

ORDINANCE NO. 1-26

**AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON
THE FUTURE DEVELOPMENT OR CONSTRUCTION OF ANY
SHORT- TERM RENTALS, BOARDING HOUSES, EXTENDED STAYS
AND THE LIKE ANYWHERE WITHIN THE CITY OF AVON
AND DECLARING AN EMERGENCY**

WHEREAS, Council passed Ordinance No. 94-23 on August 14, 2023 to impose a six (6) month Temporary Moratorium on the future development and construction of any hotel, motel, extended stay, boarding house, or the like within the City of Avon; and

WHEREAS, on February 14, 2025, Ohio State Senator Andrew Brenner introduced Senate Bill 104 which, if passed, would limit the purposes for which townships, counties, municipal corporations may regulate short-term rental properties. This legislation is currently in the Senate Committee for consideration; and

WHEREAS, Council, on June 23, 2025, passed Ordinance No. 55-25 to extend the Temporary Moratorium for an additional One Hundred Eighty (180) days until January 13, 2026; and

WHEREAS, on October 14, 2025, Council passed Ord. No. 75-25 to amend the Planning & Zoning Code as it related to the future development or construction of any hotels and motels within the City of Avon; and

WHEREAS, Ord. No. 75-25 removed hotels and motels from the moratorium imposed by Ord. No. 55-25, but inadvertently removed “extended stays”. All other provisions of Ordinance No. 55-25 remained in effect; and

WHEREAS, the Administration recommends an additional one-hundred eighty (180) day extension of the moratorium until approximately July 14, 2026, to provide additional time for the State to act on new legislation impacting these uses across the state and afford the city additional time to consider its own amendments to the Planning and Zoning Code covering boarding houses, short-term rentals, extended stays and the like; and

WHEREAS, the extension of the moratorium will also enable the City to continue a review of any applicable sections of its Codified Ordinances and any applicable state law, investigate, conduct community outreach, and study, plan for, formulate, and draft reasonable and comprehensive regulations with respect to future development, construction, or operation of any short-term rentals, boarding houses, extended stays and the like within the City; and

WHEREAS, Council, for all the reasons stated by the Administration, agrees that such an extension is necessary to allow time for the state to act on SB 107 and for the city to formulate its own legislative plan to further the health, safety and welfare of its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
AVON, LORAIN COUNTY, OHIO:**

Section 1 – That Council hereby extends the temporary moratorium prohibiting the future development, construction, or operation of any short-term rental (e.g., Airbnbs), boarding houses, extended stays and the like within the City of Avon to July 14, 2026. For purposes of this extended moratorium, a short-term rental, boarding house or extended stay means a residential property, usually furnished, or a portion of one, rented out for a brief period, typically 30 consecutive days or less but in the case of an extended stay, may be a longer-than-usual period of residence or occupancy, typically measured in weeks or months rather than in days, as one's temporary residence.

Section 2 – That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 – That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the City of Avon, the immediate emergency being the necessity to extend the temporary moratorium to enable the City to continue to responsibly study, analyze, and review current and pending regulations related to development, construction, and operation of any short-term rentals, boarding houses, extended stays and the like, for the reasons set forth in the recitals of this Ordinance and Ordinance Nos. 94-23, 6-24, 67-24, 4-25 and 55-25; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director