

New Program Development:

- **Rental Occupancy Permit**
- **Vacant Property Registration**

May 2026

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Rental Occupancy Permit Program

Document Overview

The document is a result of extensive conversations with Orwell Village Commission elected officials, staff, and other stakeholders throughout the 2027 year. This process included extensive conceptual conversations, strategic prioritization of resources, analysis of potential sub-optimal outcomes. The feedback from stakeholders involved in the development of this program was the need to contribute to the public welfare of neighborhoods within the Village while ensuring the safety and welfare of the citizens. This program is designed with these characteristics while also supporting responsible property owners. It fundamentally focuses on creating value through sustainable development of initiatives.

Ohio Revised Code section (R.C.) 5323.02 requires an owner of residential rental property to register a contact agent for that property with the county auditor's office within 60 days (including weekends and holidays) following the day a real property conveyance form for that property is filed with the county auditor. This new program is intended to outline a property registration program within the Village that will apply to all residential properties not occupied by the deeded owner and commercial properties. The State of Ohio requires residential rental property owners to register their rental properties with the county auditor. Residential properties include real property, one or more dwelling units leased or rented solely for residential purposes, or a mobile home park or a site where lots are leased for parking mobile/manufactured homes/RVs for residential purposes.

Implementation

The following document consists of a baseline for recommended language to be reviewed by the Village and its legal counsel. The subsequent sections include recommended ordinance language to the Village. The language contained herein is rooted in best practices and includes aspects of successful programs in other municipalities. These recommendations are to provide a baseline from which Village officials can refine as needed.

The next steps for the Village are to review the language, parameters, and proposed fees associated with each section. Once final language has been approved, the Village should proceed with the necessary public adoption process while simultaneously adjusting organizational/departamental responsibilities and personnel assignments within the Village to accommodate anticipated workload.

SUGGESTED LANGUAGE
FOR CODIFIED ORDINANCES

- (a) **ADOPTION; PURPOSE.** The purpose of this chapter is to establish minimum maintenance standards necessary to ensure that all residential rental units within the Village are safe, sanitary, fit for habitation, free from any health or fire hazards, and contribute to the public welfare of neighborhoods within the Village. This chapter also establishes a program for registering single-family and multi-family properties while outlining standards for the upkeep of properties. Its primary objective is to ensure the safety of all buildings through standardized requirements, minimize and prevent blight in neighborhoods, deter the formation and persistence of public nuisances, address conditions that pose risks to public health, safety, and welfare, foster neighborhood stability and occupancy by preserving the condition and appearance of residential properties, as well as sustaining the value and functionality of commercial and industrial properties. Additionally, it seeks to uphold property values and assessments.
- (b) **APPLICABILITY.** Every non-owner-occupied property within the Village must undergo annual registration and inspection. This includes all single-family dwellings, multi-family dwellings (two or more units), short-term rentals, vacant buildings, and other related properties that are not occupied by the current landowner. The applicable registration period spans from January to December of each calendar year, with property registration fees mandatory each year to maintain the property's registered status. This requirement applies irrespective of whether the property is used for rental purposes, occupied or unoccupied, vacant, and whether or not it generates income. Both new and existing property registration account holders are required to register in through the Village's property registration portal.
- (c) **RESIDENTIAL RENTAL REGISTRATION**
- Any person who uses their property or premises as residential rental property at any time after January 1, 2027, shall be required to register their property with the Village at least thirty days before using property or premises as residential rental property and pay an initial nonrefundable registration fee of two hundred dollars (\$200.00) for a single-family unit. Multi-family rental properties will incur a minimum fee of three hundred dollars (\$300), this covers the first three units and \$100 per unit for each additional. All residential rental licenses shall expire on December 31 of each calendar year, regardless of the date that the property was first registered with the Village, subject to renewal on the first day of each new calendar year after the nonrefundable payment of two hundred dollars (\$200.00).
- i. These fees may be pro-rated at the discretion of the Village.
 - ii. A residential rental license shall be non-transferable. Upon a change in ownership of a residential rental property, the new owner shall obtain a residential rental license.
- (1) An application, on forms approved by the Village, for a residential rental license required by the provisions of this chapter shall be made to the inspector. The

Village shall issue a residential rental license to the owner of residential rental property who has submitted the appropriate application fee and upon approval by the inspector.

- (2) If the owner of residential rental property fails to renew a residential rental license by December 31 of each year, there shall be an additional late fee of five dollars (\$5.00) per day as calculated by the inspector, after 6 months of nonrenewal of the residential rental license water shall be turned off until renewed and paid in full.
- (3) An owner shall provide a copy of the residential rental license to the responsible local agent, if a responsible local agent is required.

(d) CODE OFFICIAL. The Code Official or his or her designee is charged with the enforcement of this section including but not limited to conducting inspections and issuing notices, enforcing orders and penalties.

