

Hocking County Short-Term Rental Ordinance

Section 1: Purpose

The purpose of this Ordinance is to promote public health, safety, and welfare by regulating short-term rentals (STRs) in Hocking County, ensuring responsible operation standards, compliance with local laws, and ensuring that emergency services are able to access each property with their equipment at all times during the calendar year.

Section 2: Definitions

- A. **Address:** The official location of a property that is part of the Hocking County Addressing System (and not on a privately maintained driveway).
- B. **Applicant:** The property owner who is requesting to use their property as an STR.
- C. **Authorized Agent:** Someone whom the property owner has granted the legal authority to manage a property.
- D. **Campground.** A parcel of land designed, used, or intended to be used to provide temporary living quarters for recreational purposes, where sites are offered for tents or recreational vehicles, and which may include related facilities such as restrooms, bathhouses, picnic areas, and recreational amenities.
- E. **Designated Sleeping Location:** A place within an STR that has a bed and that is intended by the STR operator as a location for where a guest is to sleep.
- F. **Driveway:** A privately maintained thoroughfare that cuts through an individual parcel of property or multiple parcels of property and that may access numerous dwellings including but not limited to dwellings used for STRs.
- G. **Dwelling Unit.** A building that is intended to be used for human habitation that has at least one bathroom which includes a sink, toilet, and shower or bathtub.
- H. **Furniture:** All large movable equipment such as tables and chairs, used to make a house, office, or other space suitable for living or working.
- I. **Local Contact Person:** A designated individual who is available 24/7 to be on-site to respond to complaints or emergencies within 60 minutes of being notified about an issue.
- J. **Operator:** The property owner or authorized agent responsible for managing an STR.
- K. **Placard:** A sign that is attached to a wall.
- L. **Short-Term Rental (STR):** A dwelling unit rented for 29 or less consecutive days that is not licensed as hotel or motel.

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- M. **STR Administrator:** The Director of the Hocking County Regional Planning Office who is charged with enforcing the provisions of this Ordinance and/or his or her designated agent.
- N. **Street:** A publicly maintained thoroughfare for automobiles regardless of what level of government it is maintained by (federal, state, county, township, etc.)

Section 3: Application and Permit Requirements

- A. **Generally.** To be considered a legally valid STR a dwelling unit must have received a permit and any legally required renewal from the Hocking County Regional Planning Office.
- B. **Minimum Application Requirements.** An application for an STR permit must include at a minimum the following items:
 - 1. Completion of an application form provided by the Hocking County Lodging Tax Office;
 - 2. Complete owner and local contact person information;
 - 3. Proof of paid property owner liability coverage with a minimum coverage of one million (\$1,000,000) dollars;
 - 4. A letter of good standing from the County Auditor's office (confirming that the applicant does not have any outstanding County or Township taxes or any unpaid late fees);
 - 5. Documentation confirming the property in question is registered with the Lodging Tax Administrator to be taxed in accordance with the County's Lodging Excise Tax,
 - 6. Documentation from the County Health Department confirming that the property in question is in compliance with all applicable health inspections;
 - 7. Site Plan showing the location of all buildings - including but not limited to the building or buildings that will be rented out as an STR. The address of each STR shall be located on the site plan.
 - 8. Completion of a Bureau of Criminal Investigation (BCI) background check for the applicant to ensure that the applicant does not have a conviction for a sex crime
Any persons found to have been convicted of a felony sex crime shall be precluded from operating an STR);
 - 9. Documentation confirming that the property in question to be used as an STR meets the definition of dwelling unit, as defined in this Ordinance (See Section 2, *Definitions*)
 - 10. A signed affidavit stating that the prospective STR owner has been given a list of all of the required operational standards (See Section 4, *Operational Standards*, below) and acknowledges that he or she understands that noncompliance with these standards could lead to fines, suspension of an STR permit, revocation of an STR permit, or any other remedy available under Section 7, *Inspections and Enforcement*, or that is available via state or federal law.

