a whole, expressed as a percentage. However, in certain zoning districts, "lot coverage" may include other uses such as driveways, parking or loading areas.
- (81) "Lot line, front" means the lot line separating an interior lot from the street right-of-way upon which it abuts or the lot line of a corner lot which abuts upon a street right-of-way. Unless the context clearly indicates the contrary, front lot line means the street right-of-way line.
- (82) "Lot line, rear" means that lot line which is opposite and furthest removed from the front lot line. In such a lot where the side lot lines meet to the rear of the lot, or where the rear lot line is less than ten feet, the minimum rear yard shall be computed from the point of intersection of the side lot lines on an imaginary line that is at equal angles from each side lot line. In the case of a corner lot, the rear lot line is opposite and most distant from the front lot line of least dimension.
- (83) "Lot line, side" means any lot line which is not a front or rear lot line. On a corner lot, a side lot line may be the street right-of-way line.
- (84) "Lot measurement"
- a. "Lot depth" means the mean horizontal distance of a lot measured between the front and rear lot lines.
 - b. "Lot width" means the width of a lot at the building setback line measured at right angles to its depth.
- (85) "Lot, minimum area of" means the area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare. (Ord. 15-08. Passed 1-7-09.)
- (86) "Lot of record" means a lot which is part of the original Village Plat or a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded and as established prior to January 1, 2014. (Ord. 01-2014. Passed 2-19-14.)
- (87) "Manager" means the general manager, shift manager, or any person in any supervisory position regarding the operation of a short-term rental property.
- (88) "Manufacturing" means the making of articles, products or goods by hand or by machinery on a scale requiring the division of labor, within an industrial environment or use of land.
- (89) "Mineral" means any material quarried, mined or otherwise extracted from the earth intended to be used as a commercial product.
- (90) "Mobile home." See "Dwelling, mobile home."
- (91) "Mobile home park or manufactured home park" means a parcel (or

contiguous parcels) of land divided into two or more manufactured home lots for rent. "Mobile home park or manufactured home park" shall exclude any manufactured home park as defined in Ohio R.C. 3733.01 for which the Public Health Council has exclusive rule-making power.

- (92) "Nonconforming use" means the use of land or a building, or a portion thereof, that does not conform to the use regulations of the district in which it is situated (see Section 1149.01).
- (93) "Nursery (day care center)" means a facility which temporarily assumes responsibility for three (3) or more children in their parent's absence.
- (94) "Nursery (plant materials)" means a space including accessory buildings or structures for the growing or storage of live trees, shrubs or plant materials which may be offered for retail sale on the premises, including products used for gardening or landscaping.
- (95) "Nursing home" includes convalescent and extended care facilities, and means an establishment which specializes in providing necessary services to those unable to be responsible for their selves.
- (96) "Open space" means that part of a zoning lot, including courts or yards, which are open and unobstructed from its lowest level to the sky, accessible to all tenants upon the zoning lot. "Open space" also means natural scenic land areas or land areas that are characterized by a rural quality having an absence of development or as defined by surrounding development.
- (97) "Operator" means any natural person who operates a short-term rental in a capacity to facilitate the offering of guestrooms to guests.
- (98) "Overlay district" is a second set of guidelines and regulations applied to any part or all of an original zoning district or districts. The overlay district regulations may further restrict or interpret the number or types of uses allowed, as well as the way permitted activities may be designed, developed or operated within the overlay district boundaries. The overlay districts are designated on the Village's official zoning map.
- (99) "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.
- (100) "Parking area, private" means an open area for the same uses as a private garage.
- (101) "Parking area, public" means an open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.
- (102) "Parking space" means a hard surfaced area made of all-weather, durable, dustless, asphaltic or cement pavement of not less than 200 square feet, either with a structure or in the open, exclusive of driveways or access drives for the parking of one motor vehicle.
- (103) "Performance standard" means criteria established to guide, regulate and protect the public in their uses of land.
- (104) "Permanent Occupant" means a person who resides in a dwelling more than 51% of the time during a calendar year, and the dwelling in which a person so resides shall be referred to as their primary residence.
- (105) "Permitted use" means a class of specific uses of land and/or structures which is allowed by right within a designated zoning district, provided there is conformance to site development and other criteria as specified within this Zoning Ordinance.
- (106) "Planned development" or "planned unit development:" a development of land that is under unified control and is planned and developed as a whole or a single development operation or programmed series of development stages, which may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements. Refer to Chapter 1171.
- (107) "Primary Residence" means a dwelling 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.
- (108) "Property Manager" means the owner or owner's agent of a short-term rental in the Village Business District who offers the short-term rental for temporary lodging, for a fee, for less than thirty (30) consecutive