(e) RENTAL OCCUPANCY PERMIT

An application for a rental occupancy permit required by this chapter shall be made to the Village on forms approved by it, which shall contain the following information:

- (i) The street address or other identifying characteristics of the residential rental property.
- (ii) The name, phone number and address of the owner and responsible local agent, if required by the Village.
- (iii) The signature of the property owner.
- (iv) A copy of the written lease or rental agreement.
- (v) The name and date of birth of the tenant or lessee and all other individuals who will occupy the residential rental property with the tenant or lessee.
- (vi) A criminal background check of the tenant or lessee and all other adult individuals who will occupy the residential rental property with the tenant or lessee, to be prepared by a licensed and certified background check company and at the owner's cost.
- (vii) Any other information required by the Village or its inspector.

- (1) Upon receipt of the application for a rental occupancy permit, the Village shall cause a general inspection of the residential rental property within five business days. Upon completion of an inspection, if said residential rental property was found in compliance with these Codified Ordinances, the Village shall issue a tenancy permit to the owner of the residential rental property.
- (2) Where the Village or its authorized agent, after inspection of a residential rental property, determines that such residential rental property does not comply with the minimum standards set forth in the Codified Ordinances of the Village, the Village or its authorized agent shall notify the owner at the address on file that said residential rental property is found to be in violation of the minimum

standards set forth in the Codified Ordinances. The notice shall contain a general listing of the issues determined to be non-compliant and a date by which to bring the residential rental property into compliance and repair.

- (3) Such rental occupancy permit shall be valid until a change or alteration of the residential rental property, change or alteration of the authorized occupancy or until there is a change in tenancy of the residential rental property.
 - (4) An application for a rental occupancy permit shall be accompanied by a non-refundable fee of two hundred dollars (\$200.00) for single family properties, or three hundred dollars (\$300) for multi-family properties. Re-inspection fees are fifty dollars (\$50.00).
 - (5) A rental occupancy permit shall not be required for residential rental property that is public housing owned by a government or quasi-governmental organization and is subject to annual inspection pursuant to federal and/or state regulations.
 - (6) No rental occupancy permit will be approved that would allow a person to occupy or use residential rental property in violation of federal, state and/or local law, including, but not limited to, any restrictions on where a person may live who has been convicted of a sexually oriented offense or a child-victim oriented offense.
 - (7) An owner shall provide a copy of the rental occupancy permit to the responsible local agent, if a responsible local agent is required. An owner shall provide a copy of the tenancy permit to the occupant.
- (f) GENERAL OBLIGATIONS OF THE OWNER OF A RENTAL UNIT. The proprietor of the leased property must adhere to several obligations: (1) ensure that the interior, exterior property areas, and exterior structure comply with the stipulations of this code, (2) maintain the interior, exterior property areas, and exterior structure in a state of good repair, (3) keep all communal areas in a clean and hygienic condition, (4) furnish all utilities, facilities, equipment, and services mandated by this code, (5) arrange for the extermination of insects using methods that do not jeopardize human health, (6) provide suitable solid waste disposal facilities or containers for every dwelling unit, and (7) adhere to all regulations and rules set forth by the Code Official or their representative for the enforcement and interpretation of this section.
- (g) MAINTENANCE RESPONSIBILITIES.
- (1) Owner. The owner of every non-owner occupied dwelling shall be responsible for the maintenance thereof in good repair and safe condition as required by the terms of this Code. The owner shall also be responsible for maintaining in a clean and sanitary condition the shared or common areas of the premises.
 - (2) Occupant. The occupant of a dwelling unit in any dwelling structure shall be responsible for maintaining in a clean and sanitary condition that part of the dwelling unit, dwelling structure or premises which he or she occupies and controls. In addition, the occupant shall be responsible for maintaining in good and safe working order the equipment and appliances that are owned by the proprietor.

(h) PHYSICAL STANDARDS FOR DWELLING UNITS.

Every dwelling unit shall conform to the following standards:

- (1) Every dwelling unit shall have not less than 300 square feet of habitable floor area and shall contain at least one room which has not less than 150 square feet of habitable floor area and which is not less than ten feet in width, provided that no room used to compute compliance with such 300 square feet minimum limitation shall be less than seven feet in width nor have less than seventy square feet of habitable floor area.
- (2) No portion of any room which is less than seven feet in width shall be included in determining habitable floor area.
- (3) All habitable rooms shall have a clear ceiling height of not less than seven feet, provided that rooms with sloping ceilings shall have a clear height of not less than seven feet, six inches, in at least one-half of their habitable floor area. In determining the habitable floor area of rooms with sloping ceilings, all portions of less than four feet in height shall be disregarded.
- (4) Every dwelling unit shall contain at least 200 square feet of habitable floor area for the first occupant thereof and at least 150 additional square feet of habitable floor space for every additional occupant thereof. In no case shall any dwelling unit contain less than 300 square feet of habitable floor area.
- (5) No part of the third-floor area of a double house, two-family dwelling or multifamily dwelling consisting of side-by-side dwelling units, sometimes known as row housing, shall be used to compute compliance with the requirements for minimum habitable floor area for a family occupying a dwelling unit in such double house, two-family dwelling or multi-family dwelling.
- (6) Every room for sleeping purposes shall contain not less than 150 square feet of habitable floor area if used for one occupant, and not less than 75 additional square feet of habitable floor area for each additional occupant if used by more than one occupant.