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11. **For** dwelling units that have five (5) or more bedrooms, the State of Ohio requires that the Hocking County Health Department complete an annual water sampling and test. See Ohio Administrative Code (OAC) Rule 3701-28-03, *Permits, system approval and sampling requirements*. Proof of up-to-date compliance with the Hocking County Health Department is required for this submittal for these dwelling units only.
12. Payment of all fees (See Sec. 3-C below).
- C. **Fees.** The basic fee for an annual STR Permit shall be \$50. The permit is required to be renewed on an annual basis. **The** County shall add to the cost of the permit when a third-party vendor completes the initial inspection for an STR Permit. The cost of the third-party vendor shall be passed onto the applicant without any increase or reduction in the fee assessed by the third-party vendor.
- D. **Inspection Required.**
 1. *Generally.* To obtain an STR permit, the STR Administrator shall first complete an inspection of the site to ensure that the property meets the requirements of this Ordinance.
 2. *Additional Assistance and Information.* The STR Administrator may request additional information of the STR owner and may request assistance from another Hocking County or township agency to make a determination as to whether or not the standards of this Ordinance have been met.
- E. **Permit Renewal.** Yearly STR renewal permits shall cost \$50. The County reserves the right to re-inspect should there be any change in circumstances to the property. If there is no change in circumstance to the property as determined by the STR Administrator, re-inspection is not required.

Section 4: Operational Standards

- A. **Local Contact Person.**
 1. *Generally.* An applicant or that applicant's local contact person shall be required to respond and be on-site within an hour's time.
 2. *Multiple Local Contact Persons Permitted.* An STR owner may provide multiple local contact persons provided that the STR owner specifically lists out the times that each local contact person is available. There must be availability on a 24-hour basis for someone to respond.
- B. **Guest Conduct and Information Notice.** All STR owners shall provide their guests with a Guest Conduct and Information Notice (notice) that shall be posted in a conspicuous place within the kitchen of the STR which shall at a minimum include the following:
 1. *Local Contact Person.* The contact information both phone and email for the 24-hour accessible contact person. See Sec. 4-A, *Local Contact Person*, for specific requirements.

2. *Disposal of Garbage.* Specific instructions explaining how to dispose of all garbage while staying at the property and after leaving the property shall be explained on the notice to the STR guest.
 3. **Guests Prohibited from Target Shooting on the Property.** STR guests are prohibited from using the property for target shooting. This requirement does in no way prohibited responsible homeowners from target shooting on their own property. The reasoning for this rule is that STR guests are not aware of their surroundings and could accidentally set up a target in a location that might not look dangerous but does create a very dangerous situation for guests and owners located on neighboring properties.
 4. *Emergency Information.* The phone number of the applicable utility providers and an emergency exit map for the dwelling and property shall be provided.
 5. *Guest Acknowledgement.* For guests to be able to rent an STR, the principal renter of the unit shall be required to sign an acknowledgement form stating that they are aware and have received notice of the aforementioned rules. Electronic signatures obtained through the internet are sufficient to meet this standard.
- C. **Designated Sleeping Locations.**
1. *Distance Between Furniture Used for Sleeping.* All furniture used for the purposes of sleeping shall be positioned to have a walkway of 30 inches between each other. Furniture used for sleeping may be placed in a corner or against a wall provided that the aforementioned walkway of 30 inches is maintained on the other side of said furniture.
 2. *Bunk Beds.* Bunk beds are permitted provided that:
 - a. There are twenty-seven (27) inches between the top of the lower mattress of a bunk bed and bottom of the upper bunk;
 - b. There are thirty-six (36) inches from the top of the upper mattress to the ceiling; and
 - c. Triple deck or higher bunk beds are prohibited.
 3. *Two Points of Ingress and Egress.* All designated sleeping locations are required to have two points of ingress and/or egress (windows or doors).
- D. **Required Parking.**
1. *Required Amount of Parking.* Sufficient parking must be provided for at least one vehicle per four (4) residents at the occupancy limit. For example, should the maximum number of persons permitted at an STR be eight (8), then two (2) parking spaces shall be required.
 2. *Markings Not Required.* Parking spaces are not required to be marked, however, there must be enough space to meet the requirements of the required amount of parking as stated above and the parking space size as stated below.

3. *Parking Space Size.* The size of a required parking space for this Ordinance shall be a minimum width of nine (9) feet and a minimum length of eighteen (18) feet.
4. *Parking on Private Property.* To satisfy the requirement of Subsection D,1, *Required Amount of Parking*, the parking must be on the same private property as the STR. Parking that is within a publicly maintained right-of-way, or a private driveway does not count toward this requirement.