- days and manages its operation.
- (109) "Public right-of-way (ROW)" is a strip of land occupied or intended to be occupied by a street, sidewalk, water, sewer, gas or electrical service.
- (110) "Recreational vehicle" means a travel trailer, motor home, truck camper, fifth wheel trailer, and park trailer as defined in the Ohio Revised Code.
- (111) "Research activities" means research, development or testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation or engineering.
- (112) "Rooming house" means a dwelling occupied by an owner and three or more rent-paying persons, by a duly authorized agent of an owner and three or more rent-paying persons, or by four or more persons unrelated by blood, adoption, marriage, guardianship or foster parent contract. A family model home as defined in this section shall not be deemed to be a rooming house.
- (113) "School," means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the schools by the applicable laws of the State.
- (114) "Short-Term Rental Guest" means a person renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for a fee, for less than thirty (30) consecutive days.
- (115) "Short-Term Rental Host" means the owner, operator, or permanent occupant of a short-term rental who offers the short-term rental for temporary lodging, for a fee, for less than thirty (30) consecutive days and manages its operation.
- (116) "Short-Term Rental" means any dwelling or guestroom that is rented in whole or in part for less than thirty (30) consecutive days for temporary lodging of persons other than the permanent occupant or owner, from which the permanent occupant or owner receives monetary compensation. A traditional bed and breakfast, which is permitted and regulated as a Home Occupation under Chapter 1181 of the Planning and Zoning Code, is not a short-term rental for purposes of this chapter. A boarding house or lodging house, a rooming house, and a hotel, motel or apartment hotel, all of which are separately defined in Section 1135.01, are not short-term rentals for purposes of this chapter. Accessory dwelling units in use prior to January 1, 1978 are considered existing non-conforming uses and are not subject to the provisions of this chapter, but are subject to all other applicable provisions of the Planning and Zoning Code.
- (117) "Sign" means any device as defined in Section 1189.02(a).
- (118) "Stable, commercial" means a stable for horses, donkeys, mules or ponies which are let, hired, used or boarded on a commercial basis.
- (119) "Stable, private" means an accessory building for the keeping of horses, donkeys, mules or ponies owned by the occupant of the premises and not kept for remuneration, hire or sale.
- (120) "Start of construction" is either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
- (121) "Story" means that portion of a building, included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.
- (122) "Street" or "thoroughfare" means a public or private way for the purposes of vehicular travel, including the entire area within the right-of-way.
- (123) "Structural alteration" means any change in the structural members of a building, such as walls, columns, beams or girders.
- (124) "Structure" means anything constructed, erected, or fabricated, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground and shall include any building erected for the purpose of storage even if such building does not require permanent location on the ground or attachment to something having such location.

(125) "Substantial improvement" means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. "Substantial improvement" includes structures which have incurred "substantial damage", regardless of the actual repair work performed. "Substantial improvement" does not however, include:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions;
- b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure"; or
- c. Any improvement to a structure which is considered new construction.

(126) "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

(127) "Village Manager" is the chief executive and administrative officer of the Village of Granville, and shall have such powers and duties as are assigned by the Village Council and by law, which powers and duties may in turn be exercised by the Manager or his/her designee.

(128) "Yard" means a required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three feet above the general ground level of the graded lot upward; accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

- a. "Yard, front" means a yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
- b. "Yard, rear" means a yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
- c. "Yard, side" means a yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

(129) "Zoning Permit" means a document issued by the Village Manager or his/her designee authorizing buildings, structures or uses consistent with the terms of this Zoning Ordinance and for the purpose of carrying out and enforcing its provisions. A "zoning permit" includes an architectural permit where such is required by this Zoning Ordinance.

(130) "Zoning Inspector" means the Zoning Inspector of the Village of Granville, or his/her authorized representative.

(131) "Zoning map" means the Zoning Map of the Village of Granville, together with all amendments subsequently adopted.

(Ord. 15-08. Passed 1-7-09.)