(i) PHYSICAL STANDARDS FOR HABITABLE ROOMS BELOW GRADE.

No room that has its floor level below grade shall be occupied as a habitable room unless it conforms to the following standards in addition to all other requirements of this code for habitable room:

- (1) The room shall be originally designed and constructed, or legally converted, for use as a habitable room.
- (2) The walls and floor enclosing the room shall be maintained in such condition as to prevent the entrance of moisture into the habitable space.
- (3) All required openings for light and ventilation shall be located entirely above the average adjoining grade. However, such openings may face upon an areaway or window wall where the width of such wall measured perpendicularly to the building wall at such opening is not less than the distance from the bottom of the window to the finished grade at such window.

- (4) The height of the finished ceiling of such room above the average adjoining ground level shall be at least fifty percent of the clear ceiling height of the room.
- (5) The room shall also comply with all other provisions of the State building and fire codes.

(j) REQUIRED WINDOWS; REQUIRED WINDOW AREA.

- (1) Every habitable room shall be provided with natural light by one or more windows or approved equivalent facing upon an approved open space. The aggregate glass area of such required windows shall be not less than four percent of the habitable floor area of the room served by them.
- (2) Every dwelling unit hereafter constructed at the intersection of two public streets shall have at least one window per floor on each side of the unit that is adjacent to such public street. The aggregate glass area of such required windows shall be not less than ten percent of the habitable floor area of the rooms so served.

(k) GENERAL PROPTERY CONDITION

- (1) All other aspects, including interior and exterior physical condition, utilities, sidewalks, of these units must meet the standards outlined in Chapter 13 and Chapter 15 of the Village's codified ordinances. All dwelling structures and all parts thereof, both exterior and interior, shall be maintained in good repair and shall be capable of performing the function for which such structure or part or any feature thereof was designed or intended to be used.
- (2) All equipment and facilities appurtenant to a dwelling structure or dwelling unit shall be maintained in good and safe working order.
- (3) The requirements of this chapter shall be considered in determining the compliance of a dwelling structure with this section, such determination shall not be limited by the requirements of such section when it is determined by the Village's designated code enforcement officer that there exists any other condition which is contrary to the intent and purpose of this section.

(l) GENERAL MAINTENANCE REQUIREMENTS.

- (1) All dwelling structures and all parts thereof, both exterior and interior, shall be maintained in good repair and shall be capable of performing the function for which such structure or part or any feature thereof was designed or intended to be used.
- (2) All equipment and facilities appurtenant to a dwelling structure or dwelling unit shall be maintained in good and safe working order.
- (3) The requirements of this chapter shall be considered in determining the compliance of a dwelling structure with this section, such determination shall not be limited by the requirements of such section when it is determined by the Code Official that there exists any other condition which is contrary to the intent and purpose of this section.

(m) IDENTIFICATION OF DWELLING UNITS.

- (1) Each dwelling unit must be identified with permanent numerals or letters placed on the front entrance to such dwelling unit and clearly visible from the street.
- (2) Each multiple dwelling having more than one garage unit shall have such garage units marked with permanent numerals or letters clearly visible from the street.

(n) UNSAFE STRUCTURES AND EQUIPMENT

General: When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

- (1) **Unsafe structures.** A structure is deemed unsafe when it poses a threat to the life, health, property, or safety of the public or its occupants. This determination may arise from a failure to establish minimal safeguards for protecting or alerting occupants in the event of a fire. Additionally, a structure may be considered unsafe if it contains hazardous equipment or exhibits significant damage, decay, dilapidation, structural instability, or faulty construction. Such conditions increase the risk of partial or complete collapse, necessitating intervention to mitigate potential harm.
- (2) **Unsafe equipment.** Unsafe equipment encompasses various elements such as boilers, heating equipment, elevators, moving stairways, electrical wiring or devices, flammable liquid containers, or any other equipment within the premises or structure. If any of these items are found to be in disrepair or a hazardous condition, they are considered a threat to the life, health, property, or safety of the public or occupants of the premises or structure. Intervention is necessary to rectify or address such unsafe conditions promptly.
- (3) **Structure unfit for human occupancy.** A structure is deemed unfit for human occupancy when the code official determines that it is unsafe, unlawful, or, due to extensive disrepair or insufficient maintenance, is unsanitary, infested with vermin or rats, contains filth and contamination, lacks ventilation, illumination, sanitary or heating facilities, or other essential equipment mandated by this code. Additionally, the structure may be considered unfit if its location poses a hazard to the occupants or the public. In such cases, remedial measures are necessary to address these conditions and ensure the safety and habitability of the structure.
- (4) **Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.
- (5) **Dangerous or unsafe structure or premises**
The code official shall determine whether there are dangerous or unsafe structures and/or premises. For the purpose of this code, dangerous or unsafe structures and/or premises, but not limited to the following:

