

RESOLUTION NO. 027-22R

A RESOLUTION OPPOSING THE PASSAGE OF HOUSE BILL 563 BY THE OHIO GENERAL ASSEMBLY WHICH USURPS MUNICIPALITIES' HOME RULE AUTHORITY TO REGULATE SHORT-TERM RENTALS; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, House Bill 563 was introduced in February of this year and purports to deny municipalities the ability to prohibit short-term rental properties or to regulate the number, duration, or frequency of rental periods for short-term rentals; and

WHEREAS, the City of Sandusky has adopted reasonable common-sense regulations of short-term rentals that allows short-term rentals where appropriate, while protecting its residential neighborhoods, historic housing stock, and preserving the residents' quiet enjoyment of their property; and

WHEREAS, short-term rentals are, by their very nature, matters that should be subject to local control and House Bill 563 is a blatantly unconstitutional violation of the City of Sandusky and other Ohio municipalities' Home Rule Powers provided by the Ohio Constitution that would prohibit municipalities from creating necessary regulations to protect the safety and best interest of the residents of each individual community; and

WHEREAS, the adoption of House Bill 563 would be detrimental to the health, safety, and welfare of the residents of Sandusky by prohibiting the City's appropriate regulation of short-term rentals and would create conflicts and unnecessary confusion with the City's existing zoning laws and regulations; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to provide State legislators and the Governor with this City's opposition to House Bill 563 at the earliest possible time; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter; and NOW, THEREFORE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission urges the Ohio General Assembly to reject House Bill 563 and declares its unequivocal opposition to any effort by the Ohio

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General Assembly to pass any legislation that unconstitutionally infringes on the ability of local governments to appropriately regulate short-term rentals.

Section 2. The Clerk of this City Commission is directed to send a certified copy of this Resolution to State Representative D.J. Swearingen, State Senator Theresa Gavarone, Speaker of the House Robert Cupp, and State Representative Scott Wiggam, the Chair of the State and Local Government Committee.

Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: April 25, 2022