E. **Driveway Standards.**

1. *Purpose.* The purpose of the driveway standards requirement is to ensure that all STRs are accessible to the Hocking County Emergency Services for any emergency that may occur on site during any time of the calendar year.
2. *Standard.* For a site to be accessible for the Hocking County Emergency Services, the County needs to be able to transport any necessary equipment available to the site of an emergency. For this reason, for a dwelling unit to obtain a Short-Term Rental Permit, the property shall be in compliance with the County's Driveway Standards. Should a property not be in compliance with the County Driveway Standards, then the STR owner shall be required to obtain a variance.

F. **Deck Safety.** For all dwelling units that have a deck attached to the dwelling said deck shall meet all structural requirements as shown in the AISC Handbook, FHA Bulletins or Architectural Graphic Standards, meeting or exceeding 40 lbs. per square foot live load and 20 lbs. per square foot dead load.

G. **Landscaping.**

1. *Generally.* Prospective STRs where a dwelling unit is within 200 ft of an adjoining parcel of property must have landscaping installed between the two properties to provide a buffer between the neighbors and the building intended for STR use.
2. *Landscaping to be Installed.* The landscaping to be installed shall be within a ten (10) foot buffer to the property line and shall be three (3) shade trees and two (2) evergreen trees or ten (10) shrubs per one hundred (100) linear feet. At the time of installation all trees or shrubs that are installed must be at least six feet tall.
3. *Earth Mounding.* In lieu of landscaping, earth mounding is permitted as an acceptable alternative provided that said mounds are at least four (4) feet high.
4. *Responsibility of STR Applicant.* The requirement to add landscaping or earth mounding shall be the sole responsibility of the STR applicant.
5. *Natural Vegetation Already in Place.* Should there be sufficient landscaping or natural vegetation between the two properties that provides a sufficient buffer during the times of the year where leaves are found on trees this requirement may be waived at the discretion of the STR Administrator.

H. **Address Numbering.**

1. *Each Dwelling Unit Individually Numbered.* Each dwelling unit shall be individually numbered and shall be marked, clearly visible from the street or any internal driveways, and have numbering that is made of retroreflective material (ASTM D4956 Type 1 or higher standard) to be easily seen at night. Alternatively, dwelling unit signs may be externally illuminated with a continuous light source.
2. *Placard on Each Dwelling Unit.*
 - a. *Size.* A placard the minimum size of one (1) sq. ft shall be placed on each dwelling unit for easy identification of each dwelling unit.
 - b. *Materials and Durability.* Placards must be made of durable materials such as plastic, metal, or weather-resistant composites.
 - c. *Lettering Height.* The height of the lettering shall be uppercase and at least four (4) inches in height for each numerical or letter used.
 - d. *Reflectivity.* Placards must use retroreflective materials that are of a standard of ASTM D4956 Type 1 or higher. Alternatively, dwelling unit signs may be externally illuminated with a continuous light source.
3. *Internal Numbers.* Internal numbers are for the identification of dwelling units that the STR property owner has identified on the site plan that is required as part of the STR application process. See Sec. 3-B, *Minimum Application Requirements*.

I. **Internal Property Routing Signs.** Whenever internal driveways split into two or more driveways on a property, the STR owner shall clearly mark with arrows at the intersection of the driveway which way someone should turn to access each individual unit on the property. To ensure that directional signage guiding vehicular traffic to residential properties located on internal or private roadways is legible, safe, and consistent the following is required:

1. *Lettering Height.* The height of the lettering shall be uppercase and at least four (4) inches in height for each numerical or letter used.
2. *Contrast Required.* Letters and numbers used must contrast sharply with the background (such as white letters on a dark background or vice versa).
3. *Reflectivity.* Internal property routing signs must use retroreflective materials that are of a standard of ASTM D4956 Type 1 or higher. Alternatively, dwelling unit signs may be externally illuminated with a continuous light source.
4. *Sign Height.* Signs must be mounted at a height of five (5) to seven (7) feet above ground level.

J. **Prohibitions of Rentals.** Any building or structure that does not meet the definition of dwelling unit, as defined within Section 2, *Definitions*, of this Ordinance is strictly prohibited from being rented as an STR. Campgrounds, as defined within Section 2,

Definitions, of this Ordinance, are permitted within the County, but are not classified within the definition of an STR.

- K. **Renter Age Requirements.** The principal renter of a dwelling unit shall be at least eighteen (18) years of age.
- L. **Rental Period.** The minimum rental period for an STR shall be eighteen (18) hours.
- M. **Insurance Requirements.** STR property owners must maintain one-million dollars of liability insurance sufficient to cover potential damages or incidents.
- N. **Building Standards.** In addition to the operational standards listed above, an STR must meet all building standards currently applicable to the building that have been adopted by Hocking County and that have been adopted by the State of Ohio (including but not limited to the most recently adopted State of Ohio Fire Code) and are actively enforced by the State of Ohio.