- a. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
- b. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
- c. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
- d. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
- e. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
- f. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
- g. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
- h. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
- i. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- j. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

- k. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

(6) Closing of vacant structures

In the event that a vacant structure is deemed unsuitable for human habitation and occupancy, and there is no immediate risk of structural collapse, the code official is authorized to affix a condemnation placard on the premises. Simultaneously, the official can issue an order to close up the structure to prevent it from becoming an attractive nuisance. If the owner fails to comply with the order within the stipulated time, the code official is empowered to arrange for the closure and securing of the premises. The associated costs will be incurred through any available public agency or through contracts with private individuals. These costs shall then be charged against the real estate on which the structure is situated, constituting a lien on the property, and may be collected through legal means.

(7) Authority to disconnect service utilities

The code official is granted the authority to approve the disconnection of utility service to a building, structure, or system governed by this code, along with the referenced codes and standards outlined in the Ohio Revised Code. This authority is exercised in emergency situations where there is an immediate threat to life or property, or when the utility connection has been established without proper approval. The code official is required to inform the utility provider and, when feasible, the owner and occupant of the affected building, structure, or service system about the decision to disconnect before taking action. If advance notification is not feasible, written notice will be provided to the owner or occupant as soon as practicable after the disconnection has occurred.

(8) Securing of vacant properties

If a property is vacant and determined to be a public nuisance, the code official is authorized to post a placard of condemnation on the premises and order the property to be secured so as not to be an attractive nuisance. Upon failure of the owner to secure the premises within the time specified in the order, the code official shall cause the premises to be secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

(9) Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with the Village's policies and procedures. If the notice pertains to equipment, it shall also be placed on the condemned equipment.

- (10) **Prohibited occupancy.** If a structure is condemned and marked with a placard by the code official, the occupants must vacate the premises as directed by the code official. Anyone found occupying premises that have been placarded, or operating equipment that has been similarly marked, will be held liable. This includes both the individuals occupying the premises and the property owner or person responsible for the premises who allows others to occupy or operate within the placarded area. Penalties as specified by this code will be applicable to those in violation of these directives.
- (11) **Abatement methods.** The individual or entity responsible for a building, premises, or equipment identified as unsafe by the code official must promptly address and rectify the unsafe conditions. This can be achieved through actions such as repair, rehabilitation, demolition, or any other corrective measures approved by the relevant authorities. The goal is to eliminate the identified hazards and ensure the safety and compliance of the structure or equipment with applicable codes and regulations.
- (12) **Record.** The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

(o) NOTICE TO TENANTS

Upon receipt of an application for a Rental Permit, the Village shall provide information to tenants, including but not limited to, their rights and obligations pursuant to Chapter 5321 of the Ohio Revised Code, the City's Exterior Property Maintenance Code and the nuisance provisions of this Chapter. The information may be provided by regular mail, delivery to the premises or by other means deemed appropriate by the Village.

(p) CONFLICT AND OTHER REMEDIES

- (1) In the event of conflict between any provisions of this chapter, and any other provisions of the ordinances of the Village, the more restrictive provisions shall prevail.
- (2) The declaration of a nuisance property, an order to abate a nuisance, or the assessment of costs by the Village on a property, do not affect or limit the Village's right or authority to bring criminal prosecution or other legal action against any person for violation of the Village's ordinances. The remedies provided in this chapter are cumulative and do not restrict or limit any other civil remedy or criminal penalty provided for elsewhere in the Codified Ordinances of the Village or the Ohio Revised Code.

(q) SUMMARY

The owner of the property is obligated to uphold the interior and exterior aspects of the premises in accordance with the stipulations outlined in this code, unless specified otherwise. It is prohibited for any individual to either occupy the premises as an owner-

occupant or allow another person to do so if the premises are not in a sanitary and safe condition, failing to comply with the requirements established in this chapter. Moreover, occupants of a dwelling unit, rooming unit, or housekeeping unit bear the responsibility of maintaining in a clean, sanitary, and safe condition the portion of the dwelling unit, rooming unit, housekeeping unit, or premises under their occupancy and control.

(r) PROPERTY TRANSFER

- (1) No registration of a Rental Dwelling Unit(s) and/or Rooming Unit(s) and/or property under this chapter shall be transferable to another person, corporation, firm, partnership, association, organization, or other group acting as a unit, name, or franchise.
- (2) In the event a property is sold having uncorrected violations and/or fees, the seller(s) shall be required to notify the Village of the purchase date and the name(s) and address(es) of the buyer(s).

