

Chapter 1729
Short-Term Rentals

1729.01 Definitions.

The following terms as used in this Chapter shall have the meanings given herein.

(A) For purposes of Chapter 1729 “dwelling” shall be synonymous with the definitions of double house, dwelling, dwelling structure, dwelling unit, multiple dwelling, premises, residential structure or two-family dwelling as set forth in Chapter 1703.

(B) “Short-Term Rental” means any dwelling that is rented wholly or partly for a fee and for less than thirty (30) consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation.

(C) “Short-Term Rental Operation” means the occupancy of any room or dwelling of any short-term rental.

(D) “Transient Guest” means person who occupies a room or rooms for sleeping accommodations for less than thirty (30) consecutive days.

(E) “Short-Term Rental Guest” means any person who rents 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) “Primary Residence” means a residence 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 or a utility bill. An owner or permanent occupant can only have one primary residence.

(H) “Owner” means an individual(s), corporation or partnership that has legal title to and control of a dwelling.

(I) “Permanent Occupant” means any person(s) who resides in a dwelling more than 51% of the time during a calendar year, and the dwelling in which person(s) reside shall be referred to as their primary residence.

(J) “Short-Term Rental Host” (“Host”) means the owner or permanent occupant of a short-term rental who offer the short-term rental for temporary lodging.



(K) "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.

(L) "Commissioner" means the Building Commissioner or the Commissioner's authorized designee.

1729.02 Permit Required.

(A) No person, including but not limited to an owner, permanent occupant 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 dwelling in the City of Parma the operation of a short-term rental 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.

(B) An application for a new permit may be submitted at any time to the Commissioner. If the application is approved and a permit is issued, the 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. Failure to renew shall result in expiration on December 31st. If a permit is successfully renewed, it shall be in effect for one calendar year, beginning on January 1st and expiring on December 31st of the same year.

1729.03 Application for Short-Term Rental Permit, New and Renewal.

(A) Application for a new short-term rental permit, and/or for renewal of a permit, shall be made to the Commissioner, upon approved forms, for the fee set forth in Section 185.04(f)(1) of the Administrative Code.

(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 or partnership, the applicant shall provide the name of the entity and set forth exactly as shown on its articles of incorporation, mailing address, telephone number, and email address of the 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 an owner-occupied short-term rental application, the permanent occupant shall provide sufficient information to demonstrate compliance with the primary residency requirement as outlined in section 1729.01(G);

- (2) The legal owner or owners of the property, including mailing address, telephone number, and email address. If the property owner is a corporation or partnership, 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 managing individual, the state in which the company is incorporated or registered, and the entity or corporation number;
 - (3) The names and addresses of any other short-term rental located in City of Parma that the applicant or property owner has any interest in, including, but not limited to, ownership, licensure, or management;
 - (4) Name of the short-term rental host, including mailing address, telephone number, and email address;
 - (5) The number of guestrooms in service at the short-term rental;
 - (6) The names of all hosting platforms that are used by any short-term rental host and proof of liability insurance for the rental unit.
 - (7) Set forth any known, non-obvious or concealed condition, whether man made or artificial, which may present a danger to the short-term rental guest(s);
 - (8) The contact information, including a telephone phone number, of a local person with the responsibility to resolve any complaints regarding the condition, operation or maintenance of the dwelling unit;
 - (9) Set forth the trash and recycle collection days for the property and any applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property.
- (C) The applicant must notify the Commissioner of any change in information contained in the permit application within ten (10) days of the change.
- (D) Any change in ownership of the building, the dwelling or the business, or change in name 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 permit.
- (E) A short-term rental shall be assigned an individual permit account number that must be prominently displayed within the unit. The permit shall be displayed but removed upon expiration. The short-term host failing to display the permit is in violation of section 1729.13(B); The short-term host found to be operating with an expired permit is in violation of section 1729.13(A).
- (F) At least monthly, the short-term rental host or his/her designated agent or custodian shall inspect the dwelling. The short-term rental host or his/her designated agent or custodian shall

immediately notify the owner of any condition existing thereupon which is in violation of any housing, building, health or sanitation provision of these Codified Ordinances.

(G) The Commissioner or such other person as the Commissioner may direct or cause each short-term rental, or any part thereof, to be inspected annually for maintenance violations. The fee for such inspection shall be as set forth in Section 185.04(f)(3) of the Administrative Code.

1729.04 Short-Term Rental Host – Requirements.

(A) Short-term rental host requirements

A short-term rental host shall be the owner and/or the permanent occupant of the dwelling. The short-term rental host must provide one form of proof of identity, and 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.

- (1) One short-term rental permit per short-term rental operation may be issued.
- (2) If a short-term rental host is not the property owner, but a permanent occupant of the dwelling, the host shall obtain permission from the property owner of the dwelling to register the dwelling on any hosting platform for use as a short-term rental.
- (3) The short-term rental host must provide written notice to the short-term rental guest of:
 - a. any known, non-obvious or concealed condition, whether man made or artificial, which may present a danger to the short-term rental guest(s);
 - b. the contact information, including a telephone phone number, of a local person with responsibility to resolve any complaints regarding the condition, operation or maintenance of the dwelling unit;
 - c. Set forth the trash and recycle collection days for the property and any applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property. The owner shall provide proper trash and recycling containers for the transient guest(s).
- (4) Smoke detectors shall be provided and maintained adjacent to each sleeping area in each dwelling unit as required in Chapter 1721.
- (5) One or more carbon monoxide detection devices shall be installed and maintained as close to the center of the dwelling unit and within close proximity to the living and sleeping areas of the dwelling unit.
- (6) Occupancy shall be limited to two individuals per bedroom within the dwelling unit.

