

City of Willoughby Hills

ORDINANCE NO. 2025-041

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF WILLOUGHBY HILLS A PROPOSED AMENDMENT TO PART 11 TITLED “PLANNING AND ZONING CODE”, TITLE 11 CAPTIONED “SUPPLEMENTAL DEVELOPMENT STANDARDS” AND THEREBY ESTABLISH UNDER CHAPTER 11 “SUPPLEMENTAL DEVELOPMENT STANDARDS”, CHAPTER 1157 “GENERAL USE REGULATIONS”, CODIFIED ORDINANCE SECTION 1157.011 CAPTIONED “PROHIBITED USES-SHORT TERM RENTALS”, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and this Council find that it is in the best interest of the health, safety and well-being of the public, including the owners, occupants and neighboring property owners of properties in the zoning districts of the City of Willoughby Hills to prohibit short-term rentals; and

WHEREAS, the wide advertising of the availability of short-term rentals of in zoning districts in the country, Northeast Ohio and in the City of Willoughby Hills by property owners, coupled with the uses of the units by short-term renters, have led to uses by short-term renters that have been extremely disruptive to the health, safety and well-being of neighboring residents in the form of loud and obnoxious noise (both verbal and music) during daylight and night time hours, trespassing onto neighboring properties, damage to neighboring properties, littering in the neighborhood and overparking of vehicles, all of which has been detrimental to the use and enjoyment of neighboring properties and their inhabitants and constitute a public nuisance.

WHEREAS, pursuant to the Charter of the City and the Constitution of the State of Ohio, the Council has determined to authorize and direct the submission to the electors of the City of Willoughby Hills of the proposed Planning and Zoning Code Amendment hereinafter set forth, at a General Election to be held on Tuesday, November 4, 2025.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. This Council hereby authorize and directs the submission to the Electors of the City of Willoughby Hills at the time of the General Election to be held at the usual places of voting in said City on Tuesday, November 4, 2025, the following amendment to Part 11, Planning and Zoning Code, Title Eleven-Supplemental Development Standards, Chapter 1157 General Use Regulation, to establish Codified Ordinance 1157.011 to read as follows:

Section 1157.011-Prohibited Uses-Short-Term Rentals.

- (a) No person shall operate, let, rent, list, advertise, or otherwise make available, any dwelling in any district in the City for the purpose of a short-term rental.
- (b) Definitions.
 - (1) “Short-term rental” shall be defined as the right to use, occupy or possess, or the actual use, occupancy, or possession, of a dwelling through a rental for temporary, transient occupancy for dwelling, sleeping, lodging, or

entertaining others for a period of less than thirty (30) continuous days.

- (2) “Dwelling” for purposes of this Section 1157.011 only, does not include extended stay hotels and motels, community rooms owned by a homeowner’s association, and community rooms utilized by apartment complexes.
- (c) Upon reasonable suspicion of a violation of this Section and a demand by a police officer or building inspector of the City, the occupant, owner, and person in charge of a dwelling shall be required to immediately produce a copy of the rental agreement, or lease, letter agreement, e-mails, or any other written communication by any short-term rental in a residential zoning district in the City.
- (d) Penalty. Violation of this Section, shall be a misdemeanor of the first degree. Each day utilized as a short-term rental shall be considered a separate offense.

SECTION 2. The form of ballot to be cast at the election for the proposed Charter amendment contained in Section 1 shall read and provide as follows:

PROPOSED CHARTER AMENDMENT A majority affirmative vote is necessary for passage
Shall the City Planning and Zoning Code be amended by proposed Codified Ordinance 1157.011 to expressly prohibit short term rentals within the City and establish any violation as a misdemeanor of the first degree.
Yes
No

SECTION 3. If such amendment is approved by a majority of the electors voting thereon at such election, it shall become effective from and after the time of its approval by the electors.

SECTION 4. The Clerk of Council is hereby authorized and directed to cause copies of said proposed amendment to be mailed at least thirty (30) days prior to said election to each elector of the City whose name appears upon the registration book of the last regular or General Election held in the City; provided, however, that in lieu of such mailing and to the extent provided by law, the Clerk of Council is hereby authorized to cause a copy of the proposed amendment to be published in such manner as may be authorized by law.

SECTION 5. The Clerk of this Council be and hereby is authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County on or before August 6, 2025.

SECTION 6. The Board of Elections is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 7. There is hereby appropriated from the General Fund of the City an amount sufficient to pay the cost of carrying out the directions of this Ordinance including the cost of printing, or otherwise preparing, and mailing or publishing said copies of said proposed amendment and of publishing notice of such election.

SECTION 8. The actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 9. This Ordinance constitutes an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City of Willoughby Hills and its inhabitants and for the further reason that this Ordinance must be immediately effective in order to permit necessary arrangements to be made in sufficient time for the foregoing issue to be presented to the voters at the time of the General Election to be held on November 4, 2025; wherefore this Ordinance shall take effect and be in full force immediately upon its adoption.

PASSED: _____, 2025

Michael Kline
President of Council

Submitted to the Mayor for his approval on this _____ day of _____, 2025.

Approved by Mayor:

_____, 2025

ATTEST:

Nicholas Aiello
Clerk of Council

Christopher Hallum
Mayor