(s) PENALTY

Whoever violates any section or provision of this chapter shall be guilty of a minor misdemeanor. Each violation shall be considered a separate offense. Jurisdiction for such offenses may be in Village Council, or any court of competent jurisdiction located in the county where the offense occurred and shall be prosecuted by the Village Solicitor or their designee.

- a. Whoever violates any of the provisions of this chapter or the rules and regulations promulgated pursuant thereto or fails to obey any order made in accordance with the specific provisions of this chapter by the code official shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000) per violation.
- b. Any architect, engineer, contractor, subcontractor, foreman, agent or other person who violates or assists in the violation of any of the provisions of this chapter or of any order issued thereunder, shall be fined not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000) per violation.
- c. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- d. Whoever violates any section of this chapter and upon conviction of the same, shall be guilty of a misdemeanor of the fourth degree and have sentence imposed pursuant to Ohio R.C. 2929.21 and 2929.22. A separate offense shall be deemed committed each day on which a violation or noncompliance occurs or continues.

(t) IMMUNITY

The Village shall be immune from prosecution or civil suit for any claims arising from the implementation of the provisions of this Chapter. Furthermore, the Village does not warrant or guarantee the status of the inspected properties.

(u) APPEALS

Owners and/or operators of a rental dwelling unit(s) and/or rooming unit(s) directly affected by a decision of the Village under this Chapter shall have the right to appeal in accordance with Ohio Revised Code Chapter 2506.

Chapter 13XX: Vacant Property and Building Registration

(a) PURPOSE.

The intent of this chapter is to institute a program aimed at identifying and registering both vacant residential and commercial buildings. The objectives include defining the responsibilities of owners pertaining to such vacant structures and expediting the rehabilitation of these properties. This chapter also includes determining the responsibilities of owners of vacant buildings and structures in the Village. Its objectives include the preservation and protection of residential and commercial districts from potential blight due to inadequate maintenance. Furthermore, the chapter aims to expedite the rehabilitation of vacant buildings and structures. The Village recognizes that properties displaying evidence of vacancy pose specific risks to the health, safety, and welfare of the community, warranting increased regulatory attention. The implementation of this chapter intends to shift the financial burden from the general citizenry to the owners of vacant buildings and structures.

(b) DEFINITIONS

The term "evidence of vacancy" refers to any observable condition, either independently or in combination with other factors, that would reasonably lead an individual to conclude that a property is unoccupied. Such conditions include, but are not limited to, significantly reduced utility usage, the presence of overgrown or deceased vegetation, the accumulation of newspapers, circulars, flyers, or mail, the buildup of trash, junk, or debris, windows that are broken or boarded up, the presence of abandoned vehicles or related materials, the absence of window coverings (such as curtains, blinds, or shutters), the lack of furnishings or personal items typically associated with habitation or occupancy, and first-hand written statements by governmental employees or property owners indicating the vacant status of the property.

A property may be considered vacant if the existing building is:

- (1) Unoccupied and unsecured; or
- (2) Unoccupied and secured by other than normal means; or
- (3) Unoccupied and an unsafe building as determined by the code officer; or
- (4) Unoccupied and having utilities disconnected; or
- (5) Unoccupied and has housing or building code violations; or
- (6) Illegally occupied, which shall include loitering and vagrancy; or
- (7) Unoccupied for a period of time over 60 days and having an existing code violation issued by a Property Maintenance Officer; or
- (8) Unoccupied with a mortgage status of abandonment (i.e. deceased or foreclosed); or

(9) Illegally occupied, other than during a pending dispute between landlord and tenant, but including loitering and vagrancy; or

(10) Unoccupied and abandoned by the property owner.

(c) **VACANT PROPERTY/BUILDING REGISTRATION**

The owner shall register with the Village not later than 60 days after any building located in an area zoned for, or abutting an area zoned for, residential or commercial use in the Village becomes a vacant building or not later than 30 days of being notified by the Village of the requirement to register based on evidence of vacancy, whichever event first occurs. After the initial registration within 60 days of becoming vacant, the property owner is also required to register property vacancy with the Village annually every year thereafter, so long as the building remains vacant.

