

ORDINANCE NO. 97-19

BY: **VITO DIPIERRO, DEBORAH LIME, KRISTIN L. SABAN, ROY J. JECH**
(By Request – Safety Director)

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION (f) "PROPERTY MAINTENANCE CODE" OF SECTION 185.04 "FEES OF THE DIRECTOR OF PUBLIC SAFETY" OF CHAPTER 185 "GENERAL FEE SCHEDULE"; SUBSECTION (a) "DEFINITIONS" OF SECTION 181.01 AND SUBSECTION (a) "TAX LEVIED; RATES" OF SECTION 181.02 OF CHAPTER 181 "ADMISSIONS TAX" RELATIVE TO SHORT-TERM RENTAL FEES OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

WHEREAS, There has been an increase in the operation of short-term rentals in the Cleveland Metropolitan Area often marketed through various internet platforms; and

WHEREAS, Short-term rentals are semi-commercial uses which may be specifically permitted to operate in residential areas; and,

WHEREAS, Parma City Council is considering the adoption of legislation to enact reasonable regulations to protect the health, safety, welfare, peace and comfort for the citizens of the City of Parma as to short-term rentals in the City; and,

WHEREAS, should Council adopt legislation enacting reasonable regulations regarding short-term rentals in the City it will be necessary to amend Subsection (f) "Property Maintenance Code" of Section 185.04 "Fees of the Director of Public Safety" of Chapter 185 "General Fee Schedule" in order to effectuate the newly adopted short-term rental legislation; and,

WHEREAS, should Council adopt legislation enacting reasonable regulations regarding short-term rentals in the City it will be necessary to amend Subsection (a) "Definitions" of Section 181.01 of Chapter 181 "Admissions Tax" and Subsection (a) "Tax Levied; Rates" of Section 181.02 of Chapter 181 "Admissions Tax" in order to effectuate the newly adopted short-term rental legislation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO THAT:

Section 1. That Subsection (f) "Property Maintenance Code" of Section 185.04 "Fees of the Director of Public Safety" of Chapter 185 "General Fee Schedule" of the Codified Ordinances of the City of Parma, which presently reads as follows:

"185.04 FEES OF THE DIRECTOR OF PUBLIC SAFETY.

...
(f) PROPERTY MAINTENANCE CODE.

(1) Annual rental registration fee (one-two-family houses) \$150.00 if paid by the due date of January 31 of each year

Said registration shall be valid for one calendar year (from January 1 through December 31)

(2) Late fee for above annual rental registration: 50.00 late fee for failure to pay by January 31 (additional fines and court costs may be imposed by Parma Municipal Court for failure to complete the rental registration form and pay the rental registration fee)

(3) Foreclosure registration and inspection fee

A. Residential property (one-or-two family structures)" 100.00

...

is hereby amended to read as follows:

"185.04 FEES OF THE DIRECTOR OF PUBLIC SAFETY.

...

(f) PROPERTY MAINTENANCE CODE.

(1) Annual rental registration fee (one-two-family houses) **AND SHORT-TERM RENTALS** \$150.00 if paid by the due date of January 31st of each year.

Said registration shall be valid for one calendar year (from January 1 through December 31)

(2) Late fee for above annual rental **AND SHORT-TERM RENTAL** registration: 50.00 late fee for failure to **REGISTER AND** pay by January 31 (additional fines and court costs may be imposed by Parma Municipal Court for failure to complete the rental registration form and pay the rental registration fee)

(3) Foreclosure registration and inspection fee

A. Residential property (one-or-two family structures **OR SHORT-TERM RENTALS**)" 100.00

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Section 2. That Subsection (a) "DEFINITIONS" of Section 181.01 of Chapter 181 "ADMISSIONS TAX" of the Codified Ordinances of the City of Parma, which presently reads as follows:

“181.01 DEFINITIONS.

For the purpose of this chapter, words and phrases have the following meanings:

- (a) "Admission charge," in addition to its usual and ordinary meaning, means and includes a charge made for season tickets or subscriptions, a cover charge or a charge made for use of seats and tables, reserved or otherwise, and similar accommodations; a charge made for food and refreshments in any place where any free entertainment, recreation or amusement is provided; a charge made for rental or use of equipment or facilities for purposes of recreation or amusement and, where the rental of the equipment or facilities is necessary to the enjoyment of the privileges for which a general admission is charged, the combined charge shall be considered as the admission charge and a charge made for automobile parking where the amount of the charge is determined according to the number of passengers in an automobile; and a charge made and collected by the deposit of a coin into an amusement machine, as defined in Section [721.01](#)(a) of the Business Regulation Code.”

...

is hereby amended to read as follows:

“181.01 DEFINITIONS.

For the purpose of this chapter, words and phrases shall have the following meanings:

- “(a) "Admission charge," in addition to its usual and ordinary meaning, means and includes a charge made for **USING OR RENTING A SHORT-TERM RENTAL**, season tickets or subscriptions, a cover charge or a charge made for use of seats and tables, reserved or otherwise, and similar accommodations; a charge made for food and refreshments in any place where any free entertainment, recreation or amusement is provided; a charge made for rental or use of equipment or facilities for purposes of recreation or amusement and, where the rental of the equipment or facilities is necessary to the enjoyment of the privileges for which a general admission is charged, the combined charge shall be considered as the admission charge and a charge made for automobile parking where the amount of the charge is determined according to the number of passengers in an automobile; and a charge made and collected by the deposit of a coin into an amusement machine, as defined in Section [721.01](#)(a) of the Business Regulation Code.”

...

Section 3. That Subsection (a) “TAX LEVIED; RATES” of Section 181.02 of Chapter 181 “ADMISSIONS TAX” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“There is hereby levied and imposed upon every person who pays an admission charge to any place, including a tax on persons who are admitted free of charge, or at reduced rates, to any place for which other persons pay a charge or a regular higher charge for the same or similar privileges or accommodations:

- (a) A tax of five percent on the amounts paid for admission to any place, including admission by season ticket or subscription. The tax shall apply to every admission within the City for which a charge is made, notwithstanding that the sale of the ticket or other evidence or right of admission thereto is made outside of the City. The tax shall apply to every admission charge made in connection with a circus, side show or carnival, and for every admission charge made in connection with amusement rides such as merry-go-rounds, Ferris wheels, dodge'ems and roller coasters.”

...

is hereby amended to read as follows:

“There is hereby levied and imposed upon every person who pays an admission charge to any place, including a tax on **SHORT-TERM RENTAL OR** persons who are admitted free of charge, or at reduced rates, to any place for which other persons pay a charge or a regular higher charge for the same or similar privileges or accommodations:

- (b) A tax of five percent on the amounts paid for **THE USE OF A SHORT-TERM RENTAL OR** admission to any place, including admission by season ticket or subscription. The tax shall apply to every admission within the City for which a charge is made, notwithstanding that the sale of the ticket or other evidence or right of admission thereto is made outside of the City. The tax shall apply to every admission charge made in connection with a circus, side show or carnival, and for every admission charge made in connection with amusement rides such as merry-go-rounds, Ferris wheels, dodge'ems and roller coasters.”

...

Section 4. That only those portions of Subsection (f) “Property Maintenance Code” of Section 185.04 “Fees of the Director of Public Safety” of Chapter 185 ‘General Fee Schedule’; Subsection (a) “Definitions” of Section 181.01 and Subsection (b) “Tax Levied; Rates” of Section 181.02 of Chapter 181 “Admissions Tax” of the Codified Ordinances of the City of Parma, as they existed heretofore, are hereby repealed.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order to amend the Parma Codified Ordinances at the earliest possible date, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO