

AN ORDINANCE AMENDING SECTION 1373.04 OF THE PAINESVILLE CODE OF 1998, RELATING TO REGISTRATION OF RENTAL DWELLINGS REQUIRED AND DECLARING AN EMERGENCY.

WHEREAS, the Housing Issues Task Force reviewed the proposed Text Amendment on November 29, 2022; and

WHEREAS, the Housing Issues Task Force made a favorable recommendation to City Council to amend Section 1373.04(d) and 1373.04(e).

NOW, THEREFORE, BE IT ORDAINED by the Council of the of the City of Painesville, Lake County, Ohio:

SECTION I. That Section 1373.04 of the Painesville Code of 1998 is hereby amended to read as follows:

1373.04 REGISTRATION OF RENTAL DWELLINGS REQUIRED.

(a) No person shall use real estate located within the City for the purpose of erecting or maintaining a rental dwelling thereon without registering such property with the Community Development Department of the City. Each registration application shall be filed with the Community Development Department and accompanied by the registration fee listed below. Each registration application shall be signed by the owner of the property being registered, or said owner's authorized agent, and shall include the following information:

(1) Name, address and contact information of owner;

(2) Legal address of the property;

(3) Brief description of type and number of rental unit(s); and,

(4) Name, address and contact information of designated local agent, if any, authorized to receive notification of complaints, damages, emergencies, substandard conditions or other communications, including service of process. Any owner who does not reside within Lake County or an adjacent county, Summit County or Portage County shall be required to designate such an agent. Any designated agent must reside in Lake County or an adjacent county, Summit County or Portage County.

(b) Whenever ownership of a rental unit changes, the new owner shall register the property within 60 days of the transfer of ownership.

(c) Notification of the owner or his agent at the address shown on the registration form shall constitute sufficient notice pursuant to any provision of this chapter.

(d) Registration completed pursuant to the provisions of this chapter shall expire at the first registration expiration date that occurs after registration. For the purposes of this chapter, the registration expiration dates shall be ~~February 15, 2014~~ March 15, 2023 and each March 15 ~~February 15~~ every three years thereafter. Upon the expiration of a property's registration pursuant to this chapter, subsequent registration shall be required as provided by this chapter.

(e) The fee for registering rental dwelling units shall be calculated for each separate rental property location and if the rental property location has multiple units or is an apartment complex then also based on the number of units ~~owned~~ located at each separate rental property location within the City limits and is as follows: one to three units, twenty dollars (\$20.00); four to ten units, thirty dollars (\$30.00); 11 to 50 units, fifty dollars (\$50.00); and more than 50 units, one hundred fifty dollars (\$150.00). For the purposes of this Section, RENTAL PROPERTY LOCATION is defined as the real estate parcel on which a rental property is situated. If the rental property is situated on two or more adjacent parcels and is part of a unified apartment location that consists of two or more apartment units, then that also is considered as a single Rental Property Location.

(f) First Time Registration. In addition to the rental registration fee above, if a rental dwelling required to be registered pursuant to the provisions of this chapter is left unregistered for more than 60 days from the registration deadline in (d) or 60 days from the transfer of title, the owner shall pay a penalty of one hundred dollars (\$100.00) and an administrative fee equal to the rental registration fee.

(g) Renewal Registration. In addition to the rental registration fee above, any rental dwelling that was previously registered with the City but timely renewal of the rental registration did not occur on or before the renewal date as provided for in (d), the owner shall pay a penalty of two hundred dollars (\$200.00) and an administrative fee equal to the rental registration fee.

(h) The fees and penalties listed above (e), (f) and (g) shall be made retroactive to January 1, 2017 for violations occurring prior to the passage of Ordinance 14-17.

(i) Upon successful completion of the registration application form, the City of Painesville shall issue to the registrant a receipt of payment as proof of the registration. Receipts of payment shall be nontransferable.

(j) The owner or the designated local agent of property registered pursuant to the provisions of this chapter must complete the Crime Free Multi-Family or Crime Free Residential Rental Program offered by the City of Painesville Police Department and provide proof of same to the Community Development Department of the City. For properties registered pursuant to the chapter prior to June 1, 2014, said proof shall be provided on or before December 1, 2014. For properties registered on June 1, 2014 or thereafter, said proof shall be provided within six months of registration.

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity being the proposed change provides clarification of responsibility of property owners within the City of Painesville allow for continued enforcement of the Property Maintenance Code, therefore, this Ordinance shall be effective at the earliest date allowed by law.

PASSED:

EFFECTIVE:

Christine Shoop
President of Council

ATTEST:

Samantha Danielson
Clerk of Council