The property registration requirements include the submission of the following information:

- (1) **Owner's Name(s) and Address(es):** The legal name(s) and corresponding address(es) of the property owner or owners.
- (2) **Authorized Agent Information (if applicable):** In cases where the owner does not reside in the Village, or within 40 miles of the Village, the owner must provide the name and address of any third party with whom they have entered into a contract or agreement for property management. By designating an authorized agent, the owner consents to this third party receiving all notices related to the property and ensuring compliance with applicable ordinances.
- (3) **Liability Insurance:** Acquire general liability insurance within 10 days of the date of this notice. The Insurance policy shall provide for written notice to the Village within 30 days of any lapse, cancellation, or change in coverage. The policy must meet the requirements of the subsection below.
- (4) **Information on Lien Holders and Ownership Interests:** The names and addresses of all known lien holders and any other parties holding an ownership interest in the building.
- (5) **Contact Telephone Number:** A telephone number must be provided where a responsible party can be reached at all times, both during business and non-business hours. This ensures effective communication for any property-related matters.
- (6) **Vacant Building Plan:** The owner shall submit a vacant building plan which must meet the approval of the Village. The plan, at a minimum, must address a reason for vacancy and a timeline for which the building would return to reasonable use.
 - (i) If the building is to remain vacant for more than 30 days, the plan should address a timeline for the ensuring the building is secured in accordance with all applicable building and fire codes along with the procedure that

will be used to maintain the property, and a statement of the reasons why the building will be left vacant; or

- (ii) If the building is to be returned to appropriate occupancy or use, rehabilitation plans for the building and grounds. The rehabilitation plans shall not exceed 12 months from the time permits are issued, unless otherwise approved by the Village. Any repairs, improvements or alterations to the property must comply with any applicable codes, and the property must be secured during the rehabilitation.

(d) REGISTRATION FEES

The fee for application for a vacated building maintenance license is based on the duration of time the building has been ordered vacated or kept vacated as determined by the following scale:

- \$500.00 for properties that have been ordered vacated or kept vacant for less than one year.
- \$1,000.00 for properties that have been ordered vacated or kept vacant for at least one year, but less than two years.
- \$2,000.00 annually for properties that have been ordered vacated or kept vacant for at least, two years but less than five years.
- \$3,000.00 annually for properties that have been ordered vacated or kept vacant for at least five years.

(e) LATE FEE

Failure to timely pay the application fee within 30 days of the date the building is vacated or prior to the annual renewal date is subject to the assessment of a late fee equal to the Village's Vacant Property Registration application fee or \$1,000.00, whichever is less. Each additional 30 days of delinquency shall incur an additional late fee.

(f) FEE AS A LIEN

If the owner of a vacant or abandoned property within the Village neglects to pay the required amount for the license, renewal, or fines related to non-compliance with vacant building requirements, the outstanding sum becomes a debt owed to the Village. The Village is empowered to initiate a civil action to recover the unpaid debt. This may involve measures such as placing a lien on the vacant or abandoned property. The Village reserves the right to employ various legal avenues to ensure the collection of the outstanding amount owed by the property owner.

(g) INSPECTIONS

The Village may inspect any premises in the Village for the purpose of enforcing and assuring compliance with the provisions of this chapter. Upon the request of the Code Official, Zoning Board, or any other Village designee, an owner must provide access to all interior portions of an unoccupied building as required by law in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right

to insist upon the procurement of a search warrant from a court of competent jurisdiction by Village or its designee in order to enable such inspection. The Village shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises. The following shall apply:

- (1) Vacant properties will be externally inspected by the Village a minimum of twice per year to ensure the compliance of property maintenance codes;
- (2) Any inspection that is to take place within 30 days of a previous inspection may or may not be conducted at the discretion of the Village or its designee.

(h) **VACATED BUILDING MAINTENANCE STANDARDS**

In addition to the information outlined in Chapter 1325 of the Village's codified ordinances, the following conditions are stipulated to ensure that a building is adequately protected from intrusion by trespassers and deterioration due to weather:

- (1) **Building Openings:** Doors, windows, areaways, and other openings must be weathertight and secured against entry by birds, vermin, and trespassers. Missing or broken doors, windows, and opening coverings should be covered with at least one-half inch of CDX plywood, weather-protected, tightly fitted to the opening, and secured by screws or bolts.
- (2) **Roofs:** The roof and flashings should be sound, tight, not admit moisture, and drained to prevent dampness or deterioration in the walls or interior.
- (3) **Drainage:** Building gutters and downspouts must be watertight, and the entire storm drainage system should be adequately sized, installed in an approved manner, functional, and discharged in an approved manner.
- (4) **Building Structure:** The building must be maintained in good repair, structurally sound, free from debris, rubbish, and garbage. Interior floors, walking surfaces, and stairs should be structurally sound, and interior walls and ceilings must be free of loose or hanging plaster and finishes to avoid posing a threat to public health or safety.
- (5) **Structural Members:** Structural members must be free of deterioration and capable of safely bearing imposed dead and live loads.
- (6) **Foundation Walls:** Foundation walls should be plumb, free from open cracks and breaks, and vermin-proof.
- (7) **Exterior Walls:** Exterior walls must be free of holes, breaks, and loose or rotting materials. Exposed metal and wood surfaces must be protected from the elements and against decay or rust by the periodic application of weather coating materials, such as paint or similar surface treatment.
- (8) **Decorative Features:** Cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features must be safe, anchored, and in good repair. Exposed metal and wood surfaces should be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