Section 5: Variance Process

- A. **Purpose.** The purpose of the variance process is to permit STRs that do not meet the standards of this Ordinance when the property owner has taken reasonable steps to comply with the intent of this Ordinance.
- B. **Applicability.** All STR applications which do not meet the requirements of the County's driveway standards, parking standards, or landscaping standards shall have the option of applying for a variance to be granted an STR permit.
- C. **Criteria.** For an STR variance to be granted the following criteria must be met:
 - 1. *Demonstrated Existing Hardship.*
 - a. The applicant must show that strict compliance with the driveway standards or parking standards would result in practical difficulty or unnecessary hardship due to the physical characteristics of the property (e.g., topography, lot configuration, existing development).
 - b. The hardship must not be self-imposed or created by the applicant's actions.
 - 2. *Alternative Parking and Access Plan.*
 - a. The applicant must submit an alternative parking and access plan that ensures safe and adequate access for guests, emergency vehicles, and service providers.
 - b. The plan may include, but is not limited to:
 - 1. Use of off-site parking within a reasonable walking distance.
 - 2. Shared driveway agreements with adjacent properties.
 - 3. Use of gravel or permeable surfaces where paved driveways are not feasible.

3. *Traffic and Safety Mitigation.*
 - a. The applicant must demonstrate that the proposed STR use will not create traffic congestion, sight distance hazards, or unsafe turning movements.
 - b. Mitigation measures may include:
 1. Limiting the number of guest vehicles.
 2. Posting clear signage for access and parking.
 3. Providing a guest transportation plan (e.g., shuttle service, ride-share incentives).
4. *Bridge Crossing.* Should a prospective STR have a driveway that contains a bridge crossing, then said bridge or crossing shall be of a sufficient structure to ensure that the bridge or crossing can support any necessary emergency support vehicles.
5. *Neighborhood Compatibility.*
 - a. The applicant must show that the STR use will be compatible with surrounding residential uses and will not negatively impact the character of the neighborhood.
 - b. Evidence may include, but is not limited to:
 1. Letters of support from adjacent property owners.
 2. A history of responsible rental use (if applicable).
 3. Commitment to noise, trash, and occupancy management plans.
6. *Compliance with Other STR Standards.* The property must meet all other applicable STR requirements, including, but not limited to:
 - a. Designated sleeping locations;
 - b. Any fire, building, or safety code that has been adopted by Hocking County and that is applicable to the building in question;
 - c. Tax compliance; and
 - d. Local contact person availability for complaints or emergencies.

Section 6: Administration

- A. **Creation of Committee to Hear Variances.** To be able to administer the STR variance process, the County shall create an STR Variance Board. The creation of the STR Variance Board shall be completed through a separate ordinance.
- B. **Emergency Management Personnel.** As a prerequisite to the STR Variance Board granting a variance for an STR. The applicable emergency management personnel for the location of the STR must submit a written statement that the criteria for the

variance have been met and that said emergency management personnel are comfortable providing emergency services to the STR should an incident occur. The applicable emergency management personnel may at its discretion outsource the review and inspection of applicant properties to a third-party vendor.

- C. **Liability.** With the creation of the STR Variance Board, Hocking County and associated personnel do not accept any liability from the granting of an STR variance when outside emergency personnel have stated that the variance criteria have been met. Emergency management personnel should understand that by stating that the variance criteria have been met that they feel comfortable that the property can be safely reached in an expeditious manner and serviced.
- D. **Rules and Procedures.** The specific rules and procedures that the committee shall abide by shall be determined upon establishment of the STR Variance Board.

Section 7: Inspections and Enforcement

- A. **Timeframe for Compliance.** All property owners shall have one (1) year as of the effective date of this Ordinance to obtain an STR permit before any enforcement action may be taken by the County. An additional six (6) months may be granted to an STR owner should it be determined that the STR owner is working satisfactorily toward obtaining said compliance.
- B. **Inspections.** The County reserves the right to inspect any property that may or may not currently be in compliance with the standards of this Ordinance provided that a minimum of forty (48) hours' notice is given and that the inspection be at a reasonable time when a guest or guests is not occupying said property.