

RESOLUTION NO. 106-22
CITY OF CENTERVILLE, OHIO

21st SPONSORED BY COUNCIL MEMBER Bill Serr ON THE
DAY OF November, 2022.

**A RESOLUTION BY THE CENTERVILLE CITY COUNCIL
IMPOSING A TEMPORARY MORATORIUM ON THE
OPERATION OF ANY SHORT TERM RESIDENTIAL REAL
ESTATE RENTALS IN THE CITY OF CENTERVILLE,
OHIO, FOR A PERIOD OF TWELVE MONTHS (365 DAYS)
TO ALLOW CITY COUNCIL TIME TO STUDY AND
REVIEW THE LONG-TERM IMPACT OF SUCH SHORT
TERM RESIDENTIAL REAL ESTATE RENTALS.**

WHEREAS, pursuant to the power vested in City Council through the Centerville City Charter and the Ohio Constitution, Council has the inherent power to enact planning, zoning and business regulation laws that further the health, safety, welfare, comfort and peace of its citizens, including restricting or prohibiting certain business and land uses; and

WHEREAS, neither the Centerville Codified Ordinances nor the Unified Development Ordinance (UDO) contain any comprehensive regulations concerning the operation of short term (less than 30 days) residential real estate rentals (“STRs”) within the City’s residential zoning districts with the exception of the narrow zoning regulations concerning bed and breakfast uses within the City as such uses are defined in the UDO; and

WHEREAS, short-term rentals are a growing and unique business model providing renters options to the traditional hotel/motel rental; and

WHEREAS, over the past few years, there has been an increase in the operation of STRs in Ohio by way of online STR booking sites, including in the City of Centerville where residential homes have been rented and used as STRs via online booking sites; and

WHEREAS, the City has a legitimate public interest in preserving its residential neighborhoods, and the recent proliferation of STRs in Centerville threatens the health, safety, welfare, comfort, and peace of the City’s neighborhoods by introducing transient guests into the City’s residential zoning districts, leading to increased noise, traffic, and occupancy of residences without sufficient owner supervision and City oversight; and

WHEREAS, the City needs additional time to review any applicable sections of its Codified Ordinances and any applicable state law, conduct

community outreach, and to study, plan for, formulate, and draft reasonable and comprehensive regulations with respect to STRs within the City; and

WHEREAS, until such time as reasonable and comprehensive regulations concerning STRs are established, this Council desires to enact a moratorium on the operation of STRs in the City's residential zoning districts for a period of three hundred and sixty-five (365) days in order to prevent proliferation of these uses in the City's residential zoning districts while also taking time to ensure that the City regulates these uses in a reasonable and practical manner so as to protect both the rights of property owners and the City's residential neighborhoods; and

WHEREAS, the moratorium contained herein is not intended to be, and it shall not operate as, a moratorium on any currently permitted, legal bed and breakfast uses in the City where the operator of said bed and breakfast uses has previously received a zoning certificate authorizing such bed and breakfast use prior to the effective date of this moratorium. Any previously permitted, legal bed and breakfast use that is operated during the period of this moratorium shall be operated in compliance with the terms of the UDO; and

WHEREAS, City staff requires time to make informed recommendations to City Council regarding potential changes to the City's Codified Ordinances or UDO based on City Council's determination whether to allow, limit, or prohibit these activities; and

WHEREAS, a moratorium of three hundred and sixty-five (365) days on the granting of permits or the operation of STR in the city will allow City Council and staff time to accomplish the City's goals stated herein while helping to ensure the public peace, health, safety, and welfare.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That having found the above statements to be true and correct, there is hereby established a twelve month or three hundred and sixty-five (365) days day temporary moratorium prohibiting the operation of short term (less than 30 days) residential real estate rentals within any residentially zoned district in the City of Centerville by a non-occupant owner. Furthermore, during the period of the moratorium established herein, no building permits, licenses, or zoning certificates shall be granted for the purposes of operating a short term (less than 30 days) residential real estate rental operation.

Section 2. That the moratorium shall be in effect for a period of three hundred and sixty-five (365) days from the effective date of this Resolution or until changes are enacted to amend the Codified Ordinances or the

UDO of the City of Centerville to address the issues described herein or until this Council approves legislation explicitly revoking this moratorium, whichever occurs first.

Section 3. City Council instructs the City Manager and staff to begin study of potential short-term rentals within the City. City staff shall then make recommendations regarding any potential changes to the City's Codified Ordinances, or the UDO related to these activities for City Council's consideration.

Section 4. Council further finds that a moratorium for twelve (12) months (365 days) is reasonable and will allow the City time to propose and initiate action to address the issues outlined herein.

Section 5. Council hereby directs and orders that no operation of short term rentals (less than 30 days) be allowed to operate within any residentially zoned district or that no building permits, certificates of occupancy or any other permits be granted to anyone for the purpose of short term rentals within any residentially zoned district in the City during the three hundred and sixty-five (365) days period of this moratorium.

Section 6. This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS 21st day of November, 2022.



Mayor of the City of Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 106-22, passed by the Council of the City of Centerville, Ohio on the 21st day of November, 2022.



Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Scott A. Liberman
Municipal Attorney