- (9) **Structure Extensions:** Balconies, porches, canopies, marquees, signs, metal awnings, cornices, stairways, fire escapes, standpipes, exhaust ducts, and similar features must be in good repair, anchored, safe, and sound. Exposed metal and wood surfaces must be protected from the elements and against decay or rust by the periodic application of weather coating materials, such as paint or similar surface treatment.
- (10) **Chimneys and Towers:** Chimneys, cooling towers, smokestacks, and similar appurtenances must be structurally safe. Exposed metal and wood surfaces should be protected from the elements and against decay or rust by the periodic application of weather coating materials, such as paint or similar surface treatment.
- (11) **Sidewalk Openings:** Walkways, steps, and openings in sidewalks must be safe for pedestrian travel.
- (12) **Accessory and Appurtenant Structures:** Accessory and appurtenant structures such as garages, sheds, and fences should be free from safety, health, and fire hazards.
- (13) **Premises:** The premises on which a structure is located must be clean, safe, and sanitary, maintained free of weeds, junk cars, and litter, and should not pose a threat to public health or safety.

(i) **SECURING OF VACANT STRUCTURES**

If a property is vacant and deemed a public nuisance, the code official has the authority to affix a placard of condemnation on the premises. Additionally, the official can issue an order for the property to be secured, preventing it from becoming an attractive nuisance. In the event that the property owner fails to secure the premises within the specified time outlined in the order, the code official is empowered to arrange for the securing of the premises. The associated costs incurred through any available public agency or private arrangement will be charged against the real estate on which the structure is located. This cost becomes a lien on the property and may be collected through any legal means available.

(j) **GENERAL LIABILITY INSURANCE**

The owner of a building that has been vacated or ordered to be vacated or kept vacant by the direction of Village is required to obtain or maintain general liability insurance. The specified insurance amounts are:

- (1) **Residential Units:** For buildings primarily designed for residential use, including those with up to four dwelling units, the minimum coverage is \$300,000.
- (2) **Other Buildings:** For buildings designed for purposes such as manufacturing, industrial, storage, or commercial uses, including those with five or more dwelling units, the minimum coverage is \$1,000,000.

Any insurance policy acquired subsequent to an order to vacate or keep the building vacant must include provisions for providing written notice to the director of buildings and inspections within 30 days of any lapse, cancellation, or change in coverage. Upon

request, the owner is obligated to furnish evidence of the insurance to the director of buildings and inspections. This requirement aims to ensure financial protection and accountability for property owners in the event of liabilities associated with buildings subject to such orders.

(k) REVOCATION AND REFUSAL OF PERMITS

The Village may revoke any permit, license, certificate, or associated approval issued under the provisions of this Code, may refuse to issue a permit, license certificate, or approval or may stop the work whenever there is a violation of any condition outlined in this chapter, or an outstanding balance resulting from a violation of this chapter.

(l) ENFORCEMENT

Whenever the Village or its designated representative determines that a violation of this chapter has taken place or has reasonable grounds to believe a violation has occurred, a notice of violation will be issued to the owner of the vacant residential, commercial, or industrial property. The notice shall be provided in a format determined by the Village and will outline the specific details of the violation and any necessary corrective actions. This includes but may not be limited to:

- (1) In writing;
- (2) Including a description of the real estate sufficient for identification;
- (3) Including a statement of the violation or violations and why the notice is being issued;
- (4) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the vacant residential, commercial or industrial property into compliance with the provisions of this chapter; and
- (5) Inform the owner of the right to appeal pursuant to this section.

If the notice of violation or order is not complied with, the Village or designee in conjunction with the Law Director may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful condition of the property in violation of the provisions of this chapter or of the order or direction made pursuant thereto.

(m) EXEMPTIONS

Exemptions from the fee imposed by this chapter can be requested by any owner of a vacant building through a written application filed with the Village. All written requests should include a plan to address current vacancy. Acceptable exemptions will provide flexibility for property owners facing various circumstances, allowing for a fair and reasonable application of the registration fee requirement. The Village will promptly review the application, considering various bases for exemptions, including but not limited to:

- (1) **Active Construction or Renovation:** A building under active construction or renovation with a valid building permit at the time of the initial inspection is

exempt from registration until the expiration of the longest running, currently active building permit.

- (2) **Fire or Extreme Weather Damage:** A building that has suffered damage from fire or extreme weather conditions may be exempt from the registration requirement for a 90-day period following the date of the fire or extreme weather event. To qualify, the property owner must submit a written request for exemption to the Village, providing the names and addresses of the owner or owners, along with a statement of intent to repair and reoccupy the building promptly or to demolish the building.
- (3) **Listed for Sale:** A building that is for sale at fair market value and listed with a licensed State of Ohio realtor shall be exempted for a period of 6 months from the start of vacancy, provided that the owner or owner's representative submits proof to the Village of such listing and for sale status.
- (4) **Government Exemption:** Any building or structure acquired by a government entity, or related organization, for the purpose of economic development, rehabilitation, or demolition may be exempt from registration and any fees set forth in this chapter after approval of a vacancy plan.
- (5) **Other Bases for Exemption:** Owners may submit requests for exemptions based on other grounds, and these will be considered by the Village.