CHAPTER 1182
SHORT-TERM RENTAL OPERATIONS

1182.01 PURPOSE

This chapter regulates the operation of short-term rental properties in the Village of Granville. The provisions of this chapter are necessary to prevent unreasonable burdens on services and unreasonable impacts on residential neighborhoods posed by short-term rental operations. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding uses and will not act to harm and alter the neighborhoods in which they are located. Maintenance of Granville's existing residential neighborhoods is essential to its continued vitality and economic strength. It is the intent of this chapter to benefit the general public by minimizing adverse impacts of short-term rental operations on the local housing supply at all income levels, and to minimize adverse impacts of the transient and semi-commercial character of short-term rental operations on adjacent residential uses.

1182.02 DEFINITIONS

The following words and phrases, when used in this article, shall have the meaning ascribed to them by this section:

- (a) "Accessory Building" means a building not substantially attached to, on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure; this includes, but is not limited to detached garages, barns, workshops, sheds, or other outbuildings.
- (b) "Accessory Dwelling Unit (ADU)" means a building not substantially attached to, but on the same lot with, a primary residence. An ADU must be serviced by public utilities that customarily sustain a residence; and provide for living, sleeping, cooking, and bathroom facilities. An ADU is an ancillary housing unit to the primary residence.
- (c) "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 in connection with the reservation and/or payment services provided for the short-term rental transaction.
- (d) "Calls for Service Ratio" means the number of calls for service divided by the number of sleeping rooms in service at the short-term rental.
- (e) "Calls for Service" means any and all calls, including but not limited to those to law enforcement and/or the fire department, when those calls:

- (1) result in a representative being dispatched or directed to the short-term rental;
 - (2) allege evidence of criminal activity;
 - (3) result in an arrest, charge or citation; or
 - (4) find an imminent threat to the health, safety or welfare of person(s) or property.
- (f) "Director" means the director of the Village of Granville Planning Department, or his or her authorized designee.
 - (g) "Dwelling" means any building, structure, or unit, on the same tax parcel, or 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.
 - (h) "Employee" means any person who earns qualifying wages, commissions or other type of compensation from the owner or operator of a short-term rental property in connection with its operation or maintenance.
 - (i) "Guestroom" means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping and access to a full bath.
 - (j) "Hosting Platform" means a person or entity that participates in the short-term rental business by providing and collecting or receiving a fee 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 online 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 reserves a guestroom(s) and arranges or makes payment, whether the short-term rental guest pays rent directly to the short-term rental host or to the hosting platform.
 - (k) "Interception device" as used in this chapter refers to the definition found in Chapter 2933.51(D) of Revised Code.
 - (l) "Manager" means the general manager, shift manager, or any person in any supervisory position regarding the operation of a short-term rental property.
 - (m) "Operator" means any natural person who operates a short-term rental in a capacity to facilitate the offering of guestrooms to guests.
 - (n) "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.
 - (o) "Permanent Occupant" means a person who resides in a dwelling more than 51% of the time during a calendar year, and the dwelling in which a person so resides shall be referred to as their primary residence.
 - (p) "Primary Residence" means a dwelling 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.

- (q) "Property Manager" means the owner or owner's agent of a short-term rental in the Village Business District who offers the short-term rental for temporary lodging, for a fee, for less than thirty (30) consecutive days and manages its operation.
- (r) "Short-Term Rental Guest" means a person renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for a fee, for less than thirty (30) consecutive days.
- (s) "Short-Term Rental Host" means the owner, operator, or permanent occupant of a short-term rental who offers the short-term rental for temporary lodging, for a fee, for less than thirty (30) consecutive days and manages its operation.
- (t) "Short-Term Rental Operation" means the occupancy of any room or dwelling of any short-term rental.
- (u) "Short-Term Rental" means any dwelling or guestroom that is rented in whole or in part for less than thirty (30) consecutive days for temporary lodging of persons other than the permanent occupant or owner, from which the permanent occupant or owner receives monetary compensation. A traditional bed and breakfast, which is permitted and regulated as a Home Occupation under Chapter 1181 of the Planning and Zoning Code, is not a short-term rental for purposes of this chapter. A boarding house or lodging house, a rooming house, and a hotel, motel or apartment hotel, all of which are separately defined in Section 1135.01, are not short-term rentals for purposes of this chapter. Accessory dwelling units in use prior to January 1, 1978 are considered existing non-conforming uses and are not subject to the provisions of this chapter.

All terminology used in this chapter and not specifically defined above, shall retain its meaning in conformance with the latest volume of Webster's Collegiate Dictionary.

1182.03 ZONING DISTRICTS; DENSITY; LIMITATIONS

Short-term rental operations shall be permitted only in the following Zoning Districts, and with the density and use limitations set forth below.

- (a) No short-term rental operation shall be conducted in any accessory building. Village Business District
 - (1) Short-term rental operation is a Conditional Use in the Village Business District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
 - (2) A short-term rental property in the Village Business District shall have a property manager whose primary residence is located in Licking County, Ohio or a contiguous county. The property manager shall ensure compliance with Section 1182.07.
 - (3) A short-term rental operation in the Village Business District shall not be configured

so as to convert a conforming single-family or two-family dwelling into a non-conforming multi-family dwelling.

- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Village Business District shall not exceed five percent (5%) of the total number of properties on which a residential use lawfully exists in the Village Business District.

(b) Village Residential District

- (1) Short-term rental operation is a Conditional Use in the Village Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
- (2) A short-term rental property in the Village Residential District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township.
- (3) A short-term rental operation in the Village Residential District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling.
- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Village Residential District shall not exceed five percent (5%) of the total number of residential properties in the Village Residential District.

(c) Suburban Residential District

- (1) Short-term rental operation is a Conditional Use in the Suburban Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
- (2) A short-term rental property in the Suburban Residential District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township.
- (3) A short-term rental operation in the Suburban Residential District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling.
- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Suburban Residential District shall not exceed five percent (5%) of the total number of residential properties in the Suburban Residential District.

(d) Planned Development Districts

- (1) Short-term rental operation is a Conditional Use in the Planned Unit District and the Planned Commercial District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
- (2) A short-term rental property in the Planned Unit District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville

Township.

- (3) A short-term rental operation in the Planned Unit District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling.
- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Planned Unit District shall not exceed five percent (5%) of the total number of residential properties in the Planned Commercial District.

1182.04 PERMIT REQUIRED

- (a) No short-term rental host 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 Granville, a short-term rental operation without obtaining a valid permit in accordance with this chapter. It shall be prima facie evidence of a short-term rental operation if a short-term rental is offered on a hosting platform, or if a short-term rental guest is found to be occupying or using a short-term rental.
- (b) An application for a new permit may be submitted at any time to the Director. If the application is approved and a valid permit is issued, the permit shall take effect on the day of issuance, and shall expire two calendar years from the day of issuance. If a valid permit is issued in conjunction with and contingent upon an explicit and consensual term lease agreement, as contemplated in Section 1182.08, the permit shall take effect on the day of issuance and shall expire upon the last day of the applicant's leasehold term or at the end of two calendar years from the day of issuance, whichever occurs first.

1182.05 OCCUPANCY

In approving any permit application, the Director shall specify the maximum number of occupants allowed in each short-term rental. The maximum number of occupants in a short-term rental shall not exceed the lesser of:

- (a) Three persons per off-street parking space; or
- (b) Two persons, plus two persons per sleeping room.

1182.06 PARKING

In the Village Residential District, Suburban Residential District and Planned Unit District, all off-street parking required for a short-term rental shall be located on the same lot (e.g., in the garage or driveway) as the short-term rental. In the Village Business District and Planned Commercial District, all off-street parking required for a short-term rental shall be located on the same lot (e.g., in the garage, driveway or parking lot) as the short-term rental, or parking may be leased in accordance with Section 1183.04(e) of the Planning and Zoning Code.

1182.07 LOCAL CONTACT PERSON/PROPERTY MANAGER

(a) A designated property manager, who may be the owner of the short-term rental property or the owner's agent, shall maintain a primary residence in Licking County, Ohio or a contiguous county.

(b) The property manager shall be available 24 hours per day to ensure that the property is maintained and operated as required by this chapter and the Granville Codified Ordinances, including but not limited to:

(1) Ensuring that the number of occupants does not exceed the limitations of Section 1182.05.

(2) Responding to incidents of disorderly conduct, disturbing the peace, littering, vandalism or other occurrences that affect the health, safety and welfare of nearby residents.

1182.08 APPLICATION FOR PERMIT

(a) Application for a new short-term rental permit, and/or for renewal of a valid permit, shall be made to the Director, on approved forms. The Director shall establish associated permit fees and costs, with approval of the Village Manager.

(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 its 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;

For properties in the Village Residential District, the Suburban Residential District and the Planned Unit District, the short-term rental host shall provide sufficient information to demonstrate compliance with the primary residency requirement as outlined in Sections 1182.02 and 1182.03.

(2) Description of the short-term rental, including property address.

(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 its 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 registration number.

(4) If an owner of the property has executed a land contract, lease agreement, management agreement, or any other agreement separating the owner from control over the property and/or the short-term rental, the applicant shall include a copy of said

agreement along with the application. In order to receive a permit, such documentation must explicitly provide consent for short-term rental operations. The absence of such a clause, or the express prohibition of short-term rental operations, shall be grounds for a denial of a permit.

(5) The descriptions and addresses of any other short-term rentals located in Village of Granville that the applicant or property owner has any interest in, including, but not limited to, ownership, licensure, or management.

(6) Name of the short-term rental host, including mailing address, telephone number, and email address.

(7) The number of separately rentable units, and the number of sleeping rooms in each unit in service in the short-term rental property.

(8) The names of all hosting platforms on which the applicant has successfully been registered to list a short-term rental, documentation confirming hosting platform registration(s), and proof of general liability insurance for the short-term rental as required by Section 1182.09.

(9) Affirmation that the short-term rental host and short-term rental are in compliance with all applicable local, state, and federal laws and regulations.

(10) At the time of application or renewal, all of the following persons are required to provide the results of a fingerprint-based background check performed by a provider approved by the Ohio Bureau of Criminal Investigation: the applicant, the 24-hour emergency contact for the property as required by this chapter, and if applicable, the property manager. If the applicant is a domestic business organization other than a general partnership, then the applicant must provide a copy of the organization's articles of incorporation, articles of organization, statement of partnership authority, certificate of limited partnership, or statement of domestic qualification filed with the Ohio Secretary of State. If the applicant is a foreign business organization other than a foreign general partnership, then the applicant must provide a copy of the foreign business organization's license, registration, or qualification filed with the Ohio Secretary of State authorizing it to do business in Ohio. For all business organization applicants, an individual who is either the statutory agent, a partner, the president, or in the case of an LLC, a managing individual who is also a member, must submit to and provide the results of a BCI background check.

(c) The applicant must notify the Director of any change in information contained in the permit application within ten (10) days of the change.

(d) The Director shall serve written notice of any new or renewal application on all adjacent property owners of record not less than ten (10) business days prior to approving the application. In the event that a party with standing under applicable Ohio law objects to a new or renewal application in writing, the Director shall consider the merits of the application and the objection

and either approve or deny the application in accordance with this Chapter. Any denial of an application shall state the reason(s) for the denial in writing. The Director shall serve written notice of the decision to approve or deny an application on the applicant and on any party who objected to the application in writing.

(e) Any change in ownership of the property, the dwelling or the business, change in operator, or change in identity of the 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.

(f) 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 or revocation, 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. Those found to be operating with an expired or revoked permit are in violation of Section 1182.04 and are subject to the penalties as provided for in Section 1182.99.

1182.09 SHORT-TERM RENTAL HOSTS AND HOSTING PLATFORMS: REQUIREMENTS

(a) The short-term rental host shall provide to the Director one form of proof of identity and, as applicable, two pieces of evidence that the dwelling is the host's primary residence or 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 dwelling.

(c) If a short-term rental host is not the property owner or owner's agent, but a permanent occupant of the dwelling, the host shall provide written permission from the property owner to register the dwelling on any hosting platform for use as a short-term rental.

(d) Short-term rental hosts shall provide written notice to the short-term rental guest(s) of any known, non-obvious, or concealed condition, whether man-made or artificial, which may present a danger to the short-term rental guest(s), together with a local 24-hour emergency contact for the property.

(e) Short-term rental hosts must comply with Section 2933.52 of the Revised Code. Such compliance shall also include known, non-obvious or concealed surveillance equipment, including, but not limited to, digital video cameras/recorders/monitors, streaming video security cameras, audio recorders/monitors, or any other electronic means of secretly watching, listening, or recording. In the event a short-term rental host utilizes an indoor and/or outdoor interception device(s), or any specific or similar aforementioned device, the short-term rental host shall notify the short-term rental guest. In the event the short-term rental guest does not consent to the short-term rental host utilizing an indoor interception device(s), or any specific or similar aforementioned device for the duration of the short-term rental period, the short-term rental host shall deactivate the indoor interception device(s) and shall not intercept, listen, monitor, record, or like thereof, any activity inside the dwelling.

