

RESOLUTION NO.: 46-2025

INTRODUCED BY: Mayor Thomas and All of City Council

A RESOLUTION OF THE CITY OF RICHMOND HEIGHTS OPPOSING PROPOSED OHIO SENATE BILL 104 REGARDING ITS PROHIBITION OF LOCAL GOVERNMENT CONTROL OVER SHORT-TERM RESIDENTIAL RENTALS AND REQUESTING THAT THE OHIO LEGISLATURE NOT PASS SUCH A PROHIBITION.

WHEREAS, within the pending Ohio Senate Bill 104 are provisions that adversely affect Ohio municipalities' ability to control the health, safety, general welfare, and property values of their single-family residential neighborhoods – i.e., the Bill would prohibit local governments from “adopting or enforcing regulations, requirements, restrictions, or other resolutions or ordinances” that would:

- Prohibit short-term rentals;
- Create a lottery system for eligibility of a short-term rental property;
- Use zoning requirements to prohibit or limit short-term rental properties in areas that are zoned to allow for residential use;
- Restrict the number of short-term rental properties a person may operate; and
- Require that an owner of a short-term rental property occupy the property;

WHEREAS, many municipalities across Ohio have either prohibited short-term residential rentals in residential neighborhoods and/or regulated them through various reasonable limitations on their operations and done so in direct response to very substantial adverse impacts and consequences caused by short-term rentals – e.g., raucous and overcrowded parties with underage drinking of alcohol and use of illegal drugs, public drunkenness, illegal parking, damage to the host property and neighboring properties, litter, and other criminal activity – all of which have caused safety and security fears to residents and loss of property values;

WHEREAS, the foregoing serious problems have put undue strain on municipal services, such as police, fire, prosecutorial, and building official responses thereto;

WHEREAS, these severe problems have required mutual aid police services from other municipalities to assist with dispersing crowds and handling the criminal activity associated with short-term rental parties;

WHEREAS, short-term rentals have a transient clientele and are a commercial business operating in a single-family residential neighborhood.

WHEREAS, the City of Richmond Heights has experienced all of those severe problems with short-term rentals recited above in single-family neighborhoods and City Council meetings were filled to occupancy limits by residential neighbors complaining about the short-term rental establishments in the City and expressing their real fears and frustrations over them; as a result, in August 2023, the City Council unanimously adopted an ordinance which prohibits short-term rentals of less than thirty (30) days in residentially-zoned districts in the City;

WHEREAS, as a result of the City's ban on short-term rentals in residential neighborhoods, since August of 2023, there has not been a single complaint to the City of disruptive parties and events and the other adverse activity associated therewith;

WHEREAS, neighboring municipalities to Richmond Heights are currently experiencing the same severe problems with short-term rentals in residential neighborhoods as Richmond Heights experienced two years ago and are now calling Richmond Heights for advice as to how to handle those problems;

WHEREAS, proposed Senate Bill 104 is a blatant attempt to preempt the police powers of the municipalities, such as the City of Richmond Heights, to adopt laws and other regulations under their powers in Article XVII of the Ohio Constitution to address serious health and safety concerns of the local community and its residents, something the State of Ohio is not in a position to do;

WHEREAS, local governments must retain their authority to deal with the severe adverse problems inherent to short-term rentals that cannot adequately be addressed through the restrictions proposed to be imposed by Senate Bill 104 and it is unquestionably local governments who are best positioned to respond to the expectations of their residents who deserve local control over their residential neighborhoods.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Richmond Heights, Ohio, that:

Section 1. This Council and Mayor Kim A. Thomas adamantly express their opposition to the short-term rental provisions of proposed Senate Bill 104 and request that the Bill be stripped of the short-term rental provisions set forth in the

recitals to this Ordinance so as to permit the continued regulation of short-term rentals by municipalities and other local governments in Ohio, as they deem to be needed.

Section 2. The Clerk of Council shall immediately upon the passage of this Ordinance forward a copy of it to State Senator Kent Smith, State Representative Daniel P. Troy, Ohio Senate President Rob McColley, Speaker of the Ohio House of Representatives Matt Huffman, and State Senator Andrew O. Brenner, the sponsor of S.B. 104.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this 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, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: March 25, 2025

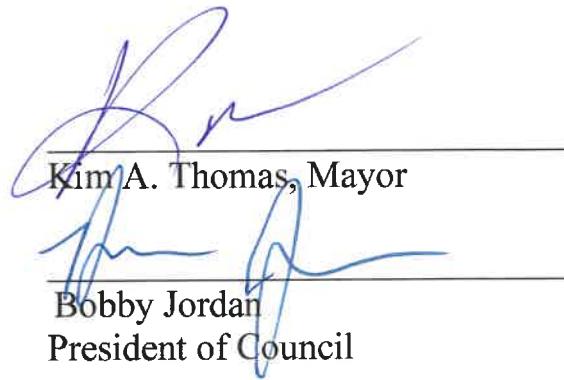
APPROVED: March 25, 2025

ATTEST: Tracey Blair
Tracey Blair
Clerk of Council

Juanita Lewis, Council at Large

Daniel J. Ursu, Council at Large

Asu Mook Robinson, Council -
Ward 2



Kim A. Thomas, Mayor
Bobby Jordan
President of Council

Cassandra A. Nelson, Council-Ward 3

Tracy Justice, Council -Ward 1

Brian Silver, Council – Ward 4