(n) APPEALS

Any notice or order issued in accordance with this chapter is subject to appeal to the Village's Board of Zoning Appeals as outlined in The Village's Codified Ordinances, Chapter 13XX. To initiate an appeal, the appellant must submit a deposit of Fifty-five Dollars (\$55.00) for each property being appealed, payable to the Village, to the Village's Administrative Offices or designee. The appeal must be filed within thirty (30) calendar days from the date of service of the notice of the assessment of the fee or fine. Appeals received after this thirty-day period will not be accepted.

APPENDIX A

Rental Occupancy Permit Program - Draft Resolution

A RESOLUTION BY THE COUNCIL OF THE CITY, OHIO TO ENACT CODIFIED ORDINANCE CHAPTER 13XX RENTAL OCCUPANCY PERMIT PROGRAM, WITH REGARDS TO THE REGISTRATION AND MAINTENANCE OF NON-OWNER OCCUPIED RESIDENTIAL PROPERTIES

WHEREAS, it is the desire of the Village Council to protect the integrity of our neighborhoods through the registration of landlords and establishment of rental unit standards, which is necessary for the general health, safety, and welfare of the general public;

A resolution enacting new Chapter 13XX to Part Thirteen of the Codified Ordinances of the Village, Ohio, pertaining to Rental Properties.

Be it ordained by the Council of the Village, Ohio, County of Ashtabula, that:

Section 1. Codified Ordinance Chapter 13XX, Rental Properties, is hereby adopted to read as is set forth in Exhibit “A” which is attached hereto and incorporated herein.

Section 2. All prior ordinances inconsistent with this ordinance in whole or in part are hereby repealed to the extent necessary to avoid conflict with this ordinance.

Section 3. The Council finds and determines that all formal actions of this Council relation to the creation of this new Chapter and adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and its committees have resulted in such formation action that took place in meetings open to the public, in compliance with all statutory requirements including the requirement of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance shall take effect at the earliest time allowed by law.

PASSED: _____, 2026

APPENDIX B

Letter to Residents – Draft Correspondence

Dear Rental Unit Owner,

We wish to inform you that Village Council has officially passed Resolution 2024-XXXX, mandating the registration and annual inspection of all residential rental units within the Village.

As per the provisions outlined in Chapter XXXX of the Building & Housing Code, you are hereby obligated to apply for a Residential Rental Unit Occupancy Permit.

Application fees are applicable, with a charge of \$200 for each single-family home rental unit and \$100 for each rental unit within a duplex structure. For multi-family/apartment rental units, a fee of \$300 is applicable for the first three units in a building, along with an additional \$100 for each additional unit.

It is imperative that you schedule an inspection for each rental unit under your ownership with the Village Building Department, effective from January 1, 2027. All inspections must be completed and compliant with the minimum health and safety standards outlined in the Ohio Building Code by XXXXXX 31, 2026. While we recommend scheduling inspections during change of occupancy, when possible, at least one inspection must be conducted before December 31, 2027.

To facilitate this process, please contact the Village Administration Building by calling XXXXXXXX to schedule your inspections.

For your convenience, you have the option to apply online or download the application form. If you choose the latter, kindly mail the completed application form and a check payable to the Village to the following address: XXXXXXXX.

Thank you for your cooperation in ensuring the compliance and safety of rental units within our community.

Sincerely,

[Your Name]

[Your Title]

[City Contact Information]

APPENDIX C

Rental Occupancy Permit Form

See Attached :

<https://www.co.trumbull.oh.us/Directory/Auditor/ViewFile?fileName=Residential%20Rental%20Property%20Registration.pdf>

APPENDIX D

Vacant Property Registration - Draft Resolution

A RESOLUTION BY THE COUNCIL OF THE VILLAGE, OHIO TO ENACT CODIFIED ORDINANCE CHAPTER 13XX VACANT PROPERTY REGISTRATION, WITH REGARDS TO THE REGISTRATION AND MAINTENANCE OF VACANT RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PROPERTIES AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village, Ohio has determined there is a need to ensure the health, safety, and welfare of our citizens and safety forces by requiring the registration and maintenance of vacant residential, commercial, and industrial properties within the Village.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE, OHIO, THAT:

SECTION 1. The Council of the Village, Ohio hereby adopts and enacts attached Codified Ordinance Chapter 13XX Vacant Property Registration as an addition to the Codified Ordinances of the Village.

SECTION 2. This Ordinance is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the Village, Ohio.

SECTION 3. This Ordinance shall take effect and be in force immediately upon its passage.

PASSED: _____, 2026