- (f) Short-term rental hosts shall comply with all applicable hotel/motel/short-term rental excise tax requirements.
- (g) Rentals for thirty (30) or more consecutive days by the same guest(s) are not subject to short-term rental regulations or excise taxes.
- (h) All short-term rental hosts shall obtain liability insurance for each short-term rental. Each short-term rental shall at all times maintain the following insurance coverage meeting all of the following requirements:
- (1) A general liability insurance policy or certificate that shall provide the minimum coverage;
 - A. Not less than one hundred thousand dollars (\$100,000) per individual and three hundred thousand dollars (\$300,000) per occurrence. Such policy or certificate must be issued by an insurance company that is admitted to do business in the state of Ohio or by an eligible surplus lines company or risk retention group.
 - B. The policy or certificate shall provide notice of cancellation of insurance to the Director at least ten (10) days prior to cancellation.
 - C. Any cancellation of insurance required by this section shall result in an automatic revocation of the respective short-term rental permit.
 - (1) In the event that a hosting platform provides liability insurance to a host, such insurance would be deemed acceptable for submission provided the insurance meets the requirements of paragraph (1)(a) above.
 - (2) No short-term rental host shall engage in a short-term rental operation located within the Village of Granville 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.
 - D. No hosting platform shall provide, and collect a fee for, booking services in connection with any short-term rental operation located within the Village of Granville unless the short-term rental host has provided to the hosting platform a valid short-term rental permit number associated with the short-term rental being rented.
 - (k) Records required.
 - (1) Short-term rental hosts who engage in short-term rentals and hosting platforms that engage in booking services shall maintain and provide records documenting the following information:
 - (A) The short-term rental physical address;

(B) The name of the person who registered the short-term rental on the hosting platform or who listed the short-term rental using any medium; and

(C) The dates and duration of stay in a short-term rental, the number of persons who were scheduled to stay each night, and the daily rate charged for each short-term rental.

(2) Hosting platforms and short-term rental hosts shall retain records for a period of at least four (4) years.

(3) In order to determine whether a short-term rental host or hosting platform is in compliance with the requirements of this chapter, the Director may request that any records required to be kept by this section be provided for inspection. If such request is denied, the Director may seek an administrative search warrant from a court of competent jurisdiction authorizing said inspection.

(1) Nothing in this section 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.

1182.10 GROUNDS FOR DENIAL OR NON-RENEWAL OF PERMIT

(a) The Director 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 Director shall deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at or in connection with the short-term rental property:

(1) The applicant makes a material misrepresentation of fact on the application.

(2) The applicant or any owner of the short-term rental has been convicted of violating Section 1182.04(a).

(3) Any owner, applicant, operator, or manager of the short-term rental has been convicted of the act of prostitution or soliciting for prostitution, or human trafficking, or an act that would constitute a felony drug abuse offense as defined in Ohio Revised Code Chapter 2925, or, within the previous ten (10) years, any misdemeanor violation of Ohio Revised Code Chapters 2925 or 3719, on the premises of the short-term rental or any other short-term rental in which that individual has any interest, including, but not limited to, ownership, licensure, or management.

(4) The property on which the short-term rental is located, or the short-term rental host is not in good standing with the Village of Granville Income Tax Division.

(c) The Director may deny any application for a new permit, or renewal of permit, if any of the following are shown by a preponderance of the evidence to have occurred at or in connection with the short-term rental property:

- (1) The short-term rental has outstanding orders from the Granville Township Fire Department, the Village of Granville Planning Department or the Licking County Building Department that have not been corrected.
- (2) A pattern of felony drug related activity.
- (3) A pattern of prostitution related activity or evidence of human trafficking.
- (4) A pattern of gang related activity as defined in Ohio Revised Code Section 2923.41.
- (5) Calls for service ratio greater than 1:2 during a consecutive twelve-month period where at least one of the twelve months occurs within the calendar year in which an objection to the permit is lodged.
- (6) A documented history of repeated offenses of violence as defined in Ohio Revised Code Section 2901.01.
- (7) The owner, applicant, operator, or manager, or short-term rental host has not made a good faith effort to correct violations of Sections 1182.09 and 1182.10 of this chapter, or has obstructed or interfered with correction of the violations.
- (8) The owner, applicant, operator, or manager or short-term rental host has engaged in the act of prostitution or soliciting for prostitution, or an act that would constitute a felony drug abuse offense as defined in Ohio Revised Code Chapter 2925, or, within the previous ten (10) years, any misdemeanor violation of Ohio Revised Code Chapters 2925 or 3719, on the premises of the short-term rental or any short-term rental in which that individual has any interest in, including, but not limited to, ownership, licensure, or management.
- (9) The owner, applicant, operator or manager or short-term rental host maintains a nuisance or has a documented history of engaging in or allowing conduct or conditions that endanger the health, safety or welfare of neighboring residents.
- (d) Evidence of unlawful 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 except where specifically indicated.