(7) Provide off street parking for one vehicle per every two bedrooms within the dwelling unit.

(8) Rentals for thirty (30) or more consecutive days by the same guest(s) will not be subject to short-term rental regulations.

(9) Compliance with all other applicable provisions of the Parma Codified Ordinances related to residential housing.

(10) A short-term rental host must comply with The City of Parma's admissions charge and tax as set forth in Chapter 181 of the Parma Code.

(11) All short-term rental hosts must obtain liability insurance for the short-term rental or provide proof that the short-term rental and short-term rental host are named insured under the hosting platform's liability of insurance in the amounts set forth below. Each short-term rental shall at all times maintain the following insurance coverage meeting all of the following requirements: (a) A general liability insurance policy or certificate that shall provide the minimum coverage;

i. Not less than three hundred thousand dollars (\$300,000). 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.

ii. The policy or certificate shall provide notice of cancellation of insurance to the Commissioner at least ten (10) days prior to cancellation.

iii. Any cancellation of insurance required by this section shall result in an automatic revocation of the respective short-term rental permit.

(B) Records required.

(1) A short-term rental host that offers a short-term rental shall retain records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the short-term rental guest responsible for the reservation and/or who rented the unit on each night, dates and duration of stay in a short-term rental, and the rate charged for each short-term rental on each night.

(3) A short-term rental host that provides units for short-term rental use shall retain records for a period of at least four (4) years.

(4) If a request to inspect the records is denied, any officer or employee of the division of police, division of fire department of building may seek an administrative search warrant from a court of competent jurisdiction authorizing said inspection.

1729.05 Grounds for Denial.

(A) The Commissioner 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 Commissioner 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;
- (2) The applicant or any owner of the short-term rental has been convicted of violating section 1729.02(A) of this chapter.
- (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 Revised Code Chapters 2925 (Drug Offenses) or 3719 (Controlled Substances), in or on the dwelling of the short-term rental in question, or any short-term rental in which that 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 is in arrears with the Cuyahoga County Auditor's Office;
- (5) The short-term rental host is not in good standing with the City of Parma Income Tax Division.

(C) The Commissioner may 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 occurrence of any of the activities set forth in Section 606.31 – Chronic Nuisance Problems of the Codified Ordinances of the City of Parma.
- (2) The short-term rental has outstanding orders from the Parma Division of Fire that have not been corrected;
- (3) Pattern of felony drug related activity as defined in Ohio Revised Code Section 2923.31 (Corrupt Activities);
- (4) Pattern of prostitution related activity or evidence of human trafficking as defined in Ohio Revised Code Section 2923.31;
- (5) Pattern of gang related activity as defined in Ohio Revised Code Section 2923.41;
- (6) The short-term rental or short-term rental host has a documented history of repeated acts that are offenses of violence as defined in Ohio Revised Code Section 2901.01;

(7) The owner, applicant, operator, manager, or the short-term rental host has not made a good faith effort to correct violations of Sections 1729.05 or 1729.11 of this chapter, or has obstructed or interfered with correction of the violations;

(8) The applicant or short-term rental host of the short-term rental has hindered or prevented any inspection of the short-term rental authorized by Sections 1705.01 and 1705.02.

Evidence of 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 unless specifically indicated.

1729.06 Revocation and suspension of Short-Term Rental Permit.

(A) At any time during the calendar year, the Commissioner may revoke and/or suspend a short-term rental permit if it is determined that activities set forth in divisions (B) or (C) of Section 1729.05 are shown to have occurred at the short-term rental.

1729.07 Hearing, Appeals and Remedy Process.

(A) Any person who has been denied, suspended, refused a license or renewal of a license or had their license revoked under this Chapter may appeal such decision as provided in Section 1705.09.

(B) Action to issue, revoke, suspend or renew a permit may be stayed should the short-term rental host take specific steps to remediate problems outlined in the notice of revocation and suspension that include but are not limited to some of the following actions:

(1) Completion of approved safety and security training, and/or training to identify criminal activity such as human trafficking;

(2) Installation of safety and security measures such as fencing, lighting, public space surveillance, etc.;

(3) Voluntary participation in right-of-entry programs with law enforcement agencies;

(4) Implementation of minimum age of 21 for check-in for lodging properties;

(5) Requirement of use of valid credit card at check in; and/or

(6) Additional remediation actions as approved by the Commissioner

(C) All potential remedies outlined in division (B) of this section must be approved by the Commissioner.

1729.08 Transfer of Short-Term Rental Permit Not Permitted.

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

1729.09 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; 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;
 - (2) 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.

1729.10 Rules and Regulations.

The Commissioner may promulgate and enforce reasonable rules and regulations to carry out the intent of this Chapter in accordance with Section 1705.10.

1729.11 Short-Term Rental Permit.

The short-term rental host shall maintain the permit and prominently display it in the dwelling.

1729.12 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.

1729.13 Short-Term Rental Penalty.

(A) Whoever violates Section 1729.02(A) shall be guilty of a misdemeanor of the fourth degree and a fine of not more than two-hundred and fifty dollars (\$250.00) or imprisonment for not more than thirty (30) days or both. Upon subsequent convictions, the penalty shall be a misdemeanor of the third degree and a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than sixty (60) days or both in addition to any other penalties as imposed by this Chapter.

All revenue from short-term rentals that are illegally obtained in violation of Section 1729.02(A) shall be remitted to the City of Parma.

(B) Whoever violates Section 1729.11 of this chapter shall be guilty of a minor misdemeanor.