ORDINANCE NO. 2014-

AN ORDINANCE AUTHORIZING AND CREATING
A PROGRAM REQUIRING REGISTRATION OF RESIDENTIAL
RENTAL UNITS WITH THE CITY OF ELYRIA BUILDING
DEPARTMENT

WHEREAS, the City of Elyria recognizes a need to compel the disclosure of information
about any residential rental units in the City and the need for a registration program; and

WHEREAS, City Council finds that establishing a rental registration program is
necessary to protect the health, safety, and welfare of the public; and prevent deterioration and
blight conditions that adversely impact the quality of life in the city.

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

SECTION 1. REGISTRATION REQUIREMENTS. No person shall hereafter allow to
be occupied or lease to another person for occupancy any residential rental property within the
City for which a registration statement has not properly been made and filed with the Building
Department of the City of Elyria. Registration shall be made upon forms furnished by the
Building Department of the City for such purpose and shall specifically require the following
minimum information:

(1) Name, address and phone number of the property owner and an individual who is an
officer of a corporate entity property owner, if applicable.

(2) Name, address and phone number of a designated local property manager or contact
agent if the property owner lives or has its principal place of business outside the metropolitan
area of the City, which shall be defined as a 20 mile radius from the municipal corporation limits.

(3) The street address and Lorain County Permanent Parcel Number of the rental property.

(4) The number of units within the rental property

(5) The maximum number of occupants permitted in each dwelling units.

(6) The name, address and phone number of the person authorized to make or order repairs or services for the property, if in violation of City or state codes, if that person is different than the owner or local manager or contact agent.

SECTION 2. MANNER OF REGISTERING. The rental registry will begin on January 1st, 2015. Owners of rental properties shall register their units as hereinafter provided within ninety (90) days of the program’s inception. Thereafter registration must be made every two (2) years on or before the 1st day of January by the property owner, the contact agent or designated local property manager in the office of the Building Department of the City. The registration fee for the two year period shall be as follows:

One to four Units: $25.00

5-49 Units: $50.00

50-above: $100.00

Each time the registrant adds an additional unit to the registration, there shall be a Ten Dollar ($10.00) charge per unit, which shall be the only charge for that unit until the renewal date for that unit. (the “Interim Registration Fee”).
SECTION 3. TRANSFER OF PROPERTY. Every new owner of residential rental property (whether as fee owner or land installment contract vendee) shall be required to furnish to the Building Department the information required in Section 1 before taking possession of the property. Except for the interim registration fee, no registration fee shall be required of the new owner during the year in which possession takes place, provided that the previous owner has paid all registration fees and has complied with all requirements of this ordinance and any notices from the City concerning violations of health, zoning, fire or safety codes of the City.

SECTION 4. This ordinance does not apply to hotels and motels, housing units owned by a religious institution and occupied by a member of a religious community or congregation and housing units in any licensed hospital, hospice, community care facility, intermediate care facility or nursing home.

SECTION 5. Rental registration forms shall be made available on the City's website and the City of Elyria may use the data collected to inform the owner, contact agent or rental agent of police, fire, building code violations and/or any other incident reports or inspection orders applicable to the property. The City may also investigate and contact persons or legal entities who are covered by this ordinance and who have not registered their rental properties.

SECTION 6. In addition to any other remedy available at law or equity, the following penalties shall be imposed for not registering with the city. Any person or entity that fails to comply with any requirement of the Rental dwelling program shall be subject to a civil penalty of One Hundred Dollars ($100.00), which may, at the city's discretion, be placed as a lien against the properties. Willful failure or refusal to register shall be a minor misdemeanor. The
City may pursue the civil penalty and the minor misdemeanor simultaneously, where appropriate, in the sole discretion of the Law Director.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in meetings open to the public, in compliance with Ohio law.

SECTION 8. That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: 8/4/14

Michael J. Lotko, III, President

ATTEST: Forrest L. Bullocks, Clerk

APPROVED: 8/4/14

Holly C. Brinda, Mayor

DATE: 8-4-2014

Approved as to form:

Scott F. Serazin, Law Director

CERTIFICATE OF PUBLICATION


DATED: 8/5/14

CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

Date presented to the Mayor: 8/14/14