1182.11 OBJECTION, SUSPENSION AND REVOCATION; APPEAL

- (a) An adjacent property owner or a party with standing under applicable Ohio law may submit an objection to the Director regarding a new permit application, an existing permit or a renewal application, based on any activity set forth in Section 1182.10(b) or (c) that is shown to have occurred at or in connection with the short-term rental.
- (b) At any time during the calendar year, the Director may suspend and/or revoke a short-term rental permit if it is determined that activity set forth in Section 1182.10(b) or (c) is shown to

have occurred at or in connection with the short-term rental. In addition, suspension, revocation and/or other penalties may occur if a short-term rental unit is listed on a hosting platform without the required permit account number as required under Section 1182.08(e).

(c) Decisions of the Director may be appealed to the Board of Zoning and Building Appeals pursuant to Section 1139.04 of the Planning and Zoning Code.

1182.12 PERMITS NON-TRANSFERABLE

Short-term rental permits shall be granted solely to the Applicant and shall not be transferable to any other person or legal entity. The short-term rental permit shall include a non-transferability clause and the use shall be terminated automatically upon the sale or change of ownership of the property for which a permit has been issued.

1182.13 RELATIONSHIP TO OTHER ORDINANCES

Each short-term rental is subject to applicable hotel/motel/short-term rental excise tax and income tax ordinances, and shall comply with applicable building, electrical, plumbing, fire, health, planning and zoning code requirements as an express condition of the short-term rental permit.

1182.14 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.
- (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 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.

1182.15 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.

1182.16 GRANDFATHERING/PHASE-IN PERIOD

Any short-term rental operation that was previously approved pursuant to any other provision of the Granville Planning and Zoning Code, including but not limited to those that were previously approved as a bed and breakfast, boarding house, hotel/motel/apartment hotel, lodging house, or rooming house, shall be administratively converted to a permitted short-term rental pursuant to this chapter, PROVIDED, that an application for such conversion that includes all of the information required by Section 1182.08(b) is received by the Director on or before December 31, 2021. Any conditional use permit that was issued in connection with the prior approval shall be deemed effective as to the short-term rental operation.

The limitations on the number of short-term rental operations in each respective zoning district shall not take effect until January 1, 2022. On and after that date, no new short-term rental permit shall be issued in excess of those limitations, and available permits shall be offered to qualifying applicants in the order that all required information and application fees were received by the Director.

1182.99 PENALTY

(a) Any short-term rental host who rents a short-term rental for a short-term rental operation in violation of Section 1182.09(i), or any hosting platform that provides a booking service for a short-term rental operation in violation of Section 1182.09(j), without correcting or remedying the violation in a reasonable and timely manner, shall be guilty of an unclassified misdemeanor and shall be fined not more than two hundred fifty dollars (\$250.00), in addition to any other remedies imposed by this chapter or provided by law. Each dwelling rented for a short-term rental operation in violation of these provisions shall constitute a separate offense.

(b) Any short-term rental host who rents a short-term rental for a short-term rental operation in violation of Section 1182.04(a), without correcting or remedying the violation in a reasonable and timely manner, shall be guilty of an unclassified misdemeanor and shall be fined not more than two hundred fifty dollars (\$250.00). Upon subsequent conviction, the offense shall be a misdemeanor of the third degree punishable by a fine of not more than five hundred dollars (\$500.00) or incarceration for not more than sixty (60) days, or both, in addition to any other remedies imposed by this chapter or provided by law. In addition, all gross revenue from short-term rental transactions that are unlawfully obtained in violation of Section 1182.04(a) shall be remitted to the Village of Granville, subject to local and state laws governing